



**WOKINGHAM
BOROUGH COUNCIL**

Privacy Notice Adult Social Services

This notice, in conjunction with Wokingham Borough Councils overarching privacy statement, explains when as a service we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

Who are we?

Adult Social Services,
Wokingham Borough Council,
Shute End
Wokingham,
Berkshire,
RG40 1BN

We work in partnership with colleagues from Berkshire Healthcare NHS Foundation Trust when delivering services.

What is the lawful basis for processing the information?

The lawful basis for processing your information is the performance of a public task, and is necessary for compliance with a legal obligation, as specified by the following legislation:

- Care Act 2014
- Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006

We will usually seek to inform you should we need to share your information with other people. There may be some situations where information is shared without consent or being informed such as where there is serious risk of harm, abuse or neglect occurring.

How do we collect information from you?

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your behalf, e.g. a solicitor.

The starting point for the majority of information we collect about you would be at the point of your initial contact with Adult Social Services through our hub, which is then passed to the relevant team within the department. . It could be that you make that contact yourself or a friend or family member makes the contact on your behalf. On some occasions other professionals, such as your GP or the Multi-Disciplinary Team on a hospital ward, will make a referral on your behalf. When it is not you making the referral, we will always check that you have consented to the referral but, on some occasions, a referral may be made without your consent - if this is the case we will check whether there is a legal duty for us to progress the referral e.g. because there are safeguarding concerns or if you lack the mental capacity to make the decision and the referral is being made in your best interests.

At the point of referral key data is requested from the person contacting us, which is then supplemented and checked with the person being referred and their current support team.

Following initial discussions, a professional health or social care employee will then work with you (and/or your representative) to collect any further information necessary to assess your requirements and eligibility for services.

What type of information is collected from you?

The service collects and processes a range of information about you. The information is provided to enable us to carry out our duty and functions, provide you with a service, and continue to make service improvements.

We collect the following personal data, including but not limited to; Surname, Forename, Title, Date of Birth, Address, Postcode, Previous address, Previous postcode, E-mail, Phone number, NHS number. We may collect optional demographic data including data such as Gender, Ethnicity, Languages spoken, Religion.

We will also collect factual information relative to our involvement and information such as your views, wishes or feelings in relation to this. We may also collect optional demographic data when appropriate to do so. You will be informed of any other data we collect, that is not listed above, orally or through email at the time of collection of the data. We also collect information from organisations relevant to the service that is being provided.

What type of information is collected from organisations about you?

In addition to the information listed above, we may also collect the following information from organisations: Your assessments and reviews, copies of your support plan and information from other people which relates to you, conversations held between you and members of Council staff, NHS organisations, members of your family, and/or providers of care.

Any diagnosed health conditions and Special Educational Needs (SEN), information from other services working with you such as Housing, Mental Health Teams, Children's Services, Next of Kin and relationship information.

How do we use the information you have provided?

All information provided is used by Wokingham Borough Council Adult Services for the following purposes :

- Fulfilling our safeguarding duties
- Understanding and assessing the needs of those referred to the service and their carers
- To offer and provide services
- Responding to enquiries and other matters
- Sharing relevant information with you regarding potential opportunities for accessing new services across health and social care
- Completing the Council's obligations with statutory returns
- Analysing statistical data for service development purposes (anonymised)

Who has access to the information about you?

Your information is managed by staff employed in the Adult Social Care, integrated Mental Health services and Public Health service. Your information may also be shared with officers from other service areas for assistance with these matters – there are a number of other team who support with financial assessment, procurement, commissioning and general administration.

All personal data is stored securely; we have in place security measures which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information.

Your data is stored securely on our systems and accessed only by authorised officers of Wokingham Borough Council, including services commissioned or individuals contracted to act on our behalf, by using their own Username and Password all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Councils network. These are only accessible through personal login credentials and access privileges to specific drives.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data and send things encrypted, we cannot guarantee the security of your data transmitted to our sites or emails; any information you send us via insecure methods is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a personal electronic pass (lanyard) to access staff only areas.

Who we may share your information with?

To fulfil our statutory or legal obligations, or to provide a service or support, we may sometimes need to share personal information that we process with other organisations that we work with. Information will be shared due to statutory requirements, legal obligations, progress monitoring and tracking to determine service delivery as laid out in the above section "How we use the information you have provided". Information will be shared internally if required for better performance and efficiency of Council services and the welfare of all of our customers.

The external organisations we may need to share information with are:

Berkshire Healthcare NHS Foundation Trust, commissioned Care Providers, Police, Domestic Abuse Support Services, Drug and Alcohol Support Services, Fire Service, Department of Health, other Local Authorities involved in your care and support, Royal Berkshire Hospital Trust, Doctor Surgery, Ambulance Service, Mental Health Services, HM Coroner and Out of Hours Health Services.

Your information may also be shared with statutory bodies for the purposes of inspection, including Ofsted, The Care Quality Commission, Her Majesty's Inspectorate of Constabulary and Her Majesty's Inspectorate of Probation.

When contacting Adult Social Care to gain access to services, your information will be shared with other Council staff to the extent required to provide you with the service you have requested. Where appropriate, we will share your information with permission from yourself or your legal representative, we will also share with other agencies such as Housing associations and Local Voluntary organisations.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

To ensure that information is continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access individuals personal information. This will be on a strict need to know basis and all contracts have confidentiality clauses built in.

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

Information will be shared internally if required for better performance and efficiency of Council services and the welfare of individuals.

Wokingham Borough Council may also share personal information with the police and other local authorities under Schedule 2 of the Data Protection Act 2018 in order to prevent or detect crime.

How long do we store your information?

The duration that the Council will hold information, and what happens at the end of that period, are as described within the Councils corporate retention schedule available on our website: www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement

Does the service utilise automated decision-making?

Adult Social Services does not utilise automated decision-making in the services that it provides, although financial information will be processed in accordance with national eligibility criteria to ascertain the level of contribution towards costs which is required.