

Privacy notice – Adult Social Care

Who we are?

Derby City Council is the local government unitary authority for Derby City. Our address is The Council House, Corporation Street, Derby, DE1 2FS. You can contact our Data Protection Officer on 01332 640763 or by email at Data.protection@derby.gov.uk

How do we collect information about you?

We collect information from you when you visit www.derby.gov.uk; also when you contact us in writing, speak to us on the phone, by email or any other type of electronic communication, or talk to us face to face.

We may also ask government departments and agencies to give us information they have about you.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and/or the reason why we need to process information relating to you. This could be personal information (for example your name and address), or other more sensitive data that we would only collect and use in very particular circumstances that are set out in law.

Details of information obtained from third parties?

We receive information and referrals that include personal data from a wide range of partners including public sector organisations such as health services; GPs; schools, colleges and universities; emergency services and the Probation Service. We also receive similar information from voluntary and third sector organisations such as care homes; care providers; housing associations and faith groups. We also receive similar information from members of the public.

We do not routinely collect personal information from publically accessible sources.

How is your information used?

Depending on the service you have requested or need, we may use your information together with other information you have given us to:

- help you to maximise your independence and to stay safe.
- assess any risk to your wellbeing in line with our Safeguarding Adults duties.
- assess whether you are being deprived of your liberty and to authorise any deprivation of liberty that is necessary, lawful and proportionate to protect you from harm, or to challenge any unlawful deprivation of liberty.
- arrange any necessary urgent support you may need to keep you safe.
- provide you with information and guidance, and to signpost you to other support services.
- refer you to other support services.



- assess your eligibility for social care services, including Blue Badge.
- provide professional advice about your housing needs and to make recommendations to support your rehousing application.
- help you to write a support plan.
- arrange support services on your behalf.
- set up, pay, monitor and administer a Direct Payment.
- set up, monitor and provide a community alarm system to enable you to summon help if needed.
- Complete a financial assessment and assess any charges that you may have to pay towards the cost of your care and support.
- process any payments or charges.
- provide you with a service tailored to your needs and desired outcomes.
- carry out our obligations arising from any contracts entered into by you and us.
- notify you of changes to our services.
- send you communications which you have requested and that may be of interest.
- evaluate the service or for research purposes to better understand the impact of services.
- fulfil our legal obligations under relevant legislation including the Children Act 1989, the Family Law Act 1996, the Human Rights Act 1998, the Mental Capacity Act 2005, the Safeguarding Vulnerable Groups Act 2006, the Mental Health Act 2007, the Forced Marriage (Civil Protection) Act 2007, the Health and Social Care Act 2008, the Local Authority Social Services and National Health Service complaints (England) regulations 2009, the Autism Act 2009, the Equality Act 2010, the Protection of Freedoms Act 2012, the Care Act 2014, the Children and Families Act 2014, the Children and Social Work Act 2017, and contained in the regulations and guidance that sit behind them.

If you have applied to be a Shared Lives carer, the information we collect will be used for carrying out a Disclosure and Barring Service check, registering you as a Shared Lives carer, and matching you with potential customers for you to support. We will also use the information so that we can pay you for the services that you provide.

If you have applied to be listed as a Personal Assistant, the information you provide will be used to create your individual profile on the Derby City Council Personal Assistant Register website.

We may share your information with other authorities or statutory agencies, to prevent or detect fraud or protect public funds.

Research and Statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We may share your information with the following third parties for the reasons detailed;



The information you provide may be shared with other professionals who may or may not be involved with you for similar purposes. This can include professionals such as your GP, District Nurses, Community Matrons, Physiotherapists, and Occupational Therapists and so on, It may also be shared with health services, social care support services and equipment providers where that could be a benefit to you and/or in order to promote your personal health and wellbeing. A list of care support services and equipment providers that we contract with can be found [on our website](#).

If applicable, we may share your information with a Direct Payment Support Service provider specified by you or by the Council so that they can help you to administer your Direct Payment and to help you fulfil your duties as an employer (if applicable). We may also ask the same Direct Payment Support Service provider to give us information on your behalf.

We may share your Direct Payment information with a Suitable Person or other Third Party specified by you or by the Council so that they can help you to administer your Direct Payment and to help you fulfil your duties as an employer (if applicable). We may also ask the same Suitable Person or other Third Party to give us information on your behalf.

We may share your information with emergency services so that they can gain emergency access and provide emergency assistance if necessary.

The information you provide may be shared with other departments in the Council such as Derby Advice, and Housing and Council Tax Benefit to support your applications and to make sure that you are receiving the right amount and kind of benefit.

All documents relating to a Blue Badge application may be shared within the Local Authority, with other Local Authorities, with the Police and with parking enforcement officers to help detect and prevent fraud.

Blue Badge applications will be uploaded to the national Blue Badge database which is held by Northgate Information Solutions. The badges will then be centrally printed, personalised and distributed by a third party supplier, currently Payne Security, from the information held in the national Blue Badge database

We may share your information with HM Revenues and Customs, and with the Department for Work and Pensions, to help us check that your financial assessment is correct and to help detect and prevent fraud.

We may share your information with the Care Quality Commission (CQC) so that they can monitor the quality of services we are providing. You can read the CQC Privacy Notice here: <http://www.cqc.org.uk/about-us/our-policies/privacy-statement>

Information we collect as part of a Deprivation of Liberty Safeguards assessment may be shared with other professionals and interested parties who have been consulted as part of the assessment and authorisation process.

The information you provide may be shared with other departments in the Council for the purpose of preventing and detecting fraud, or the misuse of public funds, or for any legal or statutory requirements. It may also be shared with other public bodies such as The Court of Protection and The Cabinet Office for a similar purpose.



The information you provide may be shared anonymously with authorised third parties to help evaluate our services or for research purposes to better understand the impact of services.

The information you provide may also be shared with health services to be used in an anonymised way to help improve the planning of health and social care services generally.

We may share information in accordance with the National Fraud Initiative. For more information please refer to <https://www.gov.uk/government/collections/national-fraud-initiative>.

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to prevent automatic decisions – you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

We keep and dispose of all records in line with our record retention schedule; information about this is at <https://www.derby.gov.uk/retention-schedule/>. We comply with the Data Protection Act 2018.

What security precautions in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Details of any automated decision processes

There are no automated decision processes used in Adult Social Care.



Under 13

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

Cookies & IP addresses

Cookies are small text files which identify your computer to our servers. They are used to improve the user experience. View what cookies we use and how you can manage them at <https://www.derby.gov.uk/site-info/about-cookies/>.

Complaints

If you would like to make a complaint regarding the use of your personal data you can contact our Data Protection Officer;

By Post: Information Governance

The Council House,
Corporation Street,
Derby, DE1 2FS

By phone: 01332 640763

By email: Data.protection@derby.gov.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
Alternatively, visit ico.org.uk or email casework@ico.org.uk.

