

Privacy notice – Children and Adult Services

The **Local Authority (LA)** is committed to protecting your privacy when you provide your personal information per the relevant legal bases to use our services.

There are a number of legal reasons why we need to collect and use your personal information in the delivery of social care services.

What kind of information does Ealing Council have about me?

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person. For example, this could be your name and contact details.

Some personal information needs more protection due to its sensitivity, and are referred to as special categories of information by data protection laws. It's often information you would not want widely known and is very personal to you. This is likely to include anything that can reveal your:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinion
- genetic/biometric data
- criminal history

What do you do with information about me?

We may need to use some information about you to:

- deliver services and support to you;
- manage those services we provide to you;
- train and manage the employment of our workers who deliver those services;
- help investigate any worries or complaints you have about your services;
- keep track of spending on services;
- check the quality of services; and
- to help with research and planning of new services.

We use a range of organisations to either store personal information or help deliver our services to you. Where we have these arrangements there is always an agreement in place to make sure that the organisation complies with data protection law.

Sometimes we have a legal duty to provide personal information to other organisations. This is often because we need to give that data to courts, including:

- if we take a child into care;
- if the court orders that we provide the information; and
- if someone is taken into care under mental health law

We may also be obliged to share your personal information:

- in order to find and stop crime and fraud; or if there are serious risks to the public, our staff or to other professionals;
- to protect a child; or
- to protect adults who are thought to be at risk, for example if they are frail, confused or cannot understand what is happening to them

For all of these reasons the risk must be serious before we can override your right to privacy.

If we're worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we'll discuss this with you and, if possible, get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away.

If this is the case, we'll make sure that we record what information we share and our reasons for doing so.

How do I know the information about me is kept safely?

All the information we collect is stored securely on our IT systems and manual filing systems. We have strict procedures for the way this is done. Any and all information about you is treated as confidential and with respect. There are also clear rules and guidance about storing, recording and sharing information which staff receive training on.

We take information sharing very seriously. Appropriate council and health staff are DBS (Disclosure and Barring Service) checked. Any member of staff who is found to be breaking the rules will be dealt with through appropriate disciplinary procedures.

Are the records confidential?

All Ealing Council employees have a duty of care in accordance with our Data Protection policy. This includes respecting that right to confidentiality.

For how long are records held?

There are different rules for different documents and/or information kept by the council. We are required by law to keep records for varying lengths of time depending on individual circumstances.

Don't you need my permission to keep and share information about me?

We would need your consent if the LA's legal basis for collecting and processing your personal information is consent.

Although your information is confidential, we may have to share information about you/your family without your permission. These reasons are:

- To protect you from harm, neglect, abuse or significant threat
- When you may need urgent medical treatment
- To prevent or detect a crime
- To comply with a legal obligation

There are situations and service where we require your consent to share information. We will ask you for your consent at the time. You can withdraw your consent by contacting the service you are working with or by email to :

For Adults_Services Complaints_Adults_Services@ealing.gov.uk

For Childrens Services Complaints_childrens_services@ealing.gov.uk>

We will always do our best to tell you if we have to share information about you/your family under these circumstances, unless doing so puts you/your family in danger.

Are there any laws applicable in the processing and protection of my information?

There are a number of laws which allow for the protection, collection and processing of your personal information for this purpose, such as:

- The General Data Protection Regulations and *The Data Protection Bill 2018*
- Children's Act 2004
- Childcare Act 2006 as amended Section 9 of the Apprenticeships, Sills, Children and Learning Act 2009.
- The Common Law Duty of Confidence
- The Human Rights Act 1998
- NHS Guidelines - Caldicott Principles, which govern the sharing of patient identifiable information

Can I see the information you have collected about me/my family?

Yes, you can request a copy of the information held. This is called a subject access request under the *Data Protection Bill 2018* and General Data Protection Regulations which contain certain rights of individuals and their personal data.

For more information regarding your rights under data protection laws, please see the LA's corporate Privacy Notice at

https://www.ealing.gov.uk/info/201045/data_protection/1420/privacy_statement

Who should I contact if I want further information or to complain about the use of my personal information?

Please see the LA's website for more information on how we use your information at

https://www.ealing.gov.uk/info/201045/data_protection/1420/privacy_statement

The Council's Data Protection Officer is Mrs L. Cox, whom you can contact on: dataprotection@ealing.gov.uk or telephone 0208 825 5124 during office hours.

Issued May 2018. Review date May 2019.