

## **PRIVACY NOTICE – ADULT SOCIAL CARE**

The London Borough of Hounslow is committed to protecting and respecting your privacy. Through this Privacy Notice we have sought to be as transparent as possible and fully explain how your personal data is held and processed.

This privacy notice applies to services provided by ADULT SOCIAL CARE for London Borough of Hounslow and tells you what we do with your personal information.

If you have any questions about this privacy notice or any concerns about how we process your data, please contact 020 8583 3100 or [adultsocialcare@hounslow.gov.uk](mailto:adultsocialcare@hounslow.gov.uk) or via the postal address below. The privacy notice will continue to be monitored and updated. You are advised to check this page from time to time.

Adult Social Care  
London Borough of Hounslow  
Hounslow House,  
7 Bath Road,  
Hounslow, TW3 3EB

### **What type of information we have**

We currently collect and process the following personal information:

- Names
- Addresses
- Dates of birth
- National insurance number
- Telephone numbers
- Email addresses
- GP details

As well as personal information where applicable, we may collect and share additional information known as ‘Special Categories of Personal Data’ where appropriate including:

- Health assessment
- Professional’s referrals
- Mental capacity assessments
- Gender
- Nationality
- Ethnic origin
- Religion
- Sexual orientation.

### **How do we get your information?**

Most of the personal information we process is provided to us directly by you but we may also receive personal information indirectly from:

- Other Hounslow Council departments such as Housing
- Your carer, advocate or family member

- Health professionals such as your GP or those providing you with therapeutic or medical care
- General hospitals or other in-patient services
- Government Bodies such as the Department for Work and Pensions
- Other Local Authorities
- The emergency services

We only process the information above if it is required for us to carry out statutory social care functions for which we are legally responsible.

### **Our Lawful basis for processing your information**

The lawful basis we rely on for processing this information is

- Legal obligation – so that we comply with a common law or statutory obligation that has a clear basis in law
- Public task – so that we may perform a task in the public interest or for an official function, and the task or function has a clear basis in law.
  - Basis in law referred to above includes but is not limited to: The Care Act 2014, Health & Social Care Act 2015, Mental Capacity Act 2005, Mental Health Act 1983 and Liberty Protection Safeguards

If the information you provide us contains special category data, such as health, religious or ethnic information, the legal basis we rely on to process is

- Health or social care purposes – for the provision of health or social care or treatment and for social support services
- Substantial public interest – processing is necessary to meet statutory and government purposes

### **Why we need your information (purposes of processing)**

The personal data we collect will be used for the following purposes:

- To carry out an assessment of your needs and to provide or arrange services you are entitled to, which meet all of our legal and statutory duties including, but not limited to, those which apply under the Care Act 2014, Health and Social Care Act 2015 and Care Quality Registration Regulations 2009
- to allow us to communicate and provide services appropriate to your needs, these may include, but are not limited to:
  - Provision of a support plan or care package
  - Referrals to services and partner agencies that can assist with meeting your eligible needs
  - Support or signposting to help you live independently
  - Respite provision
- To allow us to gather information which informs planning and service delivery decisions
- assess performance
- where necessary, to safeguard people to protect them from harm or injury

- to enable us to conduct research or statistical analysis that allows us to target and plan the provision of services for adults
- to assist the council in responding to emergencies or major incidents. This allows the council, in conjunction with the emergency services, to identify citizens who may need additional support
- Access to funds, including for those individuals who are not entitled to public funds

**Who your information may be shared with (internally and externally)**

When it is necessary, we may share your information with:

- Care providers for the purpose of planning, providing or arranging the care that you are entitled to
- NHS England – General Practitioners and other health professionals (including the ambulance service, hospitals and mental health trusts)
- Commissioned Health Care Providers such as Hounslow and Richmond Community Health Care Trust and Hounslow Clinical Commissioning Group
- Community enterprises that offer voluntary or commissioned services in support of the care you need or activities that support your wellbeing
- Social Finance – an external organisation commissioned by the Council to conduct research and recommendation development for a YSEG project called SEND Pathways
- LBH interns aged 17-24 years enrolled on our Project SEARCH provision (transition from education to work programme) – employment data is shared with the national DFN Project SEARCH team and used to assist social care teams with data processing
- Other internal departments in the London Borough of Hounslow, such as the Housing team or Direct Payments, and only if the need to do so relates directly to the care and support you receive from us
- Government departments including the Department for Work and Pensions
- Ministry of Justice agencies including HM Courts and Tribunal Service and HM Prison and Probation Service
- The Metropolitan Police or other Police services
- The London Fire Brigade and other Fire Services
- Adult Social Care teams in other Local Authorities
- Family members, carers or advocates for the person whose personal data we are processing

We will strive to ensure that any personal data in our care will be kept safe and that where your information is disclosed to a third party working on our behalf, we will seek to ensure that they have sufficient systems and procedures in place to prevent the loss or damage of personal data.

## **How long we keep your information**

We keep records containing personal information for specific periods depending on the type of record – these can be found in Appendix A of this document.

We will then dispose of your information in the most secure manner possible.

## **Business Intelligence, Profiling and Analysis**

We may analyze your personal information to improve the council's services for the following purposes:

- undertake statutory functions efficiently and effectively
- service planning by understanding your needs and your community's needs and to provide the services that you or your community request
- understanding what we can do for you and your community and inform you of other relevant services and benefits
- help us to build up a picture of how we are performing at delivering services to you and what services the people of Hounslow need
- analysis of costs and spend of services we provide so that we can ensure better and efficient use of public funds

The council is committed to using pseudonymised or anonymised information where practical, and in many cases this will be the default position.

**Pseudonymisation** is a procedure by which the most identifying fields within a data record are replaced by one or more artificial identifiers, or pseudonyms. There can be a single pseudonym for a collection of replaced fields or a pseudonym per replaced field. An example of this is your National Insurance number or Council Tax Reference number.

**Anonymisation** is the process of removing identifying particulars or details. This means that the data cannot be linked back to identify you.

## **Data Matching and Auditing**

We are required by law to protect the public funds we administer. We may use the information you provide to us for the prevention and detection of crime if we are asked to do so by the Police. We may also share this information with other bodies that are responsible for auditing or administering public funds including the Department for Work and Pensions, other local authorities and the Police.

We may share anonymised gross data with the Association of Directors of Adult Social Services (ADASS) and the Department of Health and Social Care for the purposes of auditing our practices and services in order to improve service quality and outcomes in the care we provide to you.

The council uses data matching as a way of processing large volumes of information. While this can be a useful way of detecting fraud, it also enables us to identify information that is inaccurate or out of date, helping us comply with Data Protection law, while improving service provision.

## **The national data opt out**

The national data opt out was introduced on 25 May 2018 to allow you to opt out from the use of your data for anything other than your individual care and treatment. This will prevent it being

used for research or planning purposes as listed above. The opt out is in line with the recommendations of the National Data Guardian in the [Review of Data Security, Consent and Opt-outs](#).

The national data opt out applies to the NHS and some of the activities of the council. The following link provides further information for you and details about how you can opt out if you choose to do so - [The National Data Opt-Out | The National Data Opt-Out | London Borough of Hounslow](#)

### **Your data protection rights**

The rights available to you depend on our reason for processing your information. For further information about your data protection rights and how to make a request, please see '[Your rights](#)'

### **Your right to make a complaint**

The Council tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate.

If you want to make a complaint you can contact us on:

Complaints Team  
London Borough of Hounslow  
Hounslow House,  
7 Bath Road,  
TW3 3EB

Email: [complaints.crt@hounslow.gov.uk](mailto:complaints.crt@hounslow.gov.uk)

Telephone 020 8583 5211

### **Data Protection Officer**

The Council's Data Protection Officer can be contacted on:

[InformationGovernance@hounslow.gov.uk](mailto:InformationGovernance@hounslow.gov.uk)

Information Governance Team  
London Borough of Hounslow  
Hounslow House,  
7 Bath Road,  
TW3 3EB

### **Information Commissioner's Office**

The Information Commissioner is the UK's independent body set up to uphold information rights.

If you would like to know more about your rights under the Data Protection law, and what you should expect, visit the Information Commissioner's website:

If you have any concerns regarding any privacy practices or about exercising your Data Protection rights, you may contact the Information Commissioner's Office: [www.https://ico.org.uk](http://www.https://ico.org.uk)

Information Commissioner's Office  
Wycliffe House

Water Lane  
Wilmslow Cheshire  
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

A full list of what information we control and process and for what purposes is set out in our notification with the Information Commissioner's Register of Data Controllers. Our registration number is Z5761176. You can view our registration on the Information Commissioner's website.

**APPENDIX A - RECORDS RETENTION SCHEDULE : ADULT SOCIAL CARE**

Ref No	Records Description	Retention Period	Trigger	Legal Basis for Retention or Justification	Action at the End of Retention Period	Contains Personal Information	Protective Marking
ASC001	<b>First Contact</b> - No further action	3 years	From closure - following action such as signposting or providing information	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC002	<b>Resident-Led Care Needs Assessment</b>	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC003	<b>Support Plan</b> (service provision) - domiciliary care, day services, community access, employment support	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC004	<b>Direct Payments</b> - records related to the process of providing the DP scheme	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC005	<b>Occupational Therapy &amp; Sensory Needs</b> - records related to assessment and provision of support	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC006	<b>Hospital Discharge</b> - records related to discharge planning and provision of after-care	8 years	From date of case closure or death of individual (all instances apart from serious case review)	The Records Management Code of Practice for Health and Social Care 2021.	Secure Disposal	Yes	Official Sensitive (Personal)
ASC007	<b>Community Recovery Service</b>	10 years	From date of case closure or death of individual (all instances apart from serious case review)	The Records Management Code of Practice for Health and Social Care 2021.	Secure Disposal	Yes	Official Sensitive (Personal)
ASC008	<b>Specialist Equipment, Adaptations and Aids</b> - records related to assessment, support & provision of specialist equipment, adaptations and aids for adults with a physical disability	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (Section 2) HRMC Compliance Handbook Manual CH15400	Secure Disposal	Yes	Official Sensitive (Personal)
ASC009	<b>Respite</b> - records related to the provision of providing respite care for adults	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC010	<b>Safeguarding Episodes</b> - records related to enquiry reports and planning and outcomes meetings	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC011	<b>Mental Health &amp; Learning Disabilities</b> - All records related to the integrated health and social care for clients known to the Mental Health teams	20 years	From date of case closure or death of individual (all instances apart from serious case review)	The Records Management Code of Practice for Health and Social Care 2021.	Secure Disposal	Yes	Official Sensitive (Personal)
ASC012	<b>Approved Mental Health Professional (AMHP) Service</b> - records related to carrying out assessments for individuals in crisis, determining necessity for inpatient treatment and to assess referrals for Community Treatment Orders.	20 years	From date of case closure or death of individual (all instances apart from serious case review)	The Records Management Code of Practice for Health and Social Care 2021.	Secure Disposal	Yes	Official Sensitive (Personal)
ASC013	<b>Deprivation of Liberty and Liberty Protection Safeguards</b>	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC014	<b>Transition</b> - records related to transition from CSC to ASC for individuals with physical and learning disabilities	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC015	<b>Shared Lives (Adult Placement Scheme)</b>	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC016	<b>Emergency Duty Team</b> - records related to calls taken by Social Care out of hours service	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC017	<b>Safeguarding Adults Reviews (SAR)</b> - records related to the SAR process from inception to publication and subsequent monitoring of action plans and learning	50 years	From date of completion of the SAR Report or the decision not to proceed with the SAR	Care Act 2014 Section 44	Secure Disposal	Yes	Official Sensitive (Personal)

Ref No	Records Description	Retention Period	Trigger	Legal Basis for Retention or Justification	Action at the End of Retention Period	Contains Personal Information	Protective Marking
ASC018	<b>Residential Care</b> - records related to medication administration, duty rota, staff handover notes, nurse call-out	4 years	From date of action taken	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC019	<b>Residential Care</b> - records related to admission and discharge registers, return of medication to pharmacy, visitor and staff signing-in sheets	6 years	From date of action taken	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC020	<b>Residential Care</b> - Correspondence with the Coroner following the death of a resident	15 years	From date of case closure or death of individual (all instances apart from serious case review)	Common Practice	Secure Disposal	Yes	Official Sensitive (Personal)
ASC021	<b>Asylum Seekers</b> - records related to the administration of payments made in relation to Asylum Seekers	7 years	Current year plus 6 years	HMRC - Compliance Handbook Manual CH15400	Secure Disposal	Yes	Official Sensitive (Personal)
ASC022	<b>Referrals</b> - records related to referrals received resulting in no further action or no support services provided	6 years	From date of last action or entry made	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)
ASC023	<b>Carers</b> - records related to the provision of advice, support and respite for adult carers who care for the elderly, children with special needs and adults with physical or learning disabilities.	6 years	From date of case closure or death of individual (all instances apart from serious case review)	Limitation Act 1980 (S2)	Secure Disposal	Yes	Official Sensitive (Personal)