

Bridgend County Borough Council

Social Services and Wellbeing Directorate - Fair Processing/Privacy Statement

What happens to information held about you?

This document explains how the Social Services and Wellbeing Directorate of Bridgend County Borough Council (BCBC) obtains, holds, uses and discloses information about people (their personal data), the steps we take to ensure that it is protected, and also describes the rights individuals have in regard to their personal data handled by the Directorate.

The use and disclosure of personal data is governed by the Data Protection Act 2018 and the General Data Protection Regulation 2016. As such the Directorate is obliged to ensure that it handles all personal data in accordance with the legislation.

We take that responsibility very seriously and take great care to ensure that personal data is handled appropriately in order to secure and maintain individual's trust and confidence in the Social Services and Wellbeing Directorate.

1. What is the information we hold used for?

Social Services and Wellbeing Directorate processes personal information to enable it to provide a range of social care support and services to local people which include:

- the provision of appropriate social care and support
- to safeguard children and adults at risk
- to make application for services, support or benefits on an individual's behalf
- to help plan, organise and improve services
- the provision of social care data both locally and nationally for statistical and or research purposes
- maintaining records
- supporting and managing our employees
- carrying out health and public awareness campaigns
- providing leisure and cultural services
- carrying out surveys
- administering financial assessments
- collection of revenue including grants
- regulatory activities

- undertaking research
- internal financial support and corporate functions
- managing archived records for historical and research reasons

2. What type/classes of personal data do we handle?

In order to carry out the purposes described under section 1 above the Social Services and Wellbeing Directorate may obtain, use and disclose personal data including the following:

- Personal and sensitive information about you or your child
- Medical information
- Family details and relationship information
- Lifestyle and social circumstances
- Domestic violence information
- Service detail/information
- Financial details
- Employment and education details
- Housing needs
- Visual images, personal appearance and behaviour
- Case file information
- Physical or mental health details
- Disability details
- Racial or ethnic origin
- Offences (including alleged offences)
- Religious or other beliefs of a similar nature
- Criminal proceedings, outcomes and sentences
- Assessment of risk details

The Directorate will only use appropriate personal data necessary to fulfil a particular purpose or purposes. Personal data could be information which is held on a computer, in a paper record i.e. a file, as images, but it can also include other types of electronically held information e.g. CCTV images.

3. Who information is processed about?

In order to carry out the purposes described under section 1 above Social Services and Wellbeing Directorate may obtain, use and disclose personal data about the following:

- People who use services
- Carers or representatives
- Family members
- Providers of services
- Staff, persons contracted to provide a service
- Foster Carers and Adopters
- Claimants
- Complainants, enquirers or their representatives
- Professional advisors and consultants
- Witnesses
- Offenders and suspected offenders
- People captured by CCTV images
- Representatives of other organisations

The Directorate will only use appropriate personal data necessary to fulfil a particular purpose or purposes. Personal data could be information which is held on a computer, in a paper record i.e. a file, as images, but it can also include other types of electronically held information e.g. CCTV images.

4. Where do we obtain personal data from?

In order to carry out the purposes described under section 1 above Social Services and Wellbeing Directorate may obtain personal data from a wide variety of sources, including the following:

- Law enforcement agencies, legal representatives, solicitors
- Courts
- Prisons
- Police
- GP's and other health care workers including hospital and community healthcare staff

- Schools
- Voluntary sector organisations
- Approved organisations and people working with the Council
- Organisations contracted to provide care or support services
- Central (Welsh) Government, governmental agencies and departments
- Emergency services
- Individuals themselves
- Relatives, carers, guardians or other persons associated with the individual;
- Current, past or prospective employers of the individual;
- Healthcare, social and welfare advisers or practitioners;
- Education, training establishments and examining bodies;
- Business associates and other professional advisors;
- Employees and agents of BCBC;
- Suppliers, providers of goods or services;
- Persons making an enquiry or complaint;
- Financial organisations and advisors;
- Loss Adjusters, external claims handlers
- Witnesses
- Medical consultants and GPs
- Survey and research organisations
- Voluntary and charitable organisations;
- Ombudsman and regulatory authorities;
- The media
- Data Processors working on behalf of BCBC
- Probation Service
- Information openly available on the internet
- Other departments within the Council.

The Directorate may also obtain personal data from other sources such as its own CCTV systems, or correspondence.

5. Looking after your information

The Social Services and Wellbeing Directorate will handle personal data in accordance with data protection laws. We will keep your information secure; it is only seen by staff who need it to do their jobs. Personal information held on paper is stored in places that are not accessible to the public. Only authorised staff can use our computerised information systems and they must follow security procedures. In particular we will ensure that personal data is handled fairly and lawfully with appropriate justification. We will strive to ensure that any personal data used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and non-excessiveness, is kept as up to date as required, is protected appropriately, is reviewed, and retained and securely.

6. How do we keep personal data secure?

Social Services and Wellbeing Directorate takes the security of all personal data under its control very seriously. We will ensure that appropriate policy, training, technical and procedural measures are in place, including audit and integrity monitoring, to protect our manual and electronic information systems from data loss and misuse, and only permit access to them when there is a legitimate reason to do so, and then under strict guidelines as to what use may be made of any personal data contained within them. These procedures are continuously managed and enhanced to ensure up-to-date security.

Any information that we share with other agencies is sent securely, and will only ever be shared with other agencies under careful controls, to ensure it is only used in the ways listed here.

7. Sharing your information

The Social Services and Wellbeing Directorate sometimes need to share information. Where this is necessary we are required to comply with all aspects of the legislation. Below is a description of the types of organisations we may need to share some of the personal information that we process with:

- Those that provide care and support services
- Family, carers, associates or representatives of the person whose personal data we are processing
- Organisations such as health or education who work jointly with us to provide services and protect individuals
- Police
- The prison service and probation service
- Foster carers and adopters

- Housing associations
- Local and Welsh Government
- Other departments of the council
- Ombudsman
- Regulatory services
- Professional advisers and consultants
- Courts, tribunals, barristers
- Trade unions
- Professional bodies
- Survey and research organisations to support individual's wellbeing
- Data processors
- Regulatory bodies
- International law enforcement agencies and bodies
- Partner agencies, approved organisations and individuals working with the police
- Licensing authorities
- Current, past and prospective employers and examining bodies
- Legal representatives, solicitors
- The disclosure and barring service (DBS)
- Loss Adjusters, Insurance Brokers and Insurers
- Training Providers
- Auditors

8.What are your rights in relation to your personal data which is handled by BCBC?

Individuals have various rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing

6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

Right to be informed

You have the right to be informed about the collection and use of your personal data. The Council must provide you with information including: purposes for processing your personal data, retention periods for that data, and who it will be shared with. This is called 'privacy information'.

Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the Council. A copy of the application form is available from:

<https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the Council. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing
- The categories of personal data concerned
- The recipients to whom the personal data has been disclosed
- The period for which it is envisaged that the personal data will be stored
- Communication of the personal data undergoing processing and of any available information as to its origin.

**Please note that 'processing' means an operation or set of operations performed on personal data such as collection, recording, organisation, structuring, storage, adaption, alteration, erasure, restriction, retrieval.*

Proof of ID and any further information needed to locate the information may be required before the Council can comply with your request.

Any request for the above information should be made in writing to the Data Protection Officer and the Council will respond within one month.

Rectification of data

You can request the Council to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the Council must complete it if is required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.

Erasure or restriction of personal data

You can request that the Council erase your data or restrict any processing of your data, subject to exemptions.

All requests should be made to the Data Protection Officer. The Council will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the Council of its decision and challenge it.

However, it should be noted that this right does not apply to all decisions as there are exemptions for example authorisation by law, performance of a contract to which you are a party.

Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the Council.

Right to object

You have the right to object to the processing of your personal data in certain circumstances.

The Council has one calendar month to respond to an objection.

9. How long does BCBC retain personal data?

Social Services and Wellbeing Directorate keeps personal data as long as is necessary for the particular purpose or purposes for which it is held, in this is in accordance with the **Data Retention Policy**.

10. The lawful basis on which we use this information.

The Council must have a valid lawful basis in order to process personal data. Which basis is more appropriate to use will depend on the purpose and relationship with the individual.

The processing of your personal data is because of one or more of the following:

- 1) you have given your explicit consent
- 2) it is necessary for the performance of a contract to do so

- 3) we have a legal obligation to process in accordance with relevant legislation for example the Social Services and Well-being (Wales) Act 2014.
- 4) processing is necessary to protect the vital interests of a data subject or another person
- 5) it is necessary for the performance of a task carried out in the public interest
- 6) it is necessary for the purposes of legitimate interests to do so

Other information

Please see the attached links to the Welsh Government's website for the short and full version of the Welsh Government privacy notices. These set out information about the collection and processing of data for children receiving care and support, Adults receiving care and support and looked after children data by the Welsh Government.

<https://www.gov.wales/children-receiving-care-and-support-census-and-looked-after-children-census-privacy-notice-html>

<https://www.gov.wales/adults-receiving-care-and-support-census-privacy-notice>

Contact Us

Any individual with concerns over the way BCBC handles their personal data may contact the Data Protection Officer at the Council as below:

Bridgend County Borough Council,
Information Office,
Civic Offices,
Angel Street, Bridgend,
CF31 4WB.

E-mail foi@bridgend.gov.uk

Telephone 01656 643565

You can also raise concerns with the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office – Wales 2nd Floor
Churchill House

Churchill Way

Cardiff

CF10 2HH

Telephone: 02920 678400 Fax: 02920 678399

Email: wales@ico.org.uk

Website: <https://ico.org.uk/>