



Adult Social Care Privacy Notice

Document Control	
Document title	Adult Social Care Privacy Notice
Purpose	
Author	
Date of publication	
Owner/responsibility	
Distribution	LanConsent/Other
Version	Date Comments
1.0	March 2019
2.0	August 2020
3.0	January 2021
4.0	March 2023
5.0	June 2023 – updates to format

This Privacy Notice was last updated in June 2023. It is regularly reviewed and may be updated or revised at any time. Please refer to this page for the most up-to-date information <https://www.wigan.gov.uk/Docs/PDF/Council/Data-Protection-FOI/Privacy-notices/Children-and-Adults-Social-Care/Adult-Social-Care-Privacy-Notice.pdf>

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes.

1. INTRODUCTION

Our core data protection obligations and commitments are set out in the Council's Primary Privacy Notice.

This notice provides additional privacy information for Adult Social Care.

Wigan Council and organisations who work on behalf of us, collect, store and process personal and sensitive information about adults. This information enables us to carry out specific functions that we are responsible for.

2. WHAT PERSONAL INFORMATION DO WE COLLECT

In order to carry out activities and obligations as providers of services to adults in need of care and support, we may process the following personal information:

- Name
- Title
- Address
- Telephone number
- Email address
- Date of birth
- Gender
- Marital status
- Civil partnership
- Next of kin
- Key relationships
- Bank account details
- Payroll
- Tax/national insurance status information
- Photos/images (where this is with your consent)
- GP
- Next of kin

Please note that this is not an exhaustive list.

We may also use special categories of more sensitive personal information. This may include, but is not limited to:

- Race
- Ethnicity
- Religious beliefs
- Sexual orientation
- Political opinions
- Offences
- Criminal proceedings including outcomes and sentences
- Identification numbers (including NHS number), online identifier and factors specific to your physical, physiological, genetic, mental, economic, cultural or social identity. This could include reports from health professionals, the police, Court information/orders.
- Physical and/or mental health needs
- Disabilities and/or health conditions/diagnoses
- Capacity
- Support needs or issues
- Details of professionals involved in your care and information they have about you to support your care. This may include sensitive information such as details of domestic or financial abuse or neglect.

3. HOW WE USE PERSONAL INFORMATION

The main purposes for collecting and using your personal information is:

- To provide services under legislation and to comply with our legal obligations.

For example, this will include:

- Where it is necessary in order to assess and meet your needs for care and support
- Where it is necessary in order to prevent, reduce and delay needs for care and support
- Where it is necessary in order to safeguard and promote your well-being
- Where it is necessary in order to investigate and protect you against the risk of abuse or neglect
- Where it is necessary in order to meet your needs for aftercare
- Where it is necessary in order to determine your capacity and best interests
- Where it is necessary in order to determine the costs of services and in planning your budget
- Where it is necessary for carrying out obligations under social protection law, public health law or in the substantial public interest

Note: you do however have the right to refuse certain services. In the event that you do refuse a service or intervention we will only retain data that is necessary to demonstrate that our legal obligations have been discharged e.g. we will keep a record of your refusal and the reasons for it.

4. LEGAL BASIS FOR PROCESSING

The legal bases we rely on for processing your personal information are:

- To fulfil a legal obligation under the following legislation:
 - The Care Act 2014
 - The Mental Health Act 1983
 - The Mental Capacity Act 2005
 - Local Government Act 2003
 - Local Government and Finance Act 1992
- To perform a public task in the public interest
- You have given consent
- The processing is necessary to protect someone's life – We will use or share your personal information if it is necessary to protect the life of you or another person. This is most likely to be in an emergency situation and we may not be able to talk to you about sharing your data during the emergency; once the emergency is over, we will seek to advise you of the use at the earliest opportunity.

5. WHO DO WE SHARE PERSONAL INFORMATION WITH

Your data is accessed by staff working within Wigan Council's Adult Social Care Services. Other Council Teams may also have access to your personal information to carry out their roles. These teams may include, but are not limited to:

- Housing
- Council tax
- Health protection and civil contingencies

Additionally, there is a legal duty on local authorities and their partners to co-operate in promoting the well-being of children and young people and adults and to make arrangements to safeguard and promote their welfare.

In this context, and in order to ensure you get the best possible support that is co-ordinated, joined-up and gives us an accurate record of the services that have been involved in your care, partners who we may share information with or seek information from include:

- Educational establishments
- Organisations that provide support i.e., residential homes, supported accommodation, personal assistants, care providers
- GPs
- The Police
- The Court
- Health Service Providers and Professionals
- The Youth Justice System
- Any other person or organisation exercising statutory functions or engaged in activities or support in relation to children and adults in the authority's area
- The Department for Education
- The Department for Health and Social Care

- The Disclosure and Barring Service (DBS)

We may share information with the Police, the Court, the Cabinet Office and the DBS if legally obliged to do so and to ensure protection of children and adults from harm or for fraud prevention and the protection of public funds.



We may also share information with Government departments and the GM ICB (Wigan) for research or statistical purposes but this information will not identify you specifically.

We share information with organisations that will provide support to meet your needs to enable them to do this in the best possible way.

Health Services, including GPs and health professionals: We export information into the integrated shared care record – a single data-viewer for patient/service user information drawn from a range of care settings that can include acute care, primary care, social care, community care, child health, and mental health. This gives clinicians, GPs and organisations that provide services to meet health needs the ability to see data from different care settings and allows more joined up, effective care. This is to ensure you get access to the right kind of direct clinical and co-ordinated care and support and gives us all an accurate record of the services that have been involved in your care.

Decisions on whether we share personal data are based on careful consideration of whether it is in the public interest and is proportionate and necessary in order to comply with our legal obligations.

Decisions on whether to release personal data to third parties, when we receive a specific request to do so, are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements they have in place to store and handle the data.

6. HOW LONG DO WE KEEP PERSONAL INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our Corporate Records Management Policy to fulfil legal, statutory, and regulatory requirements.

7. AUTOMATED DECISIONS

All the decisions we make about you involve human intervention.

8. COOKIES

To find out how we use cookies, please see [Cookies \(wigan.gov.uk\)](https://www.wigan.gov.uk/cookies).

9. YOUR RIGHTS

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found at [Wigan Borough Council Primary Privacy Notice](#).

