



# **Wigan Safeguarding Adults Board / Children's Board Privacy Notice**

Document control		
Document title	Wigan Safeguarding Adults Board / Children's Board Privacy Notice	
Purpose		
Author	Shirley Parkinson	
Date of publication		
Valid until	October 2019	
Owner/responsibility	Shirley Parkinson	
Distribution	LanConsent/Other	
Version	Date	Comments
Version 1.0		



## **Wigan Safeguarding Adults Board / Children's Board Privacy Notice**

Wigan Safeguarding Boards are the ("a data controller") and committed to protecting the privacy and security of your personal information.

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

We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council's primary privacy notice](#).

### **This notice provides additional privacy information for:**

- Children, young people, adults and their families.

### **It describes how we collect, use and share personal information about you:**

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as 'special because of its sensitivity'.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

### **We collect Special Information;**

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of;

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade Union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

## Purpose(s)

The main purposes for processing your personal information are:

Co-operating to safeguard children, young people and adults in relation to:

- Protection from harm and neglect;
- Physical and mental health and emotional well-being;
- Education, training and recreation;
- The contribution made by them to society;
- Social and economic well-being.

To produce:

- Statistics, case reviews, analyses of cohorts, quality assurance reports and action plans to assess the overall effectiveness of health and social care services in relation to their objectives around safeguarding children, young people and adults.
- Statistics are used in different ways, meaning that individual children young people and adults may or may not be identified in the process. The use of personal data in research and statistics is part of the local authority's legal duty and ensures that funding and other resources are placed where children and young people and adults need them most. This includes sharing for local and national research and publication purposes which can be anonymised.
- Under the Working Together Review, and the Care Act, 2014, the Children's Board (by September 2019, will change to local safeguarding arrangements) and Adults Boards have a legal responsibility to ensure that information is shared across partner agencies in respect of safeguarding children, young people and adults. This includes all relevant organisations in the statutory and non-statutory sectors who are responsible for providing effective safeguarding arrangements. For example the following services: Education institutions and other public bodies including the Department for Education (DfE), Police, Probation, Clinical Commissioning Group (CCG) health services, may pass information to us to help us to do this.

This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998 and EU General Data Protection Regulation (GDPR).

## Categories of personal data

In order to carry out activities and obligations as providers of services *to Children, young people, adults and their families* we process personal information in relation to

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses

- Personal demographics (including date of birth, gender, marital status, civil partnerships)
- Contact details such as names, addresses, personal e-mail address, telephone numbers
- Bank account details, payroll and tax/national insurance status information.

### Special Categories

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions (including ensuring meaningful equal opportunities monitoring and reporting)
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Identification numbers, location data, online identifier and factors specific to a person's physical, physiological, genetic, mental, economic, cultural or social identity. This could include reports from the Police, Court Information / orders Health information e.g. DNA.

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

Article 6: (1) (c) provides a lawful basis for processing where, processing is necessary for compliance with a legal obligation to which the controller is subject.

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

Article 9: (2) (g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

We are making this request under Section 45 of the Care Act: Supply of Information.

<http://www.legislation.gov.uk/ukpga/2014/23/section/45/enacted>

The [Education Act 2002](#), [Children's Act 2004](#), [the Care Act \(2014\)](#), [Crime and Disorder Act, 1998](#), [Working Together, 2018](#).

If we intend to use your information beyond legal obligations or to exercise specific rights. We will seek your consent to process your information and full guidance will be provided.

### AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

### COOKIES

To find out how we use cookies please see our [cookie notice](#).

### DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice:

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 partners who we share information with include

- educational establishments
- Organisations that provide support i.e Residential Homes, Supported Accommodation, Personal Assistants
- GP's
- the police
- court
- health service providers
- youth justice system
- any other person or organisation exercising functions or are engaged in activities in relation to children and adults in the authority's area
- Department for Education
- Department of Health and Social Care

### **DATA RETENTION**

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 policy to fulfil legal, statutory and regulatory requirements.

### **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it (right to be forgotten).
- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **RIGHT TO WITHDRAW CONSENT AT ANYTIME**

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

If you wish to withdraw consent you should notify the person who is your lead professional, for example this might be your Social Worker / Social Care Officer, Start Well Worker or YOT officer. You should put this in writing and we will process your request within 14 days.

## **YOUR RIGHTS**

In addition to the above you have legal rights in relation to your personal information. You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should visit our website where you can make a subject access request or write to us:

Wigan Council, PO Box 100, Wigan WN1 3DS

## **DATA PROTECTION OFFICER**

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

## **CHANGES TO THIS PRIVACY NOTICE**

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.