

## Privacy Notice for Adults Social Care sharing of Client Level Data with Department for Health and Social Care

Our core data protection obligations and commitments are set out in the [Council's Corporate Privacy Notice](#) and on our website on the [Access to Information](#) webpages.

This notice provides additional privacy information for individuals who engage with Adults Social Care, specifically around the Council's sharing of client level data with the Department of Health and Social Care (DHSC).

DHSC's privacy notice for their use of the data shared can be found [here](#).

Other service specific privacy notices for Adults Social Care can be found [here](#).

### **Purpose(s)**

As outlined in the [Care data matters: a roadmap for better adult social care data](#), DHSC are committed to transforming how social care data is collected, shared and used in order to improve social care outcomes across the country. Improving social care data will enable

DHSC collects Client Level Data from Local Authorities, which is mandatory from April 2023.

We are responsible for providing Client Level Data to NHS England, which is responsible for data collection and analysis.

The data provided supports the integration of health and social care specifically for:

- monitoring service users at a population level
- monitoring service and integrated care outcomes across a pathway or care setting involving adult social care
- developing, through evaluation of person-level data, more effective prevention strategies and interventions across a pathway or care setting involving adult social care
- designing and implementing new payment models
- understanding current and future population needs and resource utilisation

### **Categories of Personal Data**

In order to carry out these purposes we collect and obtain:

- Name;
- Address
- Date of Birth
- Date of Death
- Gender;
- NHS Number;
- GP details
- CQC location ID
- Relationships information for link to informal carer
- Accommodation status

- Employment status
- Referral/Assessment/ Review and support plan Information
- Financial Information
- Service type and planned units per week

## Special Category Data

We may also collect special category personal data that may include:

- Health data relating to ASD, visual, hearing impairment, dementia;
- Racial or ethnic origin.

## Legal Basis for Processing

We collect and use your personal information because:

- It is necessary under **GDPR Article 6(1)(e)** for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council. This authority derives from the Health and Social Care Act 2012

NHS Digital is directed to collect this information under Data Provision Notices (DPN) issued under Section 259 (1) of the Health and Social Care Act 2012. Along with other participating Local Authorities, Tameside Council is legally required under Section 259 (5) of the Health and Social Care Act 2012 to provide the information.

Details of the requirement are set out in a [Data Provision Notice: Collection of Client-Level Adult Social Care Data \(No. 2\)](#) and [Data Provision Notice: Client-Level Adult Social Care Data \(No. 3\)](#) published on NHS Digital website.

Once it receives this information from Tameside Council, NHS Digital becomes the Data Controller in relation to processing the personal data.

The Secretary of State for Health and Social Care (DHSC) is the Data Controller in relation to determining the purpose for processing the data for England, through the issuing of a direction to NHS England.

We also collect special category data under:

- GDPR Article 9(2)(h) for provision of health or social care treatment or the management of health or social care systems and services;
- GDPR Article 9(2)(j) for reasons of archiving in the public interest, scientific or historical research purposes or statistical purposes;

## Who will we share your information with?

For the purposes of the Client Level Data sharing, we will share personal information about you with:

- NHS England
- Arden & GEM Commissioning Support Unit (CSU) – data processors on behalf of NHS England who operate the collection and pseudonymisation of the data to remove individual identifying information;
- Department of Health and Social Care (DHSC)

## How long we will keep your data for and why?

We will only retain information for as long as it is necessary to provide services to you and/or for as long as required by us in order to comply with statutory retention periods.

For this specific use of the data, NHS England state that the data that they hold will be held for “20 years Maximum from when the information is received, subject to appraisal if there is a justifiable reason to extend.”

## Transferring data outside the European Economic Area (EEA)

Your information is not processed outside of the European Economic Area.

## Your rights

Information about exercising your rights can be found on the council's website [Exercising Your Individual Rights](#).

However, you have no rights to object to the data being provided to NHS England (and their designated data processors) and the NHS National Data Opt-Out does not apply. This is because the data is submitted as required by the Data Provision Notice, which is a legal requirement with which all participating organisations must comply.

## Security

We use appropriate technical, organisational and administrative security measures to protect any information we hold in our records from loss, misuse, and unauthorised access, disclosure, alteration and destruction. We have written procedures and policies, which are regularly audited, and the audits are reviewed at senior level.

## Data Protection Officer

If you have any questions or concerns about how we use your personal information, please contact the Data Protection Officer at [information.governance@tameside.gov.uk](mailto:information.governance@tameside.gov.uk) or by calling 0161 342 8355.

## Automated Decisions

For this service, all the decisions we make about you involve human intervention.

## Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details on our [Find a Privacy Notice](#) page.