



## BMBC PRIVACY NOTICE

<b>Document Title</b>	Adult Social Care Service Privacy Notice
<b>Created By</b>	Dominic Ambler
<b>First Published</b>	September 2019
<b>Revision Date</b>	February 2024
<b>Revision Due</b>	February 2026

**At BMBC we are committed to protecting and respecting your privacy. This Privacy Notice tells you what you can expect when BMBC collects your personal information. This notice applies to information BMBC collect in relation to Adult Social Care.**

### Stage one: Who are we?

The core purpose of Adult Social Care is to help people in need of care and support, and their carers to achieve outcomes that matter to them in their life. The Care Act 2014 sets out how a local authority should go about performing its care and support responsibilities. Underpinning all the individual functions is the need to ensure that doing so focuses on the needs and goals of the person concerned.

Adult social care is the support provided to adults with physical or learning disabilities, or physical or mental illnesses. This could be for personal care (such as eating, washing, or getting dressed) or for domestic routines (such as cleaning or going to the shops).

This support is provided in various ways. It can be provided through formal care services, including residential care homes or a carer helping in the home. These services have to be paid for, usually by the local council or through private funds. Family members, neighbours, or friends may also provide unpaid care, which is often referred to as informal care.

Local Authorities must promote wellbeing. The following guiding principles put wellbeing at the heart of care and support:

- Personal Dignity (including treatment of the individual with respect)
- Physical and mental health and emotional wellbeing
- Protection from abuse and neglect
- Control by the individual over day to day life (including over care and support provided, and the way it is provided)
- Participation in work, education, training or recreation
- Social and economic wellbeing
- Domestic, family and personal

- Suitability of living accommodation
- The individuals' contribution to society

In Barnsley Adult Social Care consists of the following teams:

- Front Door Team, which delivers a first point of contact for Adult Social Care enquiries.
- Hospital Social Work Team, who facilitate safe discharges from hospital settings.
- Three Long Term Care teams, who support older people, people with a physical disability, or sensory impairment and their informal carers.
- Specialist team, who support people with a learning disability autism and those who are vulnerable adults, and their informal carers.
- Preparing for Adulthood Team lead on Transition cases.
- Brokerage and Personalisation Team, who provide a support planning function and personalisation support service. This team also supports people who self-fund their own care and support.
- Deprivation of Liberty Safeguarding Team (DoLS), who deal with both urgent and standard requests and referrals.
- Mental Health Team responsible for Mental Health Act Assessments.
- Review Team, who are responsible for providing reviews.

### **Stage two: What type of personal information we will collect from you**

- Your name, address, telephone, date of birth and next of kin;
- Emergency contact details.
- Special information such as ethnicity, housing tenure, etc.
- Information relating to services accessed.
- Information relating to progress made, e.g. achievement of identified outcomes.
- Service user and carer views.
- Details of each contact that we have with you, including visits and telephone calls;
- Records of your care and wellbeing;
- Information relating to family support need including: vulnerable children, health issues, disability or special educational needs, employment, educational attendance and behaviour, involvement with the police, anti-social behaviour, social care, violence in the home, substance misuse.
- We may also collect financial information, for the purpose of determining social care charges.
- Details of your care and investigations that have been undertaken; and
- Relevant information from people who care for you, including health and other care providers, carers and relatives.

This information is referred to as Person Confidential Data and we have to ensure that it is treated in confidence and with respect.

## Stage three: Why do we need your personal information

Your records are used to guide social care professionals in providing the care you receive:

- To help inform the decisions that we make about your care;
- To ensure that your care is safe and effective;
- To help us to ensure we are providing a safe, high quality service;
- To help us to investigate concerns you may have about contact with our services;
- To help us to investigate complaints, legal claims and untoward events;
- To help us to teach, train and monitor staff and their work, and to audit and improve our services and ensure they meet your needs;
- To help us to prepare statutory statistics on local authority performance;
- To assist with social care research and development; improve the effectiveness and efficiency of services and statistically model demand
- It may be shared if you see other care or health professionals and/or if you are referred to a specialist for the purposes of direct care;

### Using information for direct care purposes

Adult Social Care holds information about you in order to support your care. There are measures outlined in law which protect the information that is held by us. These measures ensure that information is only shared appropriately and in line with your wishes.

Organisations will use this information to support you with any service or contact that you may have, which is known as 'direct care'. It helps them provide the most appropriate care for you as an individual and they may share information with others including health professionals to ensure that they can make informed decisions. Where this information is shared, your confidentiality and privacy will be protected. To make sure this takes place, there are clear rules in our own procedures as well as national legislation.

## Stage four: How we will collect your personal information

We will collect your information in a variety of ways, including over the telephone, by email, face-to-face conversation, online portal, from other Council services, and from external partners, such as Barnsley Hospital, South Yorkshire Police, Yorkshire Ambulance Service, Berneslai Homes.

This information will be securely recorded on our electronic case management system.

You will always be asked for your consent to capture / record the information required by the service.

With your agreement, we may request or accept additional information from partner organisations.

## Stage five: Our Legal Basis for processing your information

Data protection law allows us to process your information under certain conditions. In this case we are using our legal obligation or public task under various UK laws including but not limited to:

- The Health & Social Care Act 2012
- The Health and Social Care (Safety and Quality) Act 2015
- The Care Act 2014
- The Mental Capacity Act 2005
- Mental Health Act 1983, 2007
- Local Safeguarding Children & Adults Boards Regulations 2006 (SI 2006/90)
- The Welfare Reform Act 2012
- The Localism Act 2011

as the lawful condition for us to do this.

We also need an appropriate lawful reason to processing sensitive data. In this case we are processing your sensitive personal data because of health or social care requirements.

## Stage six: Why we may need to share your information

BMBC will not share your information with anyone without consent unless the law allows us to do so for example, in the following circumstances:

- the law states that we can
- there is a risk of serious harm or threat to life
- we are directed by a court of law

With your agreement we may share information with other organisations such as health, police, private and voluntary agencies and support services so that they can help us to understand your needs and to provide you with the services you need.

So that we can continue to improve our support for children young people and families, we use personal information to help us to understand what kind of support works best, it also helps us to involve the appropriate local agencies to work with families, and helps us to show the Government that what we are doing works, so that we are able to gain investment in developing support for Barnsley families.

Sharing personal information effectively helps us to:

- Understand all of the problems affecting families
- Target help to those who need it most
- Coordinate and deliver services for families in Barnsley
- Help with research about the effectiveness of the national programmes

Specific agreement is not required to share personal information in the following circumstances:

- the law states that we can
- there is a risk of serious harm or threat to life
- we are directed by a court of law

However, where possible we will always seek your agreement to share your information

### **Stage seven: Who we may share your information with**

We share your information with organisations such as:

- South Yorkshire Police (SYP);
- Department for Work and Pensions (DWP);
- The Department for Education (DfE) - on a Statutory basis under section 3 of The Education Regulations (Information About Individual Pupils) (England) 2013;
- Other care providers including third party providers and charities;
- NHS Trusts;
- Community and locality staff and district nurses;
- Local Acute Services (Barnsley Hospital);
- The ambulance or other emergency services (Yorkshire Ambulance Service (YAS));
- General Practitioners, The Local Clinical Commissioning Group (CCG) (Barnsley CCG);
- Child and adult safeguarding services;
- Other Health Services;
- Other Local Authorities;
- NHS 111;
- Care Quality Commission, Information Commissioners Office and other regulated auditors;
- Public Health England
- Better Care Together Partners to support Better Care Funding initiatives and Strategic Transformation Projects

### **Stage eight: How long will your information be kept?**

We will only keep this information for as long as necessary or as the law requires. The Council's corporate retention schedule details how long data is retained with the period of retention either set by statute or by BMBC.

For more information on our retention schedule please visit [Barnsley Metropolitan Borough Council. Your privacy](#) .

### **Stage nine: What will happen if you fail to provide personal information?**

Failure to provide personal information may impact on Barnsley Council's Adult Social Care Service being able to provide the best and most appropriate care and support for our residents living in Barnsley. In some cases this could mean that care and support or intervention is not available.

We will not be able to find out what kind of support works best for Barnsley residents, and we may not be able to sustain the appropriate resource to provide it.

## Stage ten: How to access and control your personal information

BMBC have a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how your information is used, how we maintain the security of this and your rights to access the information we hold about you, please refer to the [Barnsley Metropolitan Borough Council privacy notice](#)

Should you need to contact the council to discuss how we use your information, please contact our Customer Feedback and Improvement Team by email at [informationrequests@barnsley.gov.uk](mailto:informationrequests@barnsley.gov.uk) or by telephone on 01226 773555 and ask to speak with the above Team. If you are not satisfied with our response you may contact our Data Protection Officer on [DPO@barnsley.gov.uk](mailto:DPO@barnsley.gov.uk)

If you are not satisfied with the way we have handled your information, the Information Commissioners Office (ICO) is the UK's independent authority upholding information rights in the public interest and can be contacted at [www.ico.org.uk](http://www.ico.org.uk)