

London Borough of Bexley Council

Adult Social Care privacy notice

The London Borough of Bexley is a 'data controller' as we collect and process personal information about you. The information we collect for adult social care is used in accordance with data protection and other relevant legislation. Contact details for the data controller's representative are:

Nick Hollier
Data Protection Officer
London Borough of Bexley
Civic Offices
2 Watling Street
Bexleyheath
Kent
DA6 7AT
Data.protection@bexley.gov.uk
0208 303 7777

What personal information do we process?

When we have contact with you either in person, by phone, email or any other form of communication we may need to collect and store the personal information about you or your family provided so that we can offer the appropriate service. The types of information we require from you will include at a minimum the following personal information, such as:

- name
- address
- date of birth
- national insurance number
- NHS number
- contact information
- telephone number(s)
- email address.

As well as Personal Information where applicable, we may collect and share additional information known as 'Special Categories of Personal Data' where appropriate including:

- health/social care joint assessment
- professional's referrals
- race
- gender
- ethnic origin
- religion
- genetics
- sexual orientation

What is the purpose of processing your personal information?

We process personal information to enable us to provide a range of adult social care services

- to enable us to carry out statutory social care functions which we are legally responsible for
- to allow us to communicate and provide services appropriate to your needs
- gather information which informs planning and service delivery decisions
- where we are legally obliged to undertake data processing prevention and/or detection of fraud and crime
- to process financial transactions such as the Department for Work and Pensions or where the Council is acting on behalf of other Government Bodies including the Department of Health and Social Care.
- where necessary to safeguard people to protect them from harm or injury
- conduct research or statistical analysis that allows us to target and plan the provision of services for adults
- to identify residents/users for notifying them of proposed or planned changes to services that may affect them
- to assist the council in responding to emergencies or major accidents. This allows the council, in conjunction with the emergency services, to identify citizens who may need additional support.

What are the lawful basis for processing your personal information?

The majority of the Health and Social care information that you provide us will be processed under Lawful Processing Article 6(1)(e) ‘... necessary for the performance of a task carried out in the public interest or in the exercise of official authority ...’ and Article 9(2)(h) ‘...medical diagnosis, the provision of health or social care treatment or the management of health and social care systems...’ of the General Data Protection Regulations. Processing in this context means the organisation, retrieval, consultation, use and deletion or destruction of information and its disclosure to other agencies necessary for tasks to be carried out in the public interest or for the provision of health or social care services.

When we share your information between the LB Bexley and NHS services, we will only do this for the provision of your care, when doing so we rely on the following legislation:

- [Care Act 2014](#)
- [Health and Social Care Act 2012](#)
- [Health and Social Care Quality and Safety Act 2015 Section 251b](#)

Who are recipients or categories of recipients of your personal information?

When an adult receives care from Bexley Adult social care we get your information from many sources, but most commonly from you:

- By agreement or request (you volunteer)
- From a carer or other family member.
- Safeguarding concerns (so agencies can share information about an individual without their consent)
- Referral from another organisation – for example your GP, Hospitals, Community health services.
- Referral from the police or fire services
- Referral from the voluntary sector

Adult social care will share your information with a number of bodies for the provision of direct care under the processing reasons above.

We will share your details with health bodies such as GPs, community NHS trusts, hospitals and mental health trusts for direct care.

We commission health and social care providers for a range of services such as home care, residential care, residential and nursing care, day care, transport services, mental health services, personal assistants, shared lives and other specialist care services.

We also commission community and residential packages (Learning Disability, Physical Disability and Mental Health) on behalf of Bexley CCG and we make payments on behalf of the CCG. Whilst the CCG may have their own contract with the provider, we commission and manage the package on their behalf using LB Bexley contracts. The CCG does not have access to your information during this process.

We will therefore give the providers of services above access to your personal information to ensure a safe and accurate service can be delivered which is relevant to your needs.

Personal information may also be shared with the following broad category of organisations when we are either permitted to or are required by law:

- Councillors and Members of Parliament
- Other LB Bexley internal teams
- Central Government Departments
- Courts
- Schools and colleges
- Other Health organisations
- Housing Associations and or other registered social landlords
- Other Local authorities
- Police,
- London Fire Brigade
- Voluntary sector organisations

Intent to transfer personal information to a third country or international organisation?

Should it be necessary to transfer personal information outside the European Economic Area it will only be transferred to a third country or international organisation which the European Commission has decided has appropriate safeguards, including binding corporate rules.

How long do we keep your personal information?

We will only keep your personal information for as long as we consider that it is necessary to be retained or where there is a legal requirement over a set number of years. We have a [Record Retention Schedule](#) which lists how we would intend to keep your personal information.

Your individual rights

At any point while we are in possession of or processing your personal data, you, have the following rights:

- The right to access your personal information that we hold about you. To access your personal information see <https://www.bexley.gov.uk/services/complaints-and-Information-Requests/information-requests>
- The right to rectification of your personal information
- The right to erasure of your personal information (sometimes called the 'right to be forgotten')
- The right to object to the processing of your personal information
- The right to data portability allowing you to obtain and reuse your personal data for your own purposes
- The right to restrict processing of your personal information
- The right to not being subject to a decision based solely on automated decision making including profiling

If you wish to contact us to exercise the rights above please email scip@bexley.gov.uk this is a group email address that is monitored daily.

The right to withdraw consent

Where the legal basis for processing your personal information is consent, you have the right to withdraw that consent at any time by notifying us. As stated we have an explicit legal requirement under the acts above and under GDPR exemptions to share your information with health for the provision of direct care. If you withdraw your consent it may take longer or not be possible to continue to provide you with that service.

The right to lodge a complaint

You have the right to complain to the Information Commissioners Office at:
The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: casework@ico.org.uk
or Tel: 0303 123 1113