



# Adult Social Care Privacy Notice

Sefton Council is committed to protecting your privacy when you use our services.

The Privacy Notice explains how your information will be held and processed by Adult Social Care.

Sefton Council's Adult Social Care collects your personal data to enable advice, care or support to be provided, to meet the statutory requirements under the Care Act 2014, UK General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA) and to fulfil our obligations with regard to annual statutory data collection returns to central government. Additional information can be found below:

## Data Protection

Sefton Council is the data controller of your information.

## **Who we are**

Sefton Council aims to protect the most vulnerable, facilitate confident and resilient communities, broker and provide core services and improve outcomes for its residents to grow, live and age well.

Adult Social Care provides social work, brokerage, occupational therapy support and social care services for adults over the age of 18, and those under the age of 18 who may have a need for Adult Social Care services when they reach 18 (Transitioning from Children to Adult services). The core purpose of adult care and support is to help people to achieve the outcomes that matter to them in their life.

The service delivers high quality assessments and arranges care and support that meets the eligible needs of the most vulnerable people in Sefton through the commissioning of individual support plans and packages of care that leads to improved outcomes for individuals, their families and carers.

## **Why we collect your personal information**

When assessing and or providing social care services to you, we must collect and use your personal information. We process your personal information in order to provide care and support services and to support those who are vulnerable and carers either directly or jointly with our partners.

We will collect necessary personal information to provide you with advice, services and or equipment for the following purposes:

- Assessment for social care support.
- Informing you about community support.
- To deliver and manage services and support for you.



- Promoting independence and wellbeing.
- To protect vulnerable adults from harm.
- To determine eligibility for funding of services via financial assessment.
- Monitoring and review of social care needs.
- To support with managing your finances as appointee or deputy for benefits.
- To provide integrated services and support from other organisations such as Health.
- To investigate any concerns or complaints you may have about services and support.
- To help with planning and research of new services.
- To complete statutory returns for central Government and other agencies.

We are not allowed to collect information we do not need or will not use. If we don't need it, we won't ask for it.

### **Categories of personal data/special category data:**

To carry out activities and legal obligations we process personal information such as:

- Personal contact details such as name, title, address, telephone numbers and personal email addresses, NHS number.
- Personal demographics; date of birth, gender, marital status, civil partnership.
- Contact details names, addresses, personal email address, telephone numbers.
- Bank account details, payroll and tax/national insurance.

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, psychological, genetic, mental, economic, cultural or social identity. This could include reports from Police, Court information/orders, and Health information including information about a person's physical or mental health.

### **What information we hold about you**

Sefton Council Adult Social Care is committed to ensuring that your information is stored securely whether held electronically or in a paper format. Only members of staff with a legitimate reason to access your information have permission to do so. Along with your personal information, we also may hold the following, but not limited to:

- Information about other members of your household.
- Details of family and or other relationships in or outside your household.



- Names and contact details of close relatives and or carers.
- Your legal status and documents (e.g. immigration, power of attorney).
- Your accommodation (e.g. type, layout, accessibility).
- Details about your needs, care, health and risks.
- Your medical history and details of any diagnosis.
- Information provided by others on your situation, such as by a family member or health professional.
- Reports and documents relating to your situation and care that we have gathered from you (e.g. social care assessment, support plan) or have been sent to us (e.g. health assessment, consultant letter).
- Records of telephone conversations relating to you.

### **The legal bases for processing your information**

Much of the personal information we process about you has been provided directly by you as part of an assessment or request for a service.

The processing of your personal information takes place either because it is necessary for the performance of a task carried out in the public interest, or it is in the exercise of a legal obligation or in order to protect your vital interests.

Where we need to process personal data, which is sensitive (referred to above as 'special category' data) we rely on one of the following legal bases:

- The processing is necessary for the provision and management of health/social care systems and services.
- The processing is necessary to protect the vital interests of the individual concerned where they are physically or legally incapable of giving consent.
- The processing is necessary for reasons of substantial public interest (for example, safeguarding of individuals at risk or safeguarding of economic well-being of certain individuals).

Sefton Council will collect all information necessary to ensure that we protect someone from harm, contract for the supply of services, and meet all our legal and statutory duties including, but not limited to, those which apply under the following legislation and contractual agreements:

- Care Act 2014
- Health and Social Care Act 2012
- Childrens Act 1989
- Mental Capacity Act 2005
- Housing Act 2004
- Mental Health Act 1983
- Care Quality Registration Regulations 2009
- National Health Service Act 2006
- And associated regulations or statutory guidance.

### **Use of AI in Social Care Assessments**



As part of a pilot project, Adult Social Care assessments may be recorded using a mobile device. These recordings will be securely transcribed using artificial intelligence (AI) technology, and the transcript will be imported into our social care system.

The purpose of this processing is to improve the accuracy and efficiency of assessments. The information collected remains the same, but the method of collection has changed. Transcripts will be reviewed by a qualified social care professional before being added to your record.

Audio recordings will be retained until transcription is complete. Transcripts will be retained in line with our standard retention schedule for social care records.

AI transcription providers may temporarily access the recording for processing purposes only, under strict contractual and security controls. No data will be used to train AI models.

- **Why we do the assessment:** We have a legal duty to assess and plan care under the Care Act 2014.
- **Recording with AI:** This is your choice. We only record your assessment using AI if you give us permission.
- **Turning the recording into text and storing it:** Once the transcript is created, we keep it as part of your care record because we have a legal duty to do so.

You will be asked for your consent before any recording takes place. If you do not consent, a traditional written assessment will be completed instead. You have the right to withdraw consent at any time before or during the recording.

### **Who we share your information with within the Council**

Your information is accessed by Sefton Council Social Care staff working in various teams, including those working in integrated (Health and Social Care staff) teams. They will only access the personal information that is essential to carry out their work and statutory functions but may share data between respective teams where this is necessary to provide you with services.

Other Sefton Council departments or services outside of Adult Social Care may also have access to your personal information to carry out their statutory roles or support the Teams or Services or to produce statistics that inform decisions we make for example, for funding and resources and may include:

- The Compliments and Complaints Team
- Legal Services department
- Business Intelligence Team
- Information Management Team
- Corporate Finance Teams
- Housing Service Teams

### **Who we share information with outside of the Council**

Relevant information about you may be passed to external organisations to arrange



support to meet your health and social care needs. The types of organisations we may pass your information on to include (but are not limited to):

- Your advocate or representative (if you have instructed one).
- Health care professionals including your GP, nurse or hospital consultants.
- Home care, care home and supported tenancy providers.
- Day Care Providers who provide support for individuals.
- Cheshire & Merseyside Integrated Care Board.
- Housing landlords and tenancy officers when necessary to provide you with care and support, or to prevent or avoid harm to you.
- Other Local Authorities if you are placed or transferred out of the Sefton Council area.
- Government departments such as the Department of Health and Social Care, Disclosure and Barring Service, Department of Work and Pensions and Care Quality Commission.
- The North-West Association of Directors of Adult Social Services (NWADASS).
- Third-party organisations we have a legal duty to pass information to such as the Police.
- NHS Trusts & NHS Digital. More information on NHS Digital can be found on the following link on the NHS Digital website: [Your data](#)

We may share your personal information when we feel that there is a serious risk of harm and protecting you is more important than protecting your privacy in situations that include:

- Adults that are thought to be at risk if they are frail, confused or cannot understand what is happening to them.
- To prevent or investigate a crime.
- To protect yourself, our staff or the public.
- To protect other professionals.
- If we are required to do so by any court of law.

Where we have a concern about your safety and believe we need to take action to protect you from being harmed, we will discuss this with you and if possible, obtain your permission to disclose this information. We may share this information with third parties if we assess the risk to you or others to be serious.

When passing your information outside of Sefton Council, it will be done so in a secure and confidential manner.

### **Access, correction, erasure and restriction of information we hold on you**

Under the UK GDPR and the Data Protection Act 2018, you have the right to request access to information that we hold about you. To make a request for your personal information (Subject Access Request), please contact the Access to Files Officer on 0345 140 0845 or complete the on-line form, found at the link below:

#### **Access to Personal Files**

You also have a number of other rights:



- Of rectification (correction) - If the data we hold about you is incorrect or incomplete we will put it right as soon as possible, within one calendar month.
- Of erasure – the ‘right to be forgotten’ if the information we are holding is no longer justified or wrong, or unlawfully processed, you can ask us to delete or erase it.
- To restrict processing – if you think the information we hold about you is wrong you can ask us to limit how we use it.
- **Right to withdraw consent**  
Where the lawful basis for processing your personal information is based on 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.

### National Data opt-out

The council does not use your personal data for any other purpose beyond your individual care and treatment.

However, you do have a choice about whether or not your confidential information can be used for purposes beyond your individual care and treatment.

Examples include the use of your confidential patient information to plan and improve health and adult social care services. For example, deciding where to locate a new clinic, or using information to compare the quality of care provided across the country. It also includes the use of your confidential patient information for research. For example, to develop new treatments for serious illnesses. The choice you make does not apply when your information is used to help with your own treatment and care.

If you would like this to stop, you can opt out of this yourself or on behalf of someone else. If you want to allow your confidential patient information to continue to be used for research and planning and you have not previously opted out of this, you do not need to take any action. The choice you make applies to publicly funded care in England only.

To find out more about the NHS’ wider use of confidential personal information and to register your choice to opt out if you do not want your data to be used in this way, visit the NHS website using the link below:

<https://www.nhs.uk/your-nhs-data-matters/manage-your-choice/>

If you do choose to opt-out, you can still consent to your data being used for specific purposes. Your choice does not apply in certain circumstances e.g. If there is a legal requirement to provide it, such as a court order, or information that can identify you is removed first, or there is overriding public interest such as an emergency.

### Your NHS Number

Local Health and Adult Social Care services are working together to improve how your information is shared to support the decisions they make about your care. We ask for your NHS Number as it helps to uniquely identify you when sharing information between Health and Adult Social Care. The council also uses the Personal



Demographic Service (PDS) to trace and verify your NHS number to help assure we have the correct NHS Number for you.

## **How long we keep information about you**

We will retain information in accordance with corporate standards, relevant statutory and regulatory requirements, and for as long as necessary to fulfil the purposes we collect it for, including the purposes of satisfying any future legal, accounting or reporting requirements.

## **Data Protection Officer**

You may contact the Council's Data Protection Officer on:  
Telephone 0345 140 0845  
E-mail at: [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)

If you are not satisfied with the way a Sefton Council staff member has answered a request from you or handled your personal information, you have the right to make a complaint to:

Sefton Council  
Data Protection Officer  
Magdalen House  
30 Trinity Road Bootle, L20 3NJ

Telephone: 0345 140 0845

Email: [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)

If you are not satisfied with the way Sefton Council have answered a request or handled your personal information, or your complaint, you have the right to make a complaint to:

The Information Commissioner's Office (ICO) on 0303 123 1113, Monday-Friday 9am-5pm. [www.ico.org.uk](http://www.ico.org.uk)

You have a right to complain directly to the ICO without raising a complaint with us first, but we would encourage you to contact our Data Protection Officer so we can consider your concerns as quickly as possible.

If you have any questions regarding this privacy notice, then please contact:

The Service Manager Client and Business Support (and Adult Social Care Information Asset Owner)

1st Floor  
Magdalen House  
30 Trinity Road Bootle, L20 3NJ  
Telephone: 0345 140 0845  
[asc.development@sefton.gov.uk](mailto:asc.development@sefton.gov.uk)