



How do we look after personal information for users of Adult Social Care and their Carers?

The General Data Protection Regulation (GDPR), which came into effect on 25 May 2018, requires us to provide clear information to individuals about how we use personal information. The most common way to provide this information is in what is called a **privacy notice**.

For further information, please see the Adult Care Services Privacy Notices on Warwickshire County Council's website:

<https://www.warwickshire.gov.uk/adultcare-privacynotices>

What is 'personal information'?

This can be anything that identifies and relates to a living person: for example, your name, address or phone number.

Some of your personal information might be 'special'. This is information which is more sensitive and needs more protection. It could include, for example, information about your sexuality, your religious beliefs and health.

Why does Warwickshire County Council need your personal information?

We need it to:

- Deliver care and support to you
- Manage the support we provide to you
- Investigate concerns or complaints you have about your support
- Check the quality of support services provided
- Keep track of spending on support and services provided
- Plan for new support and service options

How does the law allow us to use your personal information?

We can lawfully collect and use your personal information where:

- It is necessary to perform our statutory duties under the Care Act 2014, the Mental Health Act 2007, the Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards 2009.
- You have entered into a contract with us
- You or your legal representative have given consent.

What are your rights to control how information is used by us?

You can ask to see the information we hold on you on paper and electronic records. Confidential information on your records relating to other people cannot, however be shared. Information which professionals think will cause serious harm to your wellbeing, or that of others, can also be withheld.

You can request access to your social care records using the online secure form at: www.warwickshire.gov.uk/accesstoinformation.

If you have any queries about access to your social care records contact the Information Rights team on 01926 418633 for advice.

You can ask to change information which you think is inaccurate. We will correct any facts that are wrong and may include your comments where you disagree with something that is recorded.

You can ask for certain information to be deleted, for example where you gave your consent and there is no legal reason to use it, or where it is no longer needed for its original purpose. We cannot delete your information where we are required to have it by law or for other specific reasons.

Contact your Social Worker or care provider to exercise these rights or call the main Warwickshire County Council telephone number: [01926 410410](tel:01926410410).

Who do we share your information with?

We use a range of organisations to help deliver our services to you, such as the NHS, care homes, home care providers and Advocates. Where information sharing arrangements are in place we make sure that the organisation complies with data protection law. We sometimes have a legal duty to provide your information to other agencies; for example if a court requires it, or if you are made subject to detention under the Mental Health Act. In some situations of serious risk we can override your right to privacy by sharing your information.

Examples of this might include:

- Where it is necessary to protect adults who are thought to be at risk
- To protect a child
- Where there are serious risks to the public or to staff
- Where we feel the need to act to protect you from being harmed. We will, if possible, obtain your permission before telling others about your situation.

How do we protect your information?

We will ensure your records are stored in a secure way, and only make them available to those who have a right to see them. Examples of security include encryption of data; controlling access to systems and networks; and training staff on the safe handling of information.

How long do we keep your personal information?

We will not keep your information any longer than needed to provide the services you require. We normally keep adult social care records for 6 years after an adult social care service has ended. Where someone has been supported by the Mental Health service, some information may be kept for up to 30 years following the end of care services.



**If you have any concerns or comments about your data,
please contact the Council's Data Protection Officer directly:**

Data Protection Officer,
Information Management,
Warwickshire County Council,
Shire Hall, Warwick, CV34 4RL

Email: dataprotectionofficer@warwickshire.gov.uk