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<b>Service Area:</b>	Directorate of Social Services
<b>Work Area:</b>	Social Service Adult Services Social Services Children's Services
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<b>Privacy Notice Name:</b>	Social Services - Adult Services and Children's Services
<b>Description of Privacy Notice:</b>	This Privacy Notice will explain how Caerphilly County Borough Council's Social Services (Adult and Children's Social Services) will use the personal data received, when operating its services. This Privacy Notice also explains how personal data will be used if it is believed that a child or vulnerable adult may be at risk.

## How we will use your information

### Source and type of information being processed

Caerphilly County Borough Council's Social Services directorate will store any details relating to your situation in a way that will assist the Council in supporting you to meet your and / or your family's needs and our obligations in respect of the protection of children and vulnerable adults.

This section will explain the categories of personal data that could be shared with us and the types of organisations/individuals that may provide us with information.

#### Categories of personal data obtained

Social Services may obtain the following categories of your personal data:

- Name
- Address
- DOB
- Gender
- Contact Details
- National Insurance Number

Social Services may also obtain and hold more specific information including:

- Details about your needs in all areas of your life (e.g your care & support needs)
- Information about other members of your household
- Details of family relationships in and outside of your household
- The names and contact details of your close relatives and/or carers
- Details of any other services you are receiving
- Information used to assess your situation, such as assessments and reports
- Things that other organisations (such as health, schools or care homes) tell us to help us understand your situation and needs and co-ordinate your care services more effectively
- Recordings of any visits or contact you have made or we have made with you
- Any additional needs or disability
- Financial information
- Details of your Mental health and capacity
- Details of your Physical health
- Details of your Wellbeing
- Details of your Personal outcomes
- Details of your Lifestyle information
- Criminal record
- Restorative Justice
- Deprivation of Liberty
- Allegations of abuse or neglect towards you
- Allegations or concerns raised regarding your conduct or safeguarding concerns from you about others

### **Source of the personal data**

Caerphilly County Borough Council Social Services receives and records information from a variety of sources on you. This information could be received from:

- You
- Your representative / advocate / legal representatives
- Your family
- Police
- Health Authorities
- Education Authorities
- Other Local Authorities
- Housing Associations/Registered Social Landlords
- Regulatory bodies – Care Inspectorate Wales/Health Inspectorate Wales
- Partner Agencies
- Medical Professionals / General Practitioners
- Disclosure & Barring Service
- Members of the public
- Domiciliary Care Agencies
- Residential and Nursing Care Homes
- National Prosecution Service
- Secure Estates (prisons)
- Others (including professionals / volunteers) who may be involved in your care
- Your employer

If you would like further information on the source of information we hold, please contact Caerphilly County Borough Council. This may require you to apply for a Subject Access Request under Data Protection Legislation.

## Purpose and legal basis for using your information

### Purpose of processing

Social Services provide a wide range of specialist services, in partnership with other agencies and voluntary organisations, to:

- Children, young people, and their families
- Adults who experience difficulties on a day-to-day basis due to a range of issues, and their families

Citizens are able to get Information, Advice and Assistance from a wide range of services covering the Caerphilly area.

- If generic Information is required, we will not record any information about you on our systems.
- If detailed Advice is required we will need to record your name, contact details and nature of the advice provided for our records.
- If Assistance is required then we will collect information about you in order to offer the right support to meet your needs.

The support offered may be via a Caerphilly County Borough Council service, an externally commissioned service or a 3rd sector service that has the right expertise to meet the needs identified.

If it is believed that a child or vulnerable adult may be at risk, we have a legal duty to investigate and the Wales Safeguarding Procedures will be followed, which may result in a formal investigation and assessment. This may involve several agencies such as the police, health and education. Also, if you are a professional / volunteer subject to allegations of abuse / neglect this may also involve your employer.

### Legal basis for processing

There is a public task requirement on public authorities to process your information as detailed below:

The legislation that provides the legal basis for processing will depend on the nature of the referral but may include:

- Social Services and Well-being (Wales) Act 2014
- The Well-being of Future Generations (Wales) Act 2015
- Wales Safeguarding Procedures
- The Mental Capacity Act 2005
- The Children Act 1989
- The Children Act 2004
- Crime and Disorder Act 1998
- The Legal Aid, Sentencing and Punishment of Offenders Act 2012
- Code of Practice for Victims of Crime 2015

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016 (GDPR), a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

- 1e. *processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;*

Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Data Protection legislation also provides extra protection for personal data in relation to criminal convictions and offences. If any personal data falls within this category, then an additional condition from Article 10 of the Regulations must be identified.

Please note that the Condition identified below is both an Article 9 and Article 10 condition for processing.

- 6 (1) *This condition is met if the processing*
- (a) *Is necessary for a purpose listed in sub-paragraph (2), and*
  - (b) *Is necessary for reasons of substantial public interest.*
- (2) *Those purposes are –*
- (a) *the exercise of a function conferred on a person by an enactment or rule of law;*
  - (b) *the exercise of a function of the Crown, a Minister of the Crown or a government department.*

## **Who will have access to your information**

### **Identity of Data Controller and Data Protection Officer**

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Ms Joanne Jones  
Corporate Information Governance Manager / Data Protection Officer  
Email: [dataprotection@caerphilly.gov.uk](mailto:dataprotection@caerphilly.gov.uk)  
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

### **Details of main users of your information**

The main users of your information will be Caerphilly County Borough Council Social Services. Referrals received for Information and Advice only, data collection / information will remain within the IAA Team.

If your referral is progressed further, your information/data will be transferred to a team within Social Services to receive the appropriate services or support. These teams may include:

- Children Services Locality Teams
- 16+ Team
- Children with Disability Team
- Youth Offending Service
- Supporting Family Change Team
- Other Safeguarding Services
- Older People teams

- Occupational Therapy Team
- Family and Friends Team
- Immediate Support Team
- Safeguarding and Review Team (Child Protection Coordinator)
- Family Placement Team (Fostering Team)
- Physical Disability & Sensory Impairment Team
- Learning Disabilities Team
- Substance Misuse Team
- Mental Health Team
- Supporting People Team
- Community Support Services
- Adult Accommodation Teams (Supported living, Shared lives and Respite)
- Commissioning Team
- Residential & Day Care Services
- Home Assistance & Reablement Team (HART)
- Joint Hospital Discharge Team
- Adult Safeguarding/POVA Team
- Client Finances Team

In addition to the above the following teams may also have access to your information:

- South East Wales Emergency Duty Team - If referral is made out of hours
- Complaints and Information Team - If the case escalates to a complaint
- Legal Services - If the case involves the court process
- Financial Services Team - If your case is being assessed for financial assessment
- Education Records – If we require Education records to complete an assessment
- Insurance Services - If there is a claim against the Authority
- Health & Safety Team - If a risk assessment is required
- Corporate Finance/ Internal Audit teams - If an audit is required
- Human Resources - If a CCBC professional / volunteer is subject to allegations of abuse / neglect

### **Details of any sharing of your information with other organisations**

Your information will be stored on a Caerphilly County Borough Council database and also the Welsh Community Care Information System (WCCIS), which is a joint system for providers of Social Care, Community Health and Mental Health services in Wales.

Access to your information will be controlled, allowing relevant practitioners access to the required information to support the safe delivery of care to citizens of Wales.

Our actions in response to the information received will be proportionate to the information and there may be times when we need to speak or consult with colleagues externally. This may include but not limited to:

- Police
- Health Authority
- Family/Criminal Courts
- Other Local Authorities
- Care Inspectorate Wales
- Health Inspectorate Wales
- Social Care Wales
- Welsh Government
- Domiciliary Care Providers

- Other contracted providers, including children's homes
- Residential and Nursing Care Home providers
- Health & Safety Executive
- 3rd Sector Providers
- Secure Estate (Prisons)
- National Prosecution Service
- Other relevant organisations / individuals
- Your employer (if you are a professional / volunteer subject to allegations of abuse / neglect)

Sometimes your needs will require a non-statutory intervention. In these cases a referral will be made to relevant organisations on your behalf, such as Citizen's Advice Bureau or other support groups etc.

If a contract needs to be set up with an external provider, to provide a relevant service or support, all relevant information will be shared with the provider to ensure this service is successfully delivered.

All sharing of your personal data with other organisations will be carried out in compliance of data protection legislation requirements.

If you move outside of Caerphilly County Borough area your personal data may be shared with your new local authority to continue supporting you, to meet your and /or your family's needs.

To view the information provided to the Welsh Government regarding people receiving social services, please click: [here](#)

If it is believed that a child or vulnerable adult may be at risk, we have a legal duty to investigate and the Wales Safeguarding Procedures will be followed, which may result in a formal investigation and assessment. This may involve several agencies such as the police, health and education. Also, if you are a professional / volunteer subject to allegations of abuse / neglect this may also involve your employer.

### **Requests for information**

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## **How long will we retain your information**

### **Details of retention period**

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice. We will keep all your information secure, whether held electronically or paper copies. Your information will only be kept for a specific period of time, after which it will be securely destroyed according to the Directorate's Record Retention & Disposal Policy.

The nature of information we hold, will determine the length of time we hold it for. For example, the minimum length of time we hold information for is 6 years, this is for Continuing Health Care details. The maximum length of time we hold information for is indefinitely and this relates to concerns about practitioners/volunteers.

## **Your Rights (Inc Complaints Procedure)**

### **Your rights under the Data Protection**

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### **Complaints Procedure**

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

[www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints](http://www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints)