

Privacy Notice – Surrey Carers Prescription v7 21.08.18

What is a privacy notice?

The EU General Data Protection Regulation (GDPR) requires that data controllers provide certain information to people whose information (personal data) they hold and use. A privacy notice is one way of providing this information. This is sometimes referred to as a Fair Processing notice.

Who are we?

The six Clinical Commissioning Groups (CCGs) that operate within Surrey and Surrey County Council have agreed to work collaboratively to commission Surrey-wide services for carers. Collectively we host the Surrey Carers Prescription Service which is commissioned and monitored by the multi agency Surrey Carers Commissioning Group.

The GP and NHS Carer's Prescription is a secure, online, referral mechanism which allows doctors, health and social care professionals including those who work in the voluntary sector and district and borough council staff, to support carers they come into contact, with by referring them to a range of support services available across Surrey. The support provided can be to the carer directly, or to the person being cared for. The purpose is to help support the health and wellbeing of the carer and improve the balance between their caring roles and their life away (alongside) from caring.

Why and how we collect personal information about you

We are committed to using your personal information in accordance with our responsibilities. We are required to provide you with the information in this Privacy Notice under applicable law which includes:

- The EU General Data Protection Regulation
- The Data Protection Act 2018

What is our legal basis for processing your information?

Guildford and Waverley CCG (who host the Surrey Carers Prescription on behalf of the 6 Surrey Based CCG and Surrey County Council) is a public body established by the Health and Social Care Act 2012. As such our business is based upon statutory powers which underpin the legal bases that apply for the purposes of the GDPR. The legal bases of our processing are:

Our legal bases to process information, is covered by Article 6:

- 6 (1)(e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of authority vested in the controller;

Our separate condition for processing special category data is covered under Article 9

- 9(2)h processing is necessary for the purposes of, the provision of health and social care or treatment or management of health and social care systems.

We won't do anything with your information you wouldn't reasonably expect.

What do we do with your personal information?

We won't do anything with your information you wouldn't reasonably expect.

Your data is processed through the Surrey Carers Prescription service. This is an online, secure referral mechanism built on the Formsite platform which meets the NHS Information Governance standards. All information being transferred using the Formsite platform is encrypted and the system is username and password protected.

Privacy: The [Privacy Policy](#) covers Formsites handling policies for the data.

Who is responsible for your data?

Processing of your personal information is carried out by:

- Surrey Independent Living Council and/or
- Action for Carers Surrey

This is password protected.

We collect your name, address, email address, telephone number, gender, range of age, preferred method of communication, GP practice, what the primary condition being cared for is, where the caring circumstances is end of life and whether there are any other carers in the household .

On receipt of your Carer's Prescription, you will be contacted initially by a member of staff from Surrey Independent Living Council and /or Action for Carers Surrey to discuss your needs and what options are open to you. Action for Carers Surrey in turn may seek you approval to refer you on to Surrey County Council for a Carers Assessment, Crossroads Care Surrey and/or the Alzheimer's Society. Please note that any personal information provided in your referral form will be used solely for purposes of providing services listed above and the data is held securely in accordance with current Data Protection Legislation.

Sensitive information will only be collected where necessary and lawful to do so.

Surrey Independent Living Council (SILC) and Action for Carers Surrey (AFCS) legal bases for processing information:

The lawful basis on which Surrey Independent Living Council process your information is 6(1) e: processing is necessary for the performance of a task carried out in the public interest or in the exercise of authority vested in the controller. The separate condition for processing special category data is covered under Article 9(2)h processing is necessary for the purposes of, the provision of health and social care or treatment or management of health and social care systems.

The lawful basis on which Action for Carers process your information is 6(1) a: Consent. The separate condition for Action for Carers to process special category data is covered under Article 9(2) a: Consent.

To find out more about how our providers manage your information please see their individual privacy policy posted on their websites.

Action for Carers (Surrey) - <https://www.actionforcarers.org.uk/site-info/privacy/>

Surrey Independent Living Council - <http://www.surreyilc.org.uk/>

If you are a young carer (aged 5-18)

You may be referred for support if you can demonstrate to the practitioner that you are 'Gillick Competent' however to receive a young carer's service you must have your parent/guardian's permission.

Gillick Competency is a term originating in England and is used in medical law to decide whether a child (under the age of 16 years of age) is able to consent to treatment, without the need for parental permission or knowledge.

Whose information we hold

To allow us to undertake the activities described above we will use information relating to the following types of people:

- people who use the services we commission;
- individuals undertaking work for commissioned providers organisations, other health and social care organisations with which we work, and suppliers of goods and services;
- people who undertake work for us, or have applied to do so.

What types of information we use

To allow us to undertake the activities described above we will use different types of information, this includes:

- **Identifiable Personal Data** – you can easily be identified from this information, which relates to you. We will only use this where there is no other viable alternative. Identifiable personal data includes:
 - **Personal Data** (for example your name, contact details, or date of birth)
 - **Special Categories of Personal Data** (which includes data relating to ethnicity, sexual orientation, and also data relating to physical or mental health)
- **Non-Identifiable Personal Data** – this includes '**Pseudonymised Personal Data**' where personal data which could be used to identify you has been replaced with a pseudonym. It also includes personal data which is classed by the NHS as '**Anonymised in Context**' as it includes a local identifier, such as your hospital number. This information could potentially be used to identify you, if it was processed outside of the CCG and/or added to other information, so we ensure that we have robust controls in place to manage how this is used;
- **Anonymised Data** – you cannot be identified from this, even if it is added to other information.

Who do we share your information with and why?

We will only use your information for the purposes for which it was obtained. We will not, under any circumstances, sell or share your personal information with any third party for their own purposes, and you will not receive marketing from any other companies, charities or other organisations as a result of giving your details to us.

On receipt of your Carer's Prescription, you will be contacted by a member of staff from either/or Action for Carers (Surrey) and/or Surrey Independent Living Council (SILC) who are responsible for the services that have been requested. They will discuss your needs and what options are available to you

Monitoring and Evaluation:

- Personal information provided in the application for services will be solely for the purposes of providing services listed.
- The data without identifiers or personal information will be used to monitor activity and help service planning; this data does not identify individuals
- All data is held securely in accordance with current Data Protection Regulations

How long do we keep your information?

In respect of personal information, we will retain it for no longer than necessary for the purposes for which it was collected, taking into account guidance issued by the Information Commissioner's Office and in line with NHS record management code of practice for health and social care 2016

How we protect your information?

We use technical and corporate organisational safeguards to ensure that your personal information is secure. We limit access to information on a need-to-know basis and take appropriate measures to ensure that our people are aware that such information is only used in accordance with this Privacy Policy.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff and contractors.

Our online forms are always encrypted and our network is protected and routinely monitored.

What happens if you change your mind

You can change your mind about the following at any time and as many times as you like:

- Whether you give your consent for us to process your information;
- Whether you would like to submit an objection or opt-out;
- To withdraw your consent for your information to be used.

If you wish to change your mind please contact us by email, telephone, or post. If this will have an impact on the services we can provide or your care, we will explain this to you before asking you to make your decision.

What are your rights?

Data protection legislation gives you the right to request access to personal information about you which is processed by the Carers Prescription and to have any inaccuracies corrected.

Right to be informed

Your right to be informed is met by the provision of this privacy notice and through the Carers Prescription Fair Processing Information Leaflet at point of contact.

Right of Access

You have the right to obtain a copy of the personal data that we hold about you.

Right to rectification

You have the right to ask us to rectify any inaccurate data that we hold about you.

Right to erasure (“right to be forgotten”)

You have the right to request that we erase personal data about you that we hold.

Right to restriction of processing

You have the right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest accuracy of the data.

Right to object

You have the right to object to processing of personal data about you on the grounds relating to your particular situation.

The CCG’s Data Protection Officer (DPO)

Under data protection legislation the CCG is required to have a Data Protection Officer (DPO) and it is their role to:

- Inform and advise the organisation and its employees about their obligations to comply with applicable data protection legislation;
- Support and monitor compliance with applicable data protection legislation;
- Be the first point of contact for individuals whose data is being processed.

The CCG’s Data Protection Office is Daniel Lo Russo; Head of Information Governance, Risk & Freedom of Information and you can contact them by:

- By Email: Daniel.lorusso@nhs.net
- Telephone on 07917 093042

- By post: NHS Guildford and Waverley CCG, 3rd Floor, Dominion House, Woodbridge Road, Guildford, GU1 4PU

Contacting us about your data?

If you have any queries about our Privacy Notice, please get in touch with our Information Governance team:

Guildford and Waverley CCG
3rd Floor Dominion House
Woodbridge Road
Guildford
GU1 4PU

Tel: 01483 405450

Right to complain to the Information Commissioner

If you wish to complain about the way we use your information we would ask that you initially raise this to us (contact details above)

You have the right to complain to the Information Commissioner if you are not happy with any aspect of our processing of personal data or believe that we are not meeting our responsibilities. The contact details for the Information Commissioner are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Website: ico.org.uk

Telephoning: 0303 123 1113

Changes

We will review the information contained within this notice regularly and update it as required. We therefore recommend that you check this webpage regularly to remain informed about the way in which we use your data.

This version was last updated by the Partnership Manager for Carers on the 21.08.2018.