

## Privacy Notice

### Adult Safeguarding Privacy Notice

#### *Why we collect and use your information:*

Gloucestershire County Council is the data controller for the personal information we collect from you. The council will collect and use your personal information in accordance with the Care Act 2014 and the Mental Capacity Act 2005, in order to ensure that any action needed to safeguard you or others in accordance with our statutory duties can be identified and carried out.

#### Article 6 (GDPR) lawful basis for processing personal data:

- Processing is necessary for compliance with a legal obligation
- Processing is necessary for the performance of task carried out in the public interest

#### Article 9 (GDPR) condition for processing *special category* personal data:

- Processing is necessary for the provision and/or management of health and/or social care systems

#### *The information we collect about you:*

Gloucestershire County Council will collect only the personal information we need to perform our functions. This involves understanding whether a person has care & support needs that prevent them from protecting themselves from alleged abuse and/or neglect. This may require us to collect clinical records, care plans or social care assessment documents which the person holding the record considers are relevant. It also includes contextual information about the alleged abuse and/or neglect, as well as information which enables the Adult Safeguarding team to ascertain the adult's wishes and feelings, beliefs and values, or what these would be likely to be.

#### *How we use your information:*

Gloucestershire County Council will use the information about you to decide what (if any) action is required in relation to the alleged abuse and/or neglect. This includes consideration whether any others are at risk. Any action taken will be proportionate to the risk identified and in accordance with your wishes or, if you lack capacity to make decisions around your safety, in your best interests.

We will also use your data to better understand the services we provide and to help us build those services for the future. We may also use your data to identify if our services are fulfilling our legal obligations.

#### *How long we keep your information for:*

Gloucestershire County Council will keep your personal data for 20 years or 8 years from the date the service provision is ended. We are required to keep this information for this long because of the NHS Guidance to Trusts 2009.

There may be a legal reason for us to keep it longer, such as if legislation requires us to do so.

To find further information on how long we keep your information, you can read our retention and disposal schedule at [www.gloucestershire.gov.uk/retention](http://www.gloucestershire.gov.uk/retention).

#### *Who we share your information with:*

Gloucestershire County Council may share your information with other agencies involved in your care and support, including:

- Gloucestershire Health & Care NHS Foundation Trust
- Gloucestershire Hospitals National Health Service Foundation Trust
- the Care Quality Commission
- Registered Nursing and Care Homes
- Private hospitals both in and out of county.

Your personal data may also be shared with regulatory and statutory bodies who assess council performance and financial spend, as well as where required by law, such as to prevent and detect crime or fraudulent activity.

#### *Your rights:*

##### **Access to your information:**

You have the right to request a copy of the information we hold about you. If you would like a copy of some or all of your personal information, please visit our website using the link below:

<http://www.gloucestershire.gov.uk/council-and-democracy/data-protection/requesting-access-to-your-personal-information/>

##### **Correction of inaccurate information:**

You have the right to request that the council correct information that you believe is inaccurate or incomplete. You may not always be able to change the information. However, we will correct factual inaccuracies and may include your comments in the records.

##### **The right to be forgotten (erasure):**

You have the right to request that the council delete your information when there is no compelling reason for us to continue using it. Please be aware that in certain situations we are still allowed to keep and use your information, even when you request that it should be erased.

### **The right to object:**

You have the right to object to us using your information if you feel we have used it outside the remit of our public tasks or when you have received marketing from us. Please be aware that in certain situations we are allowed to still use your information if there are compelling legitimate grounds to do so.

### **Using your rights:**

If you wish to use any of these rights, please contact us using one of the methods below:



#### **Online:**

<https://www.gloucestershire.gov.uk/council-and-democracy/data-protection/your-information-rights/>



#### **In Writing:**

Information Management Service  
Gloucestershire County Council  
First Floor, Block 4(a)  
Shire Hall, Westgate Street  
Gloucester  
GL1 2TG



#### **Email:**

[Managemyrequests@gloucestershire.gov.uk](mailto:Managemyrequests@gloucestershire.gov.uk)

### **How to contact us:**



Please contact us if you have any questions about this privacy notice:  
[Safeguardingadultsservices@gloucestershire.gov.uk](mailto:Safeguardingadultsservices@gloucestershire.gov.uk)



Safeguarding Adults Team  
Block 1, Floor 2,  
Shire Hall,  
Westgate Street,  
Gloucester,  
Gloucestershire  
GL1 2TG



01452 425879

You can contact the council's Data Protection Officer, via the Information Management Service, by emailing [dpo@gloucestershire.gov.uk](mailto:dpo@gloucestershire.gov.uk)

**Making a complaint to the Information Commissioner**

If you wish to make a complaint about how we use your personal data to the Information Commissioner's Office, you can contact them by visiting their website at <https://ico.org.uk/> or by calling 0303 123 1113.