

**Privacy Notice for Customer
Services
Fair Cost of Care analysis**



**Nottingham City Council
Information Compliance**

**Service Area: Adult Social Care
Directorate: Peoples
PN-0267**

June 2022

Adult Social Care (ASC) is part of Nottingham City Council, who is the data controller for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We will use the information for a number of reasons, depending on the service or reasons for interacting with you. As part of the Adult Social Care (ASC) reform, Local Authorities across England are being asked to complete a [Fair Cost of Care exercise by the DHSC](#). This involves an analysis of the costs of ASC homecare and residential services. The information produced will be used to improve outcomes for ASC, ease financial pressures and support social workers.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

Lawful basis for processing

The basis under which we use your personal information for completing the cost focussed data analysis is that this is 'necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council. When the Council processes special category data in relation to this project it will do so on the basis that it is in the substantial public interest' to do so.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In order to deliver the cost focussed data analysis of ASC Homecare and Residential services, the council have appointed Care Analytics Consultants. They will provide the skills and expertise required for the data analysis. Care Analytics will handle ASC data as the council's data processor under an appropriate data processing agreement.

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

You are not obliged by statute or contract to provide the information that is specified here. However, if we were not able to process your personal data we would be unable to check you suitability as a sponsor.

How long will the Council retain the data for?

The information used in the data analysis project is drawn from your ASC case file. Routinely, the council retains case file information for 6 years from the closure of the case.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

A right to request a copy of your information

A right to request rectification of inaccurate personal data

A right to request erasure of your data known as 'the right to be forgotten'

A right to in certain circumstances to request restriction of processing

A right in certain circumstances to request portability of your data to another provider

A right to object to processing of data in certain circumstances

A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Part three of the Data Protection Act 2018 provides for similar rights in relation to law enforcement processing. The right to object and to data portability do not apply to personal data processed under part three of the Data Protection Act 2018. Nottingham City Council can apply exemptions and restrictions to these rights in some circumstances.

Data Protection Officer

You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .