

# Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to personal data collected as part of your Shared Lives application, your ongoing monitoring as a Shared Lives carer and your Claim Form submission. We will use this information to assess the suitability of Shared Lives Carer applicants and if successful, manage you as Shared Lives carers and process your payments.

This notice applies to potential, current and former Shared Lives Carers those we have contacted but have opted not to partake in the service. It is important that you read this notice so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

Date of Issue: 27<sup>th</sup> January 2022

Update History:

January 2022	First issue of a new Privacy Notice
January 2023	Updated legal basis and list of data being processed Added special category legal basis

Directorate: People  
Service: Adult Social Care  
Team: Shared Lives

## About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: **Z6825178**  
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

## The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:  
<https://www.westberks.gov.uk/contact-data-protection-team>

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## **THE PERSONAL DATA WE HOLD ABOUT YOU**

We will process and collect the following information about you, which will include: -

- Your name
- Address including previous addresses
- Email address
- Contact telephone number/s
- Date of Birth
- National Insurance Number
- Equalities information including gender, ethnicity and religion
- Family and friend details
- Marital/relationship status
- Information about your identity, nationality and entitlement to work in the UK
- Your employment history including job titles of positions held, start dates, ends dates including voluntary positions
- Details of your education, qualifications, skills, relevant training and experience including start and end dates
- Details of any gaps in employment/education
- Details of any disciplinary or capability investigations in which you have been involved, including any warnings issued to you and related correspondence
- Other agency involvement (including within your household) such as previous Shared Lives Carer or Foster Carer applications
- Bank account details for Accounts payable to process payments.
- Details of mileage and travel expense
- Date/time of support
- Transaction data details (to process your payments)
- Emergency Next of Kin details
- Details of household members
- Property/ housing information
- DBS number and date and any positive disclosures
- Health information and reference from GP
- Photos of carers and property with consent
- Driving licence and passport
- Vehicle details
- Date of valid insurance
- Gas safety certificates
- Referees including personal and employment
- Mortgage/landlord information

Your data will be held on the Council's internal systems including Microsoft Outlook and the West Berkshire Shared Lives Scheme system. The data will be protected using up-to-date technical and organisational security measures.

## **SPECIAL CATEGORY DATA**

Included in the above list are certain special categories of personal information which includes medical and equality information.

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## SOURCE OF YOUR PERSONAL DATA

The Council will collect data in a variety of way, most of the personal information the Council process is provided directly by you as part of your Shared Lives application and claim form. We also collect information from third parties such as your nominated referees your GP and the criminal records check.

## PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
<p>West Berkshire Council's Adult Social Care Services provides the Shared Lives Service to link carers to Service Users in need of support.</p> <p>We will use and hold your data to identify suitable Shared Lives Carers, match Service Users to Shared Live Carers, manage you as Shared Lives carers, ensure placements are successful and make payments to you as Shared Lives carers after you have provided a care support session.</p>	<p><b>Performance of a contract:</b> Article 6(1)(b) of the General Data Protection Regulations ("GDPR") namely processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p> <p><b>Legal obligation:</b> Article 6(1)(c) - We are required under the Care Act to assess suitability as a carer; to retain records for safeguarding obligations, the Care Quality Commission and other audits. We are also required to retain financial information relating to taxation and contributions.</p> <p><b>Public Task:</b> Article 6e of the GDPR namely the processing is necessary for the performance of a task carried out in the public interest.</p> <p><b>The legal basis for processing your special category personal data is:</b></p> <p>Article 9(2)(h) UK GDPR: processing for the provision of health or social care or treatment or the management of health or social care systems and</p>

Why we use your information	Our legal basis for using your information
	services.

## SHARING YOUR PERSONAL DATA

Your data will be seen by employees of the Council relevant to the service you provided as a Shared Lives Carer. Your financial data will only be seen by Council employees in the Shared Lives Team and the Council's payment service. The Council will also share your details with the Council's Banks solely for the purpose of setting up payments to carers.

We may also share your personal data with third parties where it is necessary for the delivery of the service such as the Service User and their family. Another example of when this is required is if you offer a service on behalf of another authority. For example if you provide a service for a Hampshire council service user, the claim form and details given can be shared for monitoring purposes.

We may share your personal information with external organisations including Shared Lives Plus, the Care Quality Commission and Department for Work and Pensions.

The Council shares your data with third parties where it is legally required to do so, such as to comply with requirements for statutory reporting or where it is required to report a dismissal to the Disclosure and Barring Service or to a professional body.

## RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary.

You can check how long the Council will keep each type of data against our retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention)).

## YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.
- **Withdraw consent** to the processing of your personal data at any time, where processing is based on your consent. To withdraw your consent, please contact our Data Protection Officer using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

## INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

## COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

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## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

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