

**Specialist Short Breaks Privacy Notice**

Here at Wakefield Council, we take your privacy seriously and will only use your personal information for the purpose(s) listed in section 2 below. This notice provides details of how the Council collects and uses information (data) about you.

We will keep your information (data) secure at all times.

**1. Who we are.**

a) The Controller for the information we hold is Wakefield Council.

Contact details:

Telephone: 01924 306112

Email: dataprotection@wakefield.gov.uk

b) The Council’s Data Protection Officer is the Corporate Information Governance Team Manager.

Contact details:

Telephone: 01924 306112

Email: dpo@wakefield.gov.uk

**2. How we use your data:**

The Specialist Short Breaks Team will hold the following information on children and young people who are being assessed for Short Breaks:

* Name
* Date of Birth
* Gender/ gender identity
* Nationality/Ethnicity
* Address
* Parent/Carer contact details (email address and/or phone number)
* Parent/Carer name
* School
* Primary and Secondary Needs
* Likes and Dislikes of the child/young person
* Child and Family/Short Breaks Assessment

The Team may collect this directly from service users or it may be provided to us by the Children with Complex Care Needs Team and the Children’s Commissioning Team.

We use your information for the provision of Short Breaks to children.

The Short Breaks Support Team may also use your email address to send out surveys to you. This is so that we can measure the impact and effectiveness of our service and you can contribute your views, ideas and concerns to ensure the service better meets your needs and those of your child or young person. If you choose to complete the surveys, we will collect your opinions on the service you have received along with data categories that relate to your child e.g. age group, nationality. The data we collect is not designed to identify individuals and this is merely for service improvement purposes and recognising trends, however, in rare circumstances the answers you provide may identify you/your child. Answers to the survey are optional.

To enable us to provide our service to you we will share your information with Short Break providers.

In addition, your data may be accessed by Internal Audit and the Counter-Fraud Team as they are required to hold, or have access to, information from systems and processes across the Council so that we can:

* Fulfil legal (Accounts and Audit Regulations 2015, and Local Government Act 1972) and mandatory professional requirements (Public Sector Internal Audit Standards) to provide an internal audit function.
* Investigate referrals made under the Council’s Counter-Fraud Framework, including the Whistleblowing Policy.
* Participate in national and local counter-fraud schemes, such as the National Fraud Initiative, to help protect the public purse.
* Maintain the central register of applications for RIPA (Regulation of Investigatory Powers Act 2000)
* Ensure the effectiveness of the Council’s governance, risk management, and control processes.  This forms part of the Head of Internal Audit Annual Assurance Opinion, which is incorporated into the Annual Governance Statement.
* Facilitate the prevention, deterrence and detection of bribery, corruption, fraud and money-laundering committed against the Council.

Should you choose not to provide any of the information listed above to the Short Breaks Assessment Team and/or Children with Complex Care Needs Team they may not be able to carry out a thorough assessment of the child’s needs. This means that The Short Breaks Support Team may not be able to identify a suitable provider for your child or young person’s Short Breaks support.

**3. What authority does the Council have to collect and use this information?**

The law says that we cannot process your personal data unless we comply with at least one condition in Article 6 of the UK GDPR.

The Article 6 lawful basis we rely upon for processing your information is Article 6.1(e) - the legal basis of Public Task. Under the Children Act 1989, the Council has a duty to provide short breaks where they are necessary.

The law also states that we cannot process personal data which is considered to be Special Category Data (such as information relating to your health, religion or ethnicity, for example) unless we comply with a condition within Article 9 of the UK GDPR.

The Article 9 lawful basis we rely upon for processing Special Category Data is Article 9 2 (e) - We have a basis in law to provide Health or social care services.

**4.** **How long will we keep your data?**

We will keep the child’s data for as long as they are in receipt of Short Breaks support. Once support ceases, we will discard any personal information 3 years after the cease date. Short Breaks support will only cease when:

* The young person turns 18 years old
* Circumstances have changed and the young person is no longer deemed eligible
* The child has moved out of district

**5. Your rights and your personal data**

Under the GDPR you have the following rights:

**Right of Access**

You have a right of access to the personal information that the Council holds about you, and/or the right to be given a copy of the data undergoing processing.

**Right to Rectification**

You have the right to request that the Council corrects any personal data if it is found to be inaccurate, incomplete or out of date.

**Right to Restriction of Processing**

You have the right, where there is a dispute in relation to accuracy or lawfulness of processing of your personal data, to request that a restriction is placed on further processing.

**Right to Object to Processing**

In certain circumstances, you may have a right to object to the processing of your personal data.

**Right of Complaint**

You have a right to lodge a complaint with the Information Commissioner, please find contact details below.

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

To exercise any of your rights, you should contact the Data Controller’s representative as shown in section 1b.

**6. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new Privacy Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

**7. Changes to this Notice**

We will review this notice regularly, and no later than every 2 years, to ensure it remains accurate and relevant, unless legislative changes require this sooner.