Sheffield City Council

Privacy Notice for Health and Wellbeing (Public Health)

| Who we are and what we do | Sheffield City Council (The Council) is responsible for improving the health and wellbeing (sometimes referred to as "Public Health") of the local population of Sheffield. This includes commissioning and in some cases, providing services that directly or indirectly improve people’s health and wellbeing. This could include, for example, a service to help someone give up smoking, a service to help someone experiencing financial problems, or a service to ensure health and safety standards are being observed in facilities used by the public (e.g. a restaurant).

All local authorities have a duty to improve the health and wellbeing of the population they serve. To help us do this, we use data and information from a range of sources, including data collected at the registration of a birth or death, to help us better understand the health and wellbeing needs of people in Sheffield and to design and commission services to meet those needs efficiently and effectively. |
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<td>The purpose of this notice</td>
<td>The purpose of this notice is to inform you about the type of health and wellbeing information, including personal confidential data that we collect and hold about you, how we use this information, how we keep it safe and secure, who (if anyone) we share it with and who to contact if you require more information or wish to opt out.</td>
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<td>What we mean by “personal confidential data”</td>
<td>Personal confidential data is information that can include your NHS Number, date of birth, address (including postcode), ethnicity, health status (including any specific health conditions or disabilities), details taken from your birth or death records (e.g. place of birth or cause of death), health or wellbeing needs and use of health and related care services. This includes deceased as well as living people's information.</td>
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| Why we collect your information | We use this information to help us to

- measure the health and wellbeing needs and outcomes of the local population, in particular to support our statutory responsibilities for producing the Joint Strategic Needs Assessment, Annual Director of Public Health Report and the Health and Wellbeing Strategy for Sheffield
- identify and address health inequalities
- plan, target, deliver, monitor, audit and evaluate our services including the National Child Measurement Programme, the NHS Health Check Programme and health visitor and school nursing services for 0-5 year olds
- protect the public from threats and risks to health
- control of infection
- ensure accessible and appropriate access to relevant health and wellbeing services for all our population and especially for vulnerable groups of people
- identify priorities for action and inform the design and commissioning of services. |
| How we use your information | Where possible, we use anonymised data, which means you cannot be identified from that information. We will only use your personal confidential data with your consent or if there is a legal requirement to do so. We will also only use what is relevant to support the services we provide to you in a joined up and coordinated way.  

We also have to honour any duty of confidence attached to information and apply Common Law Duty of Confidentiality requirements. This will mean where a legal basis does not exist to use your personal or confidential information, we will not do so.  

We collect health and wellbeing information in two key ways:  

- It is provided to us directly by a member of the public when they sign up to use a service we are providing directly to them  
- It is shared with us by another organisation due to us being part of a service they are providing, or as part of research and intelligence necessary to support our public health functions such as informing decisions on the design and commissioning of services to meet needs. Such organisations include the Office for National Statistics, NHS Digital, national and local NHS bodies, the Sheffield Clinical Commissioning Group, other local authorities and schools. |

| How we keep your information safe and secure | All our staff have contractual obligations of confidentiality, enforceable through disciplinary procedures. All staff receive appropriate training on confidentiality of information and staff who (because of their role) have regular access to personal information receive additional specialist training. We limit the number of staff who access and handle such data and these staff are named in relevant signed information sharing agreements and declarations.  

We take relevant organisational and technical measures to ensure the information we hold is secure – such as holding information in secure locations, restricting access to information to authorised personnel, protecting personal and confidential information held on equipment such as computers with encryption. We only exchange information using secure methods of transfer e.g. encrypted email.  

We also have a senior person responsible for protecting the confidentiality of your information and enabling appropriate information sharing. This person is called the Caldicott Guardian – there are three in the Council: Greg Fell (Director of Public Health), Dominic Sleath (Children and Young People) and Simon Richards (Adult Social Services).  

We only keep hold of this information for as long as is necessary. This |
| What information we share, with whom and how | We share anonymised information with NHS and Council services and partners for the purposes of improving local health and social care, wellbeing services, research, audit and evaluation. We only do this once the necessary legal basis for doing so has been established and data protection safeguards verified. Anyone who receives information from Sheffield City Council in this way is also under a legal duty to keep it confidential.

In relation to births and deaths, the data will only be processed by Sheffield City Council employees in fulfilment of their public health functions and will not be transferred, shared, or otherwise made available to any third party, including any organisations processing data on behalf of the Council or in connection with their legal function.

We will not share personal confidential data about you unless:

- you have given us consent
- we are lawfully required to report to certain authorities such as to prevent fraud or serious crime;
- to protect children and vulnerable adults (safeguarding)
- when a formal court order has been served upon us
- to protect the health and safety of others, for example reporting an infectious disease.

We will only share what is appropriate and relevant so that services can be provided to you in a joined up way. |
| Our legal basis | The Secretary of State for Health has given limited permission for us to use certain person confidential information when it is necessary for our Public Health work (see above). This legal basis is provided by section 42(4) of the Statistics and Registration Service Act (2007) as amended by section 287 of the Health and Social Care Act (2012) and regulation 3 of the Health Service (Control of Patient Information) Regulations 2002.

In order to use this data we must comply with the requirements and principles of the Data Protection Act (1998) which includes meeting strict conditions that we are legally required to follow and making a written commitment to NHS Digital that we will not use information in any way that would reveal your identity. These terms and conditions can be found on NHS Digital's website [www.digital.nhs.uk](http://www.digital.nhs.uk) |
The Data Protection Act (1998) requires organisations such as local authorities to register with the Information Commissioner's Office (ICO) to describe the purposes for which they process personal confidential data. The Information Commissioner's Office is the UK's independent body set up to uphold information rights. Sheffield City Council has notified the Information Commissioner's Office to this effect and you can access this notification from the ICO's website at [www.ico.org.uk](http://www.ico.org.uk). Sheffield City Council’s registration number is Z6548192.

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<th>Link to ICO for independent advice</th>
<th>Opting out</th>
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<td>You have the right to request that your confidential information is not used beyond your own care and treatment and to have your objections considered. At any time, you have the right to opt out/ withdraw consent to the processing or sharing of your information with others (unless there is a law that requires otherwise).</td>
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Please be aware by not agreeing to share your records you may not always receive the best available service that meets your specific needs at that time. It will also more than likely mean the same questions we have already asked you have to be asked again. We recommend that your records are shared safely, securely and appropriately so that services can be provided to you. However, if you wish to opt out of your data being processed and/or shared onwards with other organisations, please be aware there are two main forms of opt-out available as follows:

**Type 1 opt-out** - If you do not want personal confidential information that identifies you to be shared outside your GP practice, for purposes beyond your direct care you can register a type 1 opt-out with your GP practice. This prevents your personal confidential information from being used other than in particular circumstances required by law, such as a public health emergency (e.g. an outbreak of an infectious disease). You are only able to register the opt-out at your GP practice. Records for people who have registered a type 1 opt-out will be identified using a particular code that will be applied to your medical records that will stop your records from being shared outside of your GP Practice.

**Type 2 opt-out** - NHS Digital collects information from a range of places where people receive care, such as hospitals and community services and from key documents about your birth (your birth certificate) and death (your death certificate). You are able to opt out of your personal confidential data being shared by NHS Digital for purposes other than your own direct care. If you do not want your personal confidential information to be shared outside of NHS Digital, for purposes other than for your direct care you can register a type 2 opt-out with your GP
practice. You are only able to register the type 2 opt-out at your GP
practice.

For general further information about opting out, please contact the
Sheffield City Council Public Health Intelligence Team:

Public Health Intelligence Team
Sheffield City Council
Town Hall
1 Pinstone Street
Sheffield S1 2HH
(0114) 205 7455
DPHOffice@sheffield.gov.uk referencing “opt outs- data requests” in the
subject line

| Contact details for further information | The Data Protection Act gives you the right to apply to see or to be given
a copy of the personal information the Council holds about you. This is
called a “Subject Access Request”. To submit a request please see our
web page on Making a Subject Access Request -
https://www.sheffield.gov.uk/your-city-council/policy--
performance/how-we-will-deliver/other-strategies-plans-and-
policies/data-protection-handling-personal-data/subject-access-
request.html

In the event that you consider Sheffield City Council has not complied
with the Data Protection Act, either in responding to such a request or in
our general processing of your personal information, you can contact us by:

- Telephone (0114) 273 4567
- Visit “First Point” at Howden House on Union Street in the City
  Centre
- Write to us at Sheffield City Council, Town Hall, 1 Pinstone Street,
  Sheffield S1 2HH
- Contact us online at www.sheffield.gov.uk/your-city-
council/how-to-contact-us/complaint.html

If you are not satisfied with the response from the Council then you
have the right to complain to, appeal to, or raise your concerns with the
Information Commissioner and ask him to investigate. The Information
Commissioner can be contacted as follows:

- By email at www.ico.org.uk
- Writing to the Information Commissioner's Office, Wycliffe
  House, Water Lane, Wilmslow, Cheshire SK9 5AF
- Telephone the ICO on (01625) 545700

15th May 2017