

Privacy Notice for Public Health

**DATE: Reviewed Nov 2021
V2.0**



Public Health Services

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at www.bolton.gov.uk

This notice provides additional privacy information for:

- People accessing Public Health Services
- Partners working with Bolton Council

It describes how we collect, use and share personal information about you

- In relation to Public Health services
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

Purposes

We collect your personal information for the following purposes:

- To measure the health, mortality or care needs of the local population
- To plan, evaluate or monitor public health programmes
- To protect and improve public health and wellbeing

Categories of personal data

In order to carry out these purposes we collect and obtain:

- **Personal data** – containing personal data that can identify individuals and may include name, address or postcode, date of birth, gender and NHS number
- **Pseudonymised data** – this contains information about individuals but with the identifiable details (e.g. NHS number) replaced with an alternative code or number
- **Anonymised data** – this is information about individuals that has had identifying details removed
- **Aggregated data** – data which has been grouped together so it is not at individual level but groups of people

Where possible we always look to use anonymised or pseudonymised data rather than using identifiable personal data.

Legal basis for processing

The legal basis for processing your personal information for non-direct care purposes contained in 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.

-Article 2(9)(e) of the UK General Data Protection Regulation also applies.

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Information sharing/recipients

We hold and share information for public health purposes about people we directly provide a service to and people for whom we have a responsibility for in respect of our public health functions.

This includes all Bolton residents, people receiving health and care services in Bolton and people who work or attend school in Bolton. Under our statutory obligation to provide a public health advice service to our local NHS clinical commissioning groups (CCGs), this also extends to people registered with a general practice within Bolton.

Organisations which may share data with us include the Office for National Statistics (ONS), Public Health England, DEFRA, NHS Digital, NHS providers and other local authorities.

We will not normally share your information with organisations other than our partner organisations and those listed above; however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Only the minimum information for the purpose will be shared.

Covid 19 Track and Trace

Regulation 3 of the Health Service (Control of Patient Information) Regulations 2002 in accordance with the 'Covid-19 – Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002' from the Secretary of State for Health and Social Care to Local Authorities in England dated 20 March 2020 and subsequent updates.

The processing of data received by us will be carried out in accordance with the Data Protection Act 2018, UK GDPR and any associated codes of practice issued by the ICO.

More particularly, the legal bases for any processing are:

- Article 6.1. (e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; and
- Article 9.2. (i) – processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.

Personal data and special category personal data from Public Health England will be used and processed:

1. In line with Articles 13 and 14 of GDPR, the Local Authority must ensure that their privacy notices are clear and provide sufficient information to the data subjects for them to understand what of their Personal Data is shared, details the rights of the data subject, the circumstances in which it was shared, the purposes for the data sharing and the identity of the Controller;
2. In line with Chapter 3 of GDPR, the Local Authority must have policies and procedures in place to comply with the rights of the data subject including but not limited to the rights of access, rectification and profiling;
3. In line with Article 5(1)(f) of GDPR, the Local Authority must ensure appropriate security of the Personal Data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures; and
4. In line with Article 24 of GDPR, the Local Authority must ensure that they have implemented appropriate data protection policies across the organisation

Termination of data – Track and Trace

30 September 2020 or until such time as the ‘Covid-19 – Notice under Regulation 3(4) of the Health Service Control of Patient Information Regulations 2002’ from the Secretary of State for Health and Social Care to Local Authorities in England dated 20 March 2020 is extended.

Covid 19 – Supermarket Referral Scheme

In certain circumstances the personal data you provide will be entered into a secure system run by Defra. Defra will consolidate data from all local authorities participating in the scheme. Tesco plc will download this data to determine if you are

an existing company and to offer you a priority delivery slot if available. Please refer to the Defra website for more details.

Automated Decisions

For this service:

- All the decisions we make about you involve human intervention

Data retention/criteria

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Rights of individuals

You have certain rights in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your Rights](#) or alternatively visit the Information Commissioner's web site at www.ico.org.uk

If you wish to exercise your rights (as outlined above) or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at information.security@bolton.gov.uk

If you are still unsatisfied you should contact **The Information Commissioner's Office** by post at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details