



Healthy
Cornwall

Healthy Cornwall Privacy Notice

February 2021



Privacy Notice

Contents

Healthy Cornwall's policy notice

Purpose	3
What we do	3
What information we collect about you	3
What is the legal basis for the flow of Healthy Cornwall data	4
How information is kept secure	4
Can I find out what information you have about me	4
How long we hold your information for	4
How is my information used	5
Your rights as the data subject	5
Opting out including NHS National Data Opt-Out	5&6
Need more help?	6&7

Privacy Notice

The purpose of this Privacy Notice is to tell you what information we collect about you when you use our service, how we use that information and who we may share it with.

What we do

Healthy Cornwall is part of the Cornwall Council Wellbeing and Public Health Service. Along with all local authorities we have a duty to improve the health of the population they serve. This includes a responsibility to constantly monitor and develop our understanding of our programmes which we run across Cornwall and the Isles of Scilly by recording often identifiable data from those who participate in them. All our programmes seek to improve the health and wellbeing of the population of Cornwall and The Isles of Scilly by raising awareness, educating and supporting various behaviours which contribute to a healthy lifestyle.

What information we may collect about you

- Your name / previous names
- Date of birth/gender/employment status
- Whether you are pregnant or have given birth in the last 26 weeks/breastfeeding
- The name of your GP surgery and hospital/NHS reference numbers
- Your address and contact details including email and phone numbers
- Your spoken, preferred written and reading language
- Your ethnicity, religion and whether you have any disability and if so, details
- Emergency contact details
- Any relevant physical or mental health conditions

Additional to this and depending on the programme you require we may need the following details:

- Your height/weight/BMI (healthy weight and healthy pregnancy programmes)
- Your expected date of delivery if pregnant
- Sexual orientation (FRESH course attendees)
- Your individual and environmental Carbon Monoxide levels (for smoking cessation)
- Whether anyone in your household smokes (for smoking cessation)

What is the legal basis for the flow of Healthy Cornwall data?

We collect only necessary information to enable Healthy Cornwall to check your suitability and eligibility to access the programmes that we offer. The data will enable us to provide you with services once these checks are complete.

We have different legal responsibilities for various types of information we hold and analyse. Access is permitted under section 42 (4) of the Statistics and Registration Service Act 2007, as amended by section 287 of the Health and Social Care Act 2012, for the purpose of statistical analysis for Local Authority Public Health purposes. NHS Personal Confidential Data (PCD) is released under regulation 3 of the Health Service (Control of Patient Information) Regulations 2002 and can only be kept for public health purposes.

How information is kept secure:

The information you have provided will be stored on a secure password protected database which can be seen only by Healthy Cornwall staff involved in the planning, delivery and monitoring of the services provided. The information will be used to provide you with the healthy lifestyles services which you are eligible for and to monitor the effectiveness of services provided.

Can I find out what information you have about me?

- Yes, you can. The Data Protection Act 1998 allows you or a representative nominated by you, to make a request for all copies of the personal information we have about you.
- If you are a child under 13 years old, the adult with parental responsibilities for you can make a request on your behalf.
- If there is an adult with a power of attorney registered by a Court, they can make a request on your behalf.

Requests for access to information must be made in writing and sent to the Council's Data Protection Officer at the postal or email address below.

How long we hold your information for:

Healthy Cornwall will retain the information you have given for no longer than 3 years (including child data). Other partners with whom this information has been shared may have different retention policies that will apply to your information. Where we have shared your data with other Cornwall Council services, the general Cornwall Council retention schedule will apply and is available on the Cornwall Council website.

How is my information used in Healthy Cornwall?

The information you have provided may be shared with your GP or if there is a safeguarding concern a referral to MARU or adult social services may be made if a risk to a child, themselves or others is feared. We do not share information about adults, children and young people without consent unless the law allows us to do so.

Notify.gov are being used as a data processor to send and receive text messages. Information on how to opt out of these communications in future will be included within the text messages. Noticy.gov retain contents or text messages and phone numbers for a maximum of eleven days as per their retention policy.

Your rights as the data subject:

Your personal information belongs to you and you have the right to:

- be informed of how we will process it
- request a copy of what we hold about you and in commonly used electronic format if you wish (if you provided this to us electronically for automated processing, we will return it in the same way)
- have it amended if it is incorrect or incomplete
- have it deleted (where we do not have a legal requirement to retain it)
- withdraw your consent if you no longer wish us to process your data
- restrict how we process it
- object to us using it for marketing or research purposes
- object to us using it in relation to a legal task or in the exercise of an official authority
- request that a person reviews an automated decision

Opting Out including NHS National Data Opt-out

You have the right to request that Healthy Cornwall stop processing your personal data in relation to any council service.

Where possible we will seek to comply with your request but there are occasions where service providers will have a legal duty to share information, for example safeguarding or criminal issues. The process for opting out will depend on what the specific data is and which programme it relates to.

By March 2020 all health and care organisations are required to be compliant with the national data opt-out policy, this was introduced on 25 May 2018 and enables patients to opt out from the use of their data for research or planning purposes.

Whenever you use a health or care service, such as Healthy Cornwall's Smoking Cessation service, important information about you is collected in a patient record for that service. Collecting this information helps to ensure you get the best possible care and treatment. The information collected about you when you use these services can also be used and provided to other organisations for purposes beyond your individual care, for instance to help with:

- improving the quality and standards of care provided

- research into the development of new treatments
- preventing illness, diseases and monitoring safety
- planning services

This may only take place when there is a clear legal basis to use this information. All these uses help to provide better health and care for you, your family and future generations. Confidential patient information about your health and care is only used like this where allowed by law. Most of the time, anonymised data is used for research and planning so that you cannot be identified in which case your confidential patient information isn't needed.

You have a choice about whether you want your confidential patient information to be used in this way. If you are happy with this use of information you do not need to do anything. If you do choose to opt out your confidential patient information will still be used to support your individual care.

To find out more or to register your choice to opt out, please visit www.nhs.uk/your-nhs-data-matters. You can change your mind about your choice at any time. Data being used or shared for purposes beyond individual care does not include your data being shared with insurance companies or used for marketing purposes and data would only be used in this way with your specific agreement. Health and care organisations have until 2020 to put systems and processes in place so they can be compliant with the national data opt-out and apply your choice to any confidential patient information they use or share for purposes beyond your individual care. Healthy Cornwall is currently compliant with the national data opt-out policy.

For further information, please contact the Healthy Cornwall.

Need more help?

If you need help in understanding this form or require more information about our programmes, please contact the Healthy Cornwall team on telephone number 01209 615600 or by emailing healthy.cornwall@cornwall.gov.uk

If you would like to access any of the information we hold about you or have concerns regarding the way we have processed your information, please contact the Data Protection Officer at:

Data Protection
4th Floor North
County Hall
Treyew RD
Truro
TR1 3AY
Tel: 01872 326424
Email: dpo@cornwall.gov.uk

For independent advice and guidance on the Data Protection Act, contact the Information Commissioner's Office (national regulator) at: <http://ico.org.uk> or call 0303 1231113.

Healthy Cornwall is part of the Wellbeing and Public Health Service which is part of Cornwall Council. The Council is registered as a Data Controller with the Information Commissioners Office (Registration Number Z1745294) under the Data Protection Act (1998). Further details

about how the Council processes personal data can be found within the Council's overarching privacy notice at the following link: <http://www.cornwall.gov.uk/council-and-democracy/data-protection-and-freedom-of-information/data-protection-act-1998/how-we-use-your-information/>. Additional information can be found in our registration on the Information Commissioners website at: <http://ico.org.uk/ESDWebPages/Entry/Z1745294>

The Councils' NHS Data Security and Protection Toolkit and compliance status can be accessed at: <https://www.dsptoolkit.nhs.uk/OrganisationSearch/902>

If you would like this information in another format please contact:

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County Hall
Treyew Road
Truro TR1 3AY

Email: comments@cornwall.gov.uk
Telephone: **0300 1234 100**
www.cornwall.gov.uk

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