

HEREFORDSHIRE COUNCIL PRIVACY NOTICE FOR PUBLIC HEALTH SERVICES

About Public Health

All Local Authorities have a duty to improve the health of the population they serve. Herefordshire Council provides Public Health services for the county and is responsible for protecting and improving the health of the population throughout Herefordshire. To do this we provide a range of services (such as those to help people make a lifestyle change and contraceptive services), provide guidance and advice to the public and professionals (such as about infections) and monitor and publish intelligence about trends in health to help the NHS and other providers design services that meet the needs of the residents of Herefordshire.

To help with this, we use data and information from a range of sources, including data collected at the registration of a birth or death, to understand more about the health and care needs in the area.

We also have responsibilities for using data in relation to outbreak management of Covid-19 which are included in this notice.

Data Protection

Herefordshire Council is a data controller for the purposes of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The Public Health team of Herefordshire Council process of personal data for specific Public Health purposes. The use of such data will be restricted so that the principles contained in the Data Protection Act 2018 and GDPR are fully adhered to. The legal basis is 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.

Who do we collect information about?

Herefordshire Council collects and holds information for public health purposes about:

- residents of Herefordshire
- people receiving health and care services in Herefordshire
- people who work or attend school in Herefordshire
- all to whom it has a public health duty of care

How do we collect this information?

This information is collected in two ways:

- It may be provided to us directly by a member of the public when they sign up to use a service we are providing.
- It may be 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 for Public Health functions, such as informing decisions on the design and commissioning of services. This will include organisations such as Office for National Statistics, NHS Digital, national and local NHS bodies and Clinical Commissioning Group, Public Health England, local authorities and schools.

What Data do we Collect?

In order to perform specific Public Health functions for which it is responsible Herefordshire Council uses personal identifiable information¹ about residents and users of health care. This includes:

- control of infection
- managements of risks to public health
- organising the National Child Measurement Programme
- organising the NHS Health Check Programme
- organising and supporting the 0-5 health service and school nursing services.

The information is used to derive statistics and intelligence for research and planning purposes. This includes:

- producing assessments of the health and care needs of the population, in particular to support the statutory responsibilities such as the Joint Strategic Needs Assessment (JSNA), the Director of Public Health Annual report and the Health and Wellbeing Strategy
- identifying priorities for action
- informing decisions on (for example) the design and commissioning of services
- to assess the performance of the local health and care system and to evaluate and develop them
- to report summary statistics to national organisations
- undertaking equity analysis of trends, particularly for vulnerable groups
- to support clinical audits

In these cases, the information is used in such a way that individuals cannot be identified from them and personal identifiable details are removed as soon as is possible in the processing of intelligence. Such personal identifiable data includes:

- contact details

¹ Personal data means data which relate to a living individual who can be identified from the data or from that data and other information held by the data controller (i.e. it can be linked to become identifiable).

- NHS number
- geographic codes such as postcodes for the analysis of health inequalities
- date of birth
- information from birth and death certifications (personal identifiable information from NHS Digital used for public health purposes).
- information about the provision of Public Health services including:
 - immunisations
 - control of infection
 - drug and alcohol treatment services
 - sexual health services
 - 0-5 health services
 - school nursing services
 - National Child Measurement Programme
 - lifestyle and behaviour change services
 - cancer screening
 - other screening programmes
 - public health initiatives
- information about lifestyle behaviours, including data collected from surveys
- information about disease prevalence including cancer registrations
- information about other health statuses including blood pressure
- information about health and social care use, including:
 - - GP services
 - - Hospital services
 - - NHS community services
 - - Mental health services
 - - Social care services

These data are provided to Public Health Service either direct from the public (with consent) or by national and local NHS and Local Authority data services and organisations and shared with Public Health in accordance with the Data Protection Act 2018 and GDPR principles.

What we do with the information

Information provided direct by members of the public to Herefordshire Council is collected in appropriate systems and used to provide or administrate that service. These systems are access controlled, so only relevant employees have access to them. With consent we may also make referrals to other services, such as a GP from these systems. Information provided by other national and local NHS and Local Authority data services and organisations is stored in secure systems within the Council network in line with the NHS Information Governance framework. All staff are regularly trained to understand the importance of and their duty towards protecting data and good information governance procedures.

Confidential Public Health data will only be shared with other local NHS or care organisations, once the necessary legal basis has been established and data protection safeguards have been verified, so that the data is managed and used under the same restrictions. Anyone who receives information from Herefordshire Council is also under a legal duty to keep it confidential.

We sometimes cross reference data between systems, always in accordance with the Data Protection Act 2018 and General Data Protection Regulations 2016 and wherever possible using non identifiable data. For example information from death certificates may be used with information from healthcare provider records (GPs and hospital) to investigate the events leading up to the death, to see if there are lessons to be learnt.

How long do we keep your records

We will only keep your information for the minimum period necessary. The information outlined in this privacy notice will be kept for up to 10 years. All information will be held securely and destroyed under confidential conditions.

Covid-19

Data is being processed to manage the outbreak of Covid-19 for the purpose of delivering services to patients, clinicians, the health services and adult social care services workforce and the public. Specifically, this will enable:

- a) understanding Covid-19 and risks to public health, trends in Covid-19 and such risks, and controlling and preventing the spread of Covid-19 and such risks;
- b) identifying and understanding information about patients with Covid-19 and collecting information about services in relation to testing for Covid-19;
- c) monitoring and managing the response to Covid-19 by health and social care bodies in relation to testing for Covid-19;
- d) research and planning in relation to testing for Covid-19.

The legal basis for processing is 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.

The conditions for processing under GDPR are:

Article 6.1.(e) – the 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 for special category data

Article 9.2.(i) – processing is necessary for reasons of public interest in the area of public health.

The following data is shared by Public Health England for the purposes outlined:

Field name	Description
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Record ID	Unique record identifier
Sex	Patient sex
Age	Patient age in years
Postcode	Patient place of residence postcode
Ethnic Group	Patient ethnic group
Occupation	Patient occupational group
Key Worker	Patient key worker status
Test Date	Date of Covid-19 test or specimen test
Pillar	Covid-19 test location type (laboratory, mobile testing station, home test)

Your rights

You have a number of rights under data protection law, including the right to request your information and to request that the information be amended or erased if incorrect.

To request your records, you will need to put your request in writing and provide proof of identification to the Information Governance Team, Herefordshire Council, Plough Lane, Hereford HR4 0LE or via email, informationgovernance@herefordshire.gov.uk

You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Providing Accurate Information

It is important that we hold accurate and up to date information about you in order to assess your needs and delivery the appropriate services. If any of your details have changed, or change in the future, please ensure that you inform us as soon as possible so that we can update your records.

Further information

If you have any questions or concerns about how your information is used, please contact <team> in the first instance. You can also contact the Data Protection Officer, Herefordshire Council, Plough Lane, Hereford HR4 0LE, email: informationgovernance@herefordshire.gov.uk

More information about data protection and how it applies to you can be found on the Information Commissioner's Office website at <https://ico.org.uk/>