

Cheshire West & Chester Council

# West Cheshire Homes Privacy Policy



## Introduction

West Cheshire Homes is committed to protecting your privacy when you use our services. This Privacy Notice explains how we use information about you and how we protect your privacy.

We have a Data Protection Officer who makes sure we follow the law. If you have any concerns or questions about how we look after your personal information, please contact Phil Orchard, Data Protection Officer by email on [dpo@cheshirewestandchester.gov.uk](mailto:dpo@cheshirewestandchester.gov.uk) or by calling 0752 3515 474.

## Why do we need your personal information?

We may need to use some information about you to:

- deliver services and support to you
- manage those services we provide to you
- train and manage the employment of our workers who deliver those services
- help investigate any worries or complaints you have about your services
- keep track of spending on services
- check the quality of services
- to help with research and planning of new services
- prevent and detect crime and fraud

If we don't need personal information, we'll either keep the information anonymous if we already have it for something else or we won't ask you for it. For example, in a survey we may not need your contact details.

If we use your personal information for research and analysis, we'll always keep your information anonymous or use a different name unless you've agreed that your personal information can be used for that research.

## How the law allows us to use your personal information

There are several legal reasons why we are allowed to collect and use your personal information. The reason why we are allowed to use the information is different for each of the processes you interact with when you access the services from West Cheshire Homes.

- You, or your legal representative, have given **consent** for us to share your personal information. If you have agreed (given your consent) to us to share your personal information, you have the right to ask us to stop using it at any time. If you wish to withdraw your consent, please contact:

[DPO@cheshirewestandchester.gov.uk](mailto:DPO@cheshirewestandchester.gov.uk) and tell us which service you're using so we can deal with your request.

- We need the information because you have entered into a **contract** with us or one of our partners
- We need to have the information to perform our **legal obligations**
- We need to have the information to protect someone in an emergency (**Vital Interests**)
- We are required by law to do something and we need information about you in order to do this (**Public Task**)
- Is necessary for us to have the information to conduct our legitimate business for non-statutory services (**Legitimate Interests**)

### What you can do with your information

Under data protection legislation, you have the right to request access to the information that we hold about you. In certain circumstances you also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- have inaccurate personal data rectified, blocked, erased or destroyed
- Withdraw your consent to sharing your information.

We will only hold your personal information for as long as necessary for business purposes or if we are required to keep it by law.

Further details on how to make a data protection rights requests is available from data protection and your rights section of the Cheshire West and Chester Website.

### Who do we share your information with?

We use a range of organisations to either store personal information or help deliver our services to you. Where we have these arrangements there is always an agreement in place to make sure that the organisation complies with data protection law.

We'll often complete a data protection impact assessment (DPIA) before we share personal information to make sure we protect your privacy and comply with the law. Sometimes we have a legal duty to provide personal information to other organisations. We may also share your personal information when we feel there's a good reason that's more important than protecting your privacy. This doesn't happen often, but we may share your information:

- in order to find and stop crime and fraud; or
- if there are serious risks to the public, our staff or to other professionals;
- to protect a child; or
- to protect adults who are thought to be at risk.

For all of these reasons the risk must be serious before we can override your right to privacy.

If we're worried about your physical safety or feel we need to take action to protect you from being harmed in other ways, we'll discuss this with you and, if possible, get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk to others is serious enough to do so.

There may also be rare occasions when the risk to others is so great that we need to share information straight away.

If this is the case, we'll make sure that we record what information we share and our reasons for doing so. We'll let you know what we've done and why if we think it is safe to do so.

### How do we protect your information?

We strive to ensure that the records we hold about you (on paper and electronically) are held in a secure way, and we'll only make them available to those who have a right to see them.

Examples of our security include:

**Encryption** meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code. The hidden information is said to then be 'encrypted'.

**Pseudonymisation** meaning that we'll use a different name so we can hide parts of your personal information from view. This means that someone outside of the Council could work on your information for us without ever knowing it was yours.

**Controlling access** to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it.

**Training for our staff** allows us to make them aware of how to handle information and how and when to report when something goes wrong.

**Regular testing** of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

### Will your personal information be sent or stored in other countries?

The majority of personal information is stored on systems in the UK. But there are some occasions where your information may leave the UK either in order to get to another organisation or if it's stored in a system outside of the European Union (EU).

We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We'll take all practical steps to make sure your personal information is not sent to a country that is not deemed 'safe' either by the UK or EU Governments.

If we need to send your information to a location which is not on the list of locations deemed a 'safe' location, we'll always seek advice from the Information Commissioner (ICO) first.

### How long do we keep your personal information?

When we collect information about you, we store it for a set period of time depending on legislation, guidelines or codes of practice that specifies the length of the time that records must be kept. Information on this is stored in our Retention Schedules.

When no guidance exists, we work with the services within the Council, to determine how long records must be kept. When we develop our retention schedules we take into consideration the requirements of the following overarching pieces of legislation:

- Principle (e) of the General Data Protection Regulation
- Section 46 of the Freedom of Information Act
- Section 22 of the Local Government Act

### Where can I get advice?

If you have any worries or questions about how your personal information is handled please contact our Data Protection Officer at [DPO@cheshirewestandchester.gov.uk](mailto:DPO@cheshirewestandchester.gov.uk) or by calling 0752 3515 474

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

- 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
- Alternatively, visit the Information Commissioner's website or email [casework@ico.org.uk](mailto:casework@ico.org.uk)