

## PRIVACY NOTICE FOR NATIONAL DATA OPT-OUT

### What is the purpose of this document?

Hartlepool Borough Council (HBC) is committed to protecting the privacy and security of your personal information.

This privacy notice is issued in accordance with the General Data Protection Regulation (GDPR) and describes the purpose of the national data opt-out service and how this allows you to opt-out about how your personal information, which is collected as part of our Social Care functions, is used for research and planning purposes.

Please see our other Privacy Notices for more detail on how we collect, store and use your personal data to perform our social care functions.

This notice applies to information we hold about you.

We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice 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 Data Protection Legislation

We will comply with data protection law which includes the GDPR and the Data Protection Act 2018 which states that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

No personal information held by us will be processed unless the requirements of the Data Protection legislation for fair and lawful processing can be met.

## Who is the Data Controller?

HBC is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

## Who is the Data Protection Officer?

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this notice or how we handle your personal information, please contact the DPO:

Laura Stones, Legal and Data Protection Officer  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

[dataprotection@hartlepool.gov.uk](mailto:dataprotection@hartlepool.gov.uk)

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

## 1. What kind of information we hold about you?

- 1.1. The national data opt-out applies to confidential patient data that originates within the health and adult social care system in England. Whenever you use a care service through Hartlepool Borough Council, important information about you is collected in a client record for that service. Collecting this information helps to ensure you get the best possible care.
- 1.2. Your client records contain a type of data called confidential patient information. This data can be used to help with research and planning. Confidential patient information is when 2 types of information from your health records are joined together.
- 1.3. The 2 types of information are:
  - something that can identify you
  - something about your health care or treatment
- 1.4. NHS and Local Authorities providing health and adult social care services are considered to be part of the health and adult social care system and must apply the national data opt-out. This includes health and care services commissioned by the Local Authority irrespective of the providing organisation.
- 1.5. The specific inclusions where services **must consider opt-outs** when processing for purposes beyond individual care, in line with wider policy, cover a number of organisations such as:

- Health service providers
- Private providers
- Local authorities
- Public health organisations

1.6. Specific exclusions where this **does not apply** include:

- Children's social care and education (regulated by Ofsted or Department of Education (DfE))
- Health related data which originates and is shared outside of the health and adult social care system in England, for example DWP, Court, HMRC
- Any information generated solely for research purposes

1.7. Hartlepool Borough Council publishes privacy notices for all services where personal data is processed to inform how it uses such data. Data Sharing Agreements are in place with any partner/organisation where onward disclosure is required under the terms of the privacy notice.

## **2. How we will use the information we hold about you.**

2.1. In addition to being used for your own care, Hartlepool Borough Council is one of many organisations working in the health and care system to improve care for patients and the public. For information about how we use your data for your own care places see our other Privacy Notices.

2.2. 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 services
- Preventing illness and diseases
- Monitoring safety
- Planning services

2.3. 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.

### **3. Your Rights under the National Data Opt-Out**

3.1. 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.

3.2. To find out more or to register your choice to opt out, please visit

<https://www.nhs.uk/your-nhs-data-matters/>

---

On this web page you will:

- See what is meant by confidential patient information
- Find examples of when confidential patient information is used for individual care and examples of when it is used for purposes beyond individual care
- Find out more about the benefits of sharing data
- Understand more about who uses the data
- Find out how your data is protected
- Be able to access the system to view, set or change your opt-out setting
- Find the contact telephone number if you want to know any more or to set/change your opt-out by phone
- See the situations where the opt-out will not apply

---

You can also find out more about how patient information is used at:

<https://www.hra.nhs.uk/information-about-patients> (which covers health and care research); and <https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made).

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.

These rights are in addition to your rights under the GDPR and the Data Protection Act 2018 which are set out in our Adult Social Care Privacy Notices.

### **4. Changes to this Privacy Notice**

4.1. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact the DPO.**