

## PUBLIC HEALTH INTELLIGENCE PRIVACY NOTICE

### **Short Privacy Notice – Public Health Intelligence**

The North Lincolnshire Council has a duty to protect and improve the health and wellbeing of the population of North Lincolnshire. This includes the commissioning and provision of services that contribute towards achievement of these aims. In order to perform these duties, North Lincolnshire Council Public Health Intelligence uses data from a range of sources including hospitals, surveys and registrations of births and deaths.

Wherever possible, we only use anonymised data, however any personal data will be handled in accordance with the General Data Protection Regulation / Data Protection Act 2018 and other relevant legislation, and will not disclose your data to any other third party, unless allowed or required to do so by legislation. For further details about the processing of your personal data please see the Full Privacy Notice on our Data Protection and Privacy web page.

### **Full Privacy Notice – Public Health Intelligence**

#### **Data Controller**

North Lincolnshire Council.

#### **Contact details**

The Public Health Intelligence Team contact details are as follows:

Church Square House – Public Health Intelligence Team  
30-40 High Street  
Scunthorpe  
North Lincolnshire  
DN15 6NL

Email: [phiu@northlincs.gov.uk](mailto:phiu@northlincs.gov.uk)

Telephone: 01724 297793

Website: [North Lincolnshire Council](http://North Lincolnshire Council)

#### **Who are we and what do we do?**

This Privacy Notice tells you about the type of health and wellbeing information that North Lincolnshire's Public Health Intelligence Team holds, how we use this information, how we keep it safe and secure, who we share it with and who to contact if you require more information or wish to opt out in accordance with the General Data Protection Regulation or other relevant legislation.

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### **The purpose of this notice**

The purpose of this notice is to inform you about the type of health and wellbeing information that we hold, including personal confidential data, how we use this information, how we keep it safe and secure, who we share it with and who to contact if you require more information or wish to opt out.

### **What do we mean by personal confidential data?**

Personal confidential data can relate to both deceased and living persons and is information that can be used to identify an individual such as NHS Number, date of birth, address or postcode.

### **What data do we have?**

We currently collect and process the following personal data:

- NHS number
- Date of birth
- Address and/or postcode
- Ethnic background

### **What do we do with the data we have?**

We use the data to help us to:

- measure the health and wellbeing needs and outcomes of the local population, in particular to support our statutory responsibilities for producing the Joint Strategic Assessment, Annual Director of Public Health Report and the Health and Wellbeing Strategy for North Lincolnshire
- identify and address health inequalities
- plan, deliver, monitor and evaluate our services, interventions and policies
- protect the public from threats and risks to health
- control of infection
- ensure accessible and appropriate access to relevant health and wellbeing services for all our population, especially vulnerable groups of people

### **Who do we share your data with?**

We will not share personal confidential data unless:

- consent has been given
- we are lawfully required to do so, such as to prevent serious crime
- to protect children and vulnerable adults (safeguarding)
- when a formal court order has been served upon us
- to protect the health and safety of others, for example reporting an infectious disease

If we are required to share personal confidential information with NHS, Council services or partners in fulfilment of our duties we will only do so once the necessary legal basis for doing so has been established and data protection safeguards verified. Anyone who receives information from North Lincolnshire Council in this way is also under a legal duty to keep it confidential.

In relation to births, deaths and other personal confidential data, it will only be processed by North Lincolnshire Council employees in fulfilment of their public health functions and will not be transferred, shared or otherwise made available to any third party, including any organisations processing data on behalf of the Council or in connection with their legal function.

We will only share what is appropriate and relevant so that services can be provided to you in a joined up way.

### **How do we get your personal data and why do we have it?**

Where possible, we only use anonymised data which has had personal confidential information removed for analysis and no information is ever published by Public Health Intelligence in a way that could lead to individual people being identified.

Some data, however, contains personal confidential information of North Lincolnshire residents as follows:

- Birth registration data, provided by NHS Digital for the purpose of monitoring birth statistics such as trends, fertility rates, stillbirths and parental characteristics, contains NHS number, date of birth, mothers address and parents' place of birth;
- Death registration data, provided by NHS Digital for the purpose of monitoring mortality statistics such as trends, causes of death and life expectancy, contains NHS number, date of birth, usual address and country of birth;
- [National Child Measurement Programme](#) data, collected as a statutory duty by North Lincolnshire Council and shared with NHS digital to monitor national and local obesity prevalence, contains NHS number, name, date of birth, ethnicity, address and postcode of residence for participating pupils from Reception and Year 6 who attend schools in North Lincolnshire.
- Information from death reports for suspected suicides (form 138 or 138c), shared by Humberside Police as part of Suicide Real Time Surveillance for the purpose of identifying and protecting vulnerable people, uncovering potential clusters or contagions and alerting agencies to emerging trends; personal confidential information includes name, address and date of birth for the deceased and contact details for next of kin.

We do not currently collect data with any personal identifiable data but if it became necessary it will only be done with the individual's consent or if there is a legal requirement to do so and we will only use information which is relevant to support the services we provide.

We also have to honour any duty of confidence attached to information and apply Common Law Duty of Confidentiality requirements. This means that where a legal basis does not exist to use personal or confidential information we will not do so.

Data may be shared with us as part of a Data Sharing Agreement with another organisation such as the Office for National Statistics, NHS Digital, and other NHS bodies, such as the North Lincolnshire Clinical Commissioning Group, or health care provider organisations, as well as

other local authorities and schools. Use of such data is subject to the requirements of the Agreement and no personal identifiable data is ever reported.

The lawful basis we are relying on to process personal data are:

(a) To comply with legislation – Article 6(1)(c) to comply with legislation including:

- Health and Social Care Act 2012

The Secretary of State for Health has given limited permission for us to use certain personal confidential information when it is necessary for our Public Health work. This legal basis is provided by 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.

In order to use this data we must comply with the requirements and principles of the Data Protection Act (2018) and the General Data Protection Regulation which includes meeting strict rules and making a written commitment to NHS Digital that we will not use information in any way that would reveal identities. Details of the way NHS Digital keeps patient data safe can be found on NHS Digital's website <https://digital.nhs.uk>

(b) Performance of a task in the public interest/official authority – Article 6(1)(e).  
Examples of these powers and duties are:

- Statutory functions of public health, such as weighing and measuring of children
- Provision of a JSNA for effective commissioning of health care services and protection of the local population.
- The improvement of health, care and services through research and planning including as part of the commissioning process.
- Evaluation of existing health and care services to ensure they are working well and provide value for money
- Infection control and monitoring of disease

The lawful basis we are relying on to process special category personal data is:

(a) Substantial Public Interest – Article 9(2)(g)

- In that there is substantial public interest in the council providing financial support and advice to individuals who require care or are applying for care and that the provision of this support and advice is on the basis of legislation as quoted in (a) above

When relying on this lawful basis we must also meet a condition in Part 2 of Schedule 1 of the Data Protection Act 2018. In this instance condition 6 is met because the processing is for statutory reason.

(b) Public Interest in Public Health – Article 9(2)(i)

Where these lawful bases do not apply for the processing of special categories of personal data the explicit consent of the data subject will be sought.

(c) Explicit Consent – Article 9(2)(a)

Please note that we will not process your personal data for a purpose that is incompatible with the reason it was collected for unless this is allowed or required under Data Protection legislation.

**Can I withdraw my consent?**

You have the right to withdraw consent for any personal data that is collected by Public Health Intelligence by contacting the Council as detailed below; or

You have the right to request that your personal confidential information is not used beyond your own care and treatment and withdraw consent (opt-out) to the processing or sharing of your information with others (unless there is a legal reason that requires otherwise). There are two forms of opt-out available and both must be registered with your GP practice.

Type 1: prevents personal confidential information being shared outside the GP practice.

Type 2: prevents personal confidential information collected from a range of places such as hospitals, community services and birth and death certificates being shared by NHS Digital.

For further information about opting out please contact your GP practice.

**How do we store your information and for how long?**

All our staff have contractual obligations of confidentiality, enforceable through disciplinary procedures and receive appropriate training on confidentiality and other aspects of information governance. Some staff, who have regular access to personal information, receive additional specialist training and are named in relevant data sharing agreements.

We take relevant organisational and technical measures to ensure the information we hold is secure – such as using secure locations, restricting access to authorised personnel and protecting personal and confidential information held on computers with encryption. We only exchange personal confidential information using secure methods, such as encrypted email or through secure encrypted data file transfers (SEFT).

North Lincolnshire's Public Health Service has a senior person responsible for protecting personal confidential information called the Caldicott Guardian. This is our Director of Public Health, Penny Spring.

We only keep hold of this information for as long as is necessary. This will depend on what the specific information is and the agreed period of time. The data is permanently disposed of after this period, in line with the Council's records retention policy or the specific requirements of the relevant data sharing agreement. We also review these arrangements every year as part of our NHS Information Governance Toolkit Assessment.

Your personal data is retained in accordance with national guidance and our legal obligations and where data is shared with us by another organization the length of time it can be retained is stipulated in the data sharing agreement

### **Your Data Protection Rights**

Under Data Protection law, you have rights including:

- **Your right of access** - to ask us for copies of your personal information.
- **Your right to rectification** - to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - to ask us to restrict the processing of your information in certain circumstances.
- **Your right to object to processing** - to object to the processing of your personal data in certain circumstances.
- **Your right to data portability** - to ask that we transfer the information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at [customerservice@northlincs.gov.uk](mailto:customerservice@northlincs.gov.uk), 01724 297000 or North Lincolnshire Council, Church Square House, 30 – 40 High Street, Scunthorpe, DN 15 6NL if you wish to make a request.

### **How to Complain**

The main point of contact at the council for Data Protection matters is our Data Protection Officer (DPO). If you have any Data Protection concerns about Public health Intelligence and want to make a complaint please contact our DPO, as follows:

Phillipa Thornley

Email: [informationgovernanceteam@northlincs.gov.uk](mailto:informationgovernanceteam@northlincs.gov.uk)

Telephone: 01724 297000

Post: North Lincolnshire Council, Church Square House, 30-40 High Street, Scunthorpe, DN15 6NL

If you remain unhappy you can also complain to the ICO, as follows:

Website: [Information Commissioner's Office](https://www.ico.org.uk)

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113