

## ADULT WEIGHT MANAGEMENT PRIVACY NOTICE

### **Short Privacy Notice – Adult Weight Management**

Public Health England (PHE) is responsible for monitoring access to and the effectiveness of behavioural weight management services across England. The data will be collected by local authority commissioned weight management service providers, such as those commissioned by North Lincolnshire Council, from clients who have been referred for treatment. The information collected from these clients will be submitted by the weight management service providers directly to PHE.

Personal data will be handled in accordance with the UK General Data Protection Regulation / Data Protection Act 2018 and other relevant legislation. For further details about the processing of your personal data please see the council's [General Privacy Notice](#) and other information on our Data Protection and Privacy web page, and in this instance national guidance - <https://www.gov.uk/government/publications/adult-weight-management-services-commission-and-provide>.

### **Full Privacy Notice – Adult Weight Management**

#### **Data Controller**

PHE and North Lincolnshire Council are responsible for commissioning local weight management services are joint data controllers for the data.

PHE is the data controller for the national data collection and is responsible for specifying the data to be collected and submitted in a pseudonymised form by each local weight management service.

North Lincolnshire Council is the data controller for the data collected and processed by locally commissioned providers of local weight management services, both in the course of providing treatment and care to service users and for the purpose of submitting pseudonymised data to PHE as part of the national data adult weight management services data collection.

This joint data controller relationship is managed through a data sharing agreement between PHE and each local authority, which includes clauses on the responsibilities of both parties for compliance with data protection legislation.

#### **Data Protection Officer**

The North Lincolnshire Council Data Protection Officer is Phillipa Thornley and she can be contacted by email using [informationgovernanceteam@northlincs.gov.uk](mailto:informationgovernanceteam@northlincs.gov.uk) or at Church Square House, 30-40 High Street, Scunthorpe, DN15 6NL.

Details of how to contact the PHE Data Protection Officer can be found on the national PHE website in the privacy section - <https://www.gov.uk/help/privacy-notice>.

### **Contact details**

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

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

Telephone: 01724 298321

Website: [North Lincolnshire Council Public Health](#)

### **Purpose of this Privacy Notice**

This Privacy Notice tells you about how PHE and North Lincolnshire Council are using personal data in relation to Adult Weight Loss.

In March 2021 the government announced a commitment to support people living with obesity to lose weight, with an investment in 2021/22 of over £70 million in weight management services to be made available through local authorities and the NHS. The aim, as part of a place based whole systems approach to obesity and promoting healthier weight, is to enable adults to have access to services and support to help them lose weight and maintain a healthier weight.

To understand the impact of this investment, all local authorities in receipt of this grant funding to establish new services or expand their Tier 2 behavioural weight management services have been required to ensure all their commissioned providers collect data on all participants and their progress and return a minimum data set to Public Health England (PHE). This is a condition of the grant.

The data submitted to PHE is processed for two main purposes:

- a) To monitor the effectiveness of local weight management services in supporting clients to lose weight and maintain a healthy weight, and to improve their mental health and wellbeing.
- b) To monitor differences in access to and the effectiveness of local weight management services across demographic, social, and economic groups in the population.

The data submitted to PHE is pseudonymised with all direct identifiers removed and only a unique pseudonym, based on a combination of the local service provider organisational code and local client identification code, included to enable service user records to be linked as they progress through treatment. PHE do not have any access to identifiable client information from the local service providers and a data sharing contract is in place with each local authority including North Lincolnshire Council, as commissioners of the local weight management service providers, to ensure that PHE is agreement-bound not to attempt, either directly or indirectly, to re-identify any individual data subject from the submitted data.

The pseudonymised data submitted to PHE will be processed to generate a range of performance indicators that are used to monitor access to and the effectiveness of local services.

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

Personal data relates to living persons and is information that can be used to identify an individual such as name, date of birth, address, and postcode.

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

The following personal data will be collected from clients of adult weight management services:

- Sex - to monitor for gender-based differences in service effectiveness and access.
- Other unique identifier – a unique pseudonymised code will be used to track individual clients from referral into the services and through follow up at 12 and 26 weeks; this code will not be directly identifiable, and the reidentification lookup tables will not be provided to PHE.

Location data is not collected but it should be noted that the LSOA of service users rather than the postcode is collected to assess whether any services are more effective for differing levels of deprivation, and to ensure PHE can monitor equality of access. This is not considered to be identifiable data.

Lower Layer Super Output Areas (LSOA) are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales. A Lower Layer Super Output Area is a Geographic area. Lower Layer Super Output Areas (LSOA) are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales.

The following special category personal data is collected:

- Physical health - information on height and weight, self-reported disability and comorbidities will be collected to establish whether any services are more effective for people with varying combinations of risk factors, and to ensure PHE can monitor equality of access.
- Mental health - information on mental health and wellbeing will be collected to establish whether any services are more effective for people living with severe mental illness (SMI) – as a group, people with mental illnesses experience health inequalities in relation to obesity; this information will also be used to monitor equality of access.
- Racial or ethnic origin - to monitor for ethnic group-based differences in service effectiveness and access as there are established differences in obesity prevalence between ethnic groups.
- Sex life or orientation - to monitor for sexual orientation-based differences in service effectiveness and access.
- Religious beliefs - to monitor for religion-based differences in service effectiveness and access.

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

The weight management service providers will collect data from individual service users at the point of referral/start of the service and at 12 and 26-week follow up points.

The data will be submitted to PHE by the service providers (or, if agreed locally, the local authority commissioners of these providers) as csv files, which will be uploaded to a secure PHE-managed SharePoint site. Each provider will have a separate 'security group' to ensure that the data they submit is only shared with PHE and cannot be accessed by other service providers. The submitted csv files will be removed from the SharePoint site and stored in a project folder in the secure PHE 'Data Lake' service. The Data Lake has project-based access restrictions meaning the submitted data will only be accessible to a small team of named members of PHE staff working on the adult weight management service project. The data will be extracted from the csv files and stored in SQL within an access-restricted 'study area' in the Data Lake where validation checks will be run and files passing validation stored in the project database. Local service providers will be asked to amend and re-submit any data file that fails validation.

Analysis for reporting will be run on the database using SQL Server. The analysis will generate a range of quantitative performance indicators at local authority commissioner and service provider levels, such as the percentage of clients who lose a minimum of 5% of their week 1 body weight by the end of the active intervention. Monthly reports will be produced that contain aggregated statistical data only; any small numbers will be disclosure controlled in accordance with the PHE Small Numbers Policy, which is based on NHS Digital and ONS guidance.

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

There are no external data processors contracted by PHE to process the pseudonymised data submitted by the local weight management service providers.

The pseudonymised data submitted to PHE will not be routinely shared with third parties. The data may be shared on an ad hoc basis by PHE in response to third party requests. Any requests that are received will be managed through the PHE Office for Data Release in accordance with its standard operating procedure for assessing and approving data releases ([www.gov.uk/government/publications/accessing-public-health-england-data/about-the-phe-odr-and-accessing-data](http://www.gov.uk/government/publications/accessing-public-health-england-data/about-the-phe-odr-and-accessing-data)). All data that is shared will be provided for legitimate public health purposes only and will be released under a data sharing contract.

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

The data will be collected by local authority commissioned weight management service providers from clients who have been referred for treatment. The information collected from these clients will be submitted by the weight management service providers directly to PHE. National guidance has been published previously by PHE on the commissioning and provision of Tier 2 adult weight management services (<https://www.gov.uk/government/publications/adult-weight-management-services-commission-and-provide>). This guidance specifies the minimum data set that should be collected to provide and monitor the effectiveness of local services. This minimum data set

includes the demographic, social, economic, and physical and mental health-related data items that are now being standardised for collection at national level from all local weight management services.

Data submissions from the weight management service providers will be monthly for 24 months from May 2021. The data collection will be England-wide in scope and submitted to PHE by the providers of adult weight management services commissioned by local authorities. Responsibility for this data collection will transfer in due course to NHS Digital where it will be integrated into the Community Services Data Set (CSDS). The pseudonymised data collected by PHE will not be transferred to NHS Digital as part of this.

### **What is the lawful basis?**

The lawful basis we are relying on to process personal data for the following is:

- (a) To perform a task in the public interest – Article 6(1)(e) - under NHS Act 2006 Section 2A(1).

The lawful bases we are relying on to process personal data for the following are:

- (a) Public Health - Article 9(2)(i) – Data Protection Act 2018, Schedule 1, Part 1(3) Public Health

The data submitted to PHE by local weight management service providers is in the form of pseudonymised rather than identifiable personal data.

Please note that your personal data will not be processed 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?**

No, because your personal data is not being collected and used under the lawful basis of consent.

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

The pseudonymised data submitted to PHE by the local weight management service providers will be processed on the PHE secure IT network in the UK only.

The controls in place to protect the data at PHE are unique username and password, role-based access permissions, folder access permissions, specific staff data security and protection training, using the minimum necessary data and pseudonymisation where possible.

The pseudonymised data submitted to PHE will be retained for 2 years following the end of the 24-month data collection period. This is to allow for any further analyses not currently planned but which may be required to further evaluate the effectiveness of local adult weight management services or to manage the allocation of future grant funding to be undertaken. At the end of this 2-year period, the unique pseudonymised code will be permanently deleted

from the data set to remove the possibility of re-identification of any data subjects. The resulting anonymous data set will then be retained by PHE for a further 8 years to enable further analysis if required. At the end of this period, the need to further retain the data will be reviewed. If the data is no longer needed, then it will be securely destroyed.

### **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.

The data submitted to PHE is pseudonymised and does not contain any direct identifiers, so PHE is not able to act on any data subject rights requests.

The data submitted to PHE is pseudonymised so national data opt-outs are not applied by local weight management services as part of the national data submission process.

Local authorities including North Lincolnshire Council are responsible for the management of data subjects' rights by the providers of local adult weight management services they have commissioned for their local population.

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 North Lincolnshire Council at [inforequest@northlincs.gov.uk](mailto:inforequest@northlincs.gov.uk), 01724 296224 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 North Lincolnshire Council for Data Protection matters is the Data Protection Officer (DPO). If you have any Data Protection concerns about the collection of personal data for COVID19 and wish to make a complaint please contact our DPO, as follows:

Phillipa Thornley

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

Telephone: 01724 2963224

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](#)

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

Telephone: 0303 123 1113