

## Details of information used for specific purposes

### Safeguarding

<b>Data Controller(s)</b>	NENC ICB
<b>Purpose</b>	The ICB has a legal duty to have arrangements in place for safeguarding both adults and children. In order to carry out this role, the ICBs' Safeguarding Team processes information for safeguarding purposes.
<b>Type of information Used</b>	<p>Identifiable: Personal (such as name, address, date of birth) and Special Category (health information)</p> <p>The information processed for relevant people only, can include; names, date of birth, address, NHS number, relevant and proportionate information concerning their health and care and their racial or ethnic origin where this is relevant. The ICB will only share this personal information where expressly permitted by law, and will not share with any partners who do not have a lawful basis to process the personal information.</p>
<b>Legal basis</b>	<p>GDPR Article 6(1)(e) 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority...'</p> <p>GDPR Article 9(2)(b) 'processing is necessary for the purposes of carrying out the obligations and exercising the specific rights of the controller or of the data subject in the field of ...social protection law in so far as it is authorised by Union or Member State law..'</p> <p>The Children Act 1989 &amp; 2004 establishes implied powers for local authorities and relevant partner agencies to share information to safeguard children. Local authorities have a duty to investigate where there is reasonable cause to suspect that a child is suffering or is likely to suffer significant harm is the subject of an emergency protection order, or is in police protection.</p> <p>The Children Act also requires local authorities 'to safeguard and promote the welfare of children within their area who are in need' and to request help from specified authorities including NHS Trusts and Foundation Trusts, NHS England and ICBs. These are required by the Children Act to comply with such requests. Under the Children Act 2004 local authorities must make arrangements to promote cooperation with relevant partners and others, to improve well-being.</p> <p>The Criminal Justice Act 2003 provides for the establishment of Multi-Agency Public Protection Arrangements ("MAPPA") in England and Wales. Under this legislation the NHS have a duty to co-operate with MAPPA processes by sharing relevant and proportionate information regarding MAPPA subjects.</p> <p>The Care Act 2014 requires that local authorities must make enquiries, or cause another agency to do so, whenever abuse or neglect are suspected in relation to an adult and the local authority</p>

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	<p>thinks it necessary to enable it to decide what (if any) action is needed to help and protect the adult.</p> <p>The Care Act 2014 stipulates that partners should ensure that they have the mechanisms in place that enable early identification and assessment of risk through timely information sharing and targeted multi-agency intervention.</p> <p>Decisions on sharing information must be justifiable and proportionate, based on the potential or actual harm to adults or children at risk and the rationale for decision-making should always be recorded.</p> <p>When sharing information about adults, children and young people at risk between agencies it will only be shared :</p> <p>where relevant and necessary, not simply all the information held with the relevant people who need all or some of the information when there is a specific need for the information to be shared at that time</p>
<b>How we collect (the source)and use the information</b>	The ICB may receive information relating to safeguarding concerns from you directly or relatives or through notification of concerns from other Health and Social Care organisations. All Health and Social Care professionals have a legal requirement to share information with appropriate agencies where safeguarding concerns about children or adults have been received. Where it is appropriate to do so the organisations will keep you informed of when information is required to be shared. Access to this information is strictly controlled and where there is a requirement to share information, e.g. with police or social services, all information will be transferred safely and securely ensuring only those with a requirement to know of any concerns are appropriately informed.
<b>Data Processors</b>	The ICB does not use external data processors for this function.
<b>Your Rights</b>	<p>With regards to Safeguarding under GDPR you have the right:</p> <p>To be informed about the processing of your information (this notice)</p> <p>Of access to the information held about you</p> <p>To have the information corrected in the event that it is inaccurate</p> <p>To be notified of data breaches</p>
<b>How long we will keep the information</b>	Information is kept in accordance with the Records Management Code of Practice 2021– depending on the nature of the records held, some records will be kept for longer than the standard retention periods within the Code of Practice.
<b>Who we will share the information with (recipients)</b>	Information will be shared with relevant professionals from partner agencies. Such as; Safeguarding Boards, Multi-Agency Safeguarding Hubs (MASH), Multi-Agency Risk Assessment Conference (MARAC), Local Authority, other Health and Social Care organisations or the Police