

Southampton City Council

Information Access and Use: Privacy Policy

February 2018



Southampton City Council

Information Access and Use: Privacy Policy

February 2018

Contents

1. Introduction.....	3
2. Data Protection Officer	3
3. What information do we collect about you?	4
4. Important information about the processing of your personal data.....	4
5. Public Health	5
6. School Admissions.....	8

Publication Scheme			
Version	4.2	Approved by	Information Governance Board
Date last amended	27 th February 2018	Approval date	27 th February 2018
Lead officer	Chris Thornton, Information Lawyer (Data Protection Officer)	Review date	27 th February 2019
Contact	information@southampton.gov.uk	Effective date	27 th February 2018

1. Introduction

- 1.1 This Privacy Policy of Southampton City Council (“the Council”) forms part of the Information Governance and Risk Framework.
- 1.2 It must be made available to individuals when personal data is collected from them, either online (<http://www.southampton.gov.uk/privacy>), or on request.
- 1.3 Where personal information has not been obtained from the data subject directly, the data subject should be made aware of the availability of this policy (either online, or other format) within a reasonable period after obtaining the personal data, but at the latest within one month.
- 1.4 The purpose of the privacy policy is to ensure that data subjects are aware of what data the Council collects about them, and how it is used.
- 1.5 The Council needs to collect, use and store certain types of information about the individuals with whom it deals with in order to operate. These include current, past and prospective employees, suppliers, clients/customers, and others with whom it communicates.
- 1.6 In addition, it may occasionally be required by law to collect and use certain types of information to comply with the requirements of government.
- 1.7 In this policy, “you” or “your” refers to any individual who provides personal information to the Council (the data subjects), and “we” or “our” refers to Southampton City Council (the data controller).
- 1.8 The policy also contains specific information in respect of:
 - [Public Health](#)
 - [School Admissions](#)
 - [Cookies](#)

2. Data Protection Officer

- 2.1 If you have any concerns about how the Council is handling your personal data, these can be raised with the Council's Data Protection Officer:

Information Lawyer (Data Protection Officer)
Southampton City Council
Civic Centre
Southampton
SO14 7LY

Email: information@southampton.gov.uk

Tel: 023 8083 2676

3. What information do we collect about you?

Whilst using Council services, you may be asked to provide personal data, either in person, over the telephone, or on one of our forms (online or paper). 'Personal data' means any information relating to an identified or identifiable natural person.

The information requested will be the minimum necessary in order to provide our services effectively, and may include your name, contact details, and other personal data.

In some cases, we may request sensitive, or “special categories” of personal data, such as ethnic origin or religious belief, but only when it is necessary to provide the service requested.

All local authorities have a duty to improve the health of the population they serve. To help with this, we use data and information from a range of sources to understand more about the nature and causes of disease and ill-health in the area.

Examples of the data processed for this purpose include births, deaths and hospital activity data. More information can be found on the [Public Health section of this policy](#).

4. Important information about the processing of your personal data

- The purpose of any processing will be to enable us to perform the service or function for which the information is being collected, and your personal data will not be used for another purpose, unless provided for by law
- The Council may share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences
- We will not process your personal data without your consent unless it is necessary to do so in order to comply with a legal obligation, perform a public task, or to exercise official authority
- In performing the service or function, it may be necessary for us to share some of your personal data with external organisations or internal departments. A list of the types of organisations can be found on our [Data Protection Register Entry](#)¹
- We will not transfer your personal data to other countries or international organisations without adequate data protection
- Your personal data will only be held for as long as necessary for the performance of the service or function. This period will vary depending on the service or function being performed, and further details can be found in our [Retention Schedule](#)²
- You have the right to request access to your personal data being processed by us, and we have online guidance on making a [subject access request](#)³
- You have the right to request the rectification, erasure, or restriction of processing of your personal data. Such requests should be made in writing to the Council’s Data Protection Officer using the details above

¹ <https://ico.org.uk/ESDWebPages/Entry/Z4809838>

² http://www.southampton.gov.uk/Images/RRRS-version-9.000_tcm63-389236.pdf

³ <http://www.southampton.gov.uk/council-democracy/council-data/data-protection/subject-access-requests.aspx>

- If the processing of your personal data is based on your consent, you have the right to withdraw this at any time. Please note, withdrawal of your consent will not affect the lawfulness of any processing that took place prior to this
- Whilst concerns about the processing of your personal data should be raised with our Data Protection Officer in the first instance, you have the right to lodge a complaint with the [Information Commissioner's Office](https://ico.org.uk/concerns/)⁴
- If we are requesting your personal data, it is because it is necessary and relevant to the service or function being performed. As such, if you withhold information, it is likely that we will not be able to perform the service or function, or there will be a delay in doing so
- Your information will be held and transferred securely at all times and we will ensure that nobody has access to it who shouldn't. Where necessary, we will use encryption to ensure the security of your transactions
- Communications with the Council (including online transactions) may be subject to monitoring and recording only for purposes permitted by the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000
- The Council Advertising Network is responsible for delivering advertising on the Southampton City Council website. Please take a moment to read their privacy policy which includes cookie information and details on how to opt out: [Council Advertising Network privacy policy](http://www.counciladvertising.net/can-privacy-policy.html)⁵

5. Public Health

This statement should be read in addition to Council's Global Privacy Policy, and gives more details about how personal data and information collected is used to improve the public's health.

All upper tier local authorities, including SCC, are now formally responsible for public health. Public health means services to help people to stay healthy and avoid getting ill. This includes a whole range of policy areas - everything from preventing substance misuse to reducing obesity and managing immunisation.

In order to improve the health of the population we serve, we use data and information from a range of sources, including hospitals, births and death information, commissioned services' performance data, and public surveys.

The information enables us to understand more about the nature and causes of disease and ill-health in the area by measuring the health, mortality and care needs of the population, and ill-health in the area and how we live. This enables us to plan and evaluate services to monitor health and ensure the services are effective and working for the benefit of the population by improving or protecting public health.

How your data is used

We can use data for insight purposes to allow us to analyse patterns and trends of lifestyle behaviours and service usage or for service and financial planning, to help us create policy, strategies and inform decision making.

⁴ <https://ico.org.uk/concerns/>

⁵ <http://www.counciladvertising.net/can-privacy-policy.html>

This data may be personal (include information such as your NHS number, postcode, date of birth), anonymised (does not include person identifiable information) or pseudonymised. Pseudonymising data means replacing personally identifiable information such as your NHS number with an alternative 'identifier' such as a random reference number so that individuals can't be identified.

We hold the following data collections that contain various different types of data about individuals and populations:

1. **Hospital Episode Statistics (HES)** - We hold pseudonymised records about health care and treatment you may have received in any English hospital in the form of Hospital Episode Statistics (HES). This includes inpatient and day case admissions, outpatient appointments and Accident and Emergency attendances. This data is supplied by NHS Digital (previously the Health and Social Care Information Centre) to us under license. We do not hold identifiable hospital data.
2. **Primary Care Mortality Database (PCMD)** - The PCMD provides us with access to identifiable mortality data as provided at the time of the registration of the death, along with additional General Practice details, geographical indexing and coroner details where applicable. This includes the address, postcode of residence of the deceased, postcode of the place of death, NHS number, date of birth, date of death, name of certifier, and cause of death. Our access to the data is limited to the geographical boundary of Southampton as an Upper Tier Local Authority and patients registered with Southampton Clinical Commissioning Group. We are only able to securely access the database by use of the NHS Open Exeter system via an N3 internet connection.
3. **Births data tables** - This dataset provides us with access to identifiable data about the number of births that occur within our geographical boundary as an Upper Tier Local Authority and Southampton Clinical Commissioning Group. It includes the address of usual residence of mother, place of birth, postcode of usual residence of the mother, postcode of place of birth of child, NHS number of child and the date of birth of the child. This data is only supplied to us by NHS Digital under strict license and data disclosure controls.
4. **Vital statistics table** - This dataset is aggregated together so that it does not identify individuals. It contains data on live and still births, fertility rates, maternity statistics, death registrations and cause of death analysis by our geographical boundaries as an Upper Tier Local Authority and Southampton Clinical Commissioning Group. This data is only supplied to us by NHS Digital under strict license and data disclosure controls.

What is the legal basis for the flow of Public Health data?

Data is supplied to us by NHS Digital under 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.

Keeping information safe and secure

All information is collected, stored and shared in accordance with data protection legislation. Information is held and transferred securely and only made available to authorised professionals for the purpose of carrying out their work. All staff are trained in data protection and comply with the Council's information security, confidentiality, and safe information handling policies and procedures.

In order to use public health data appropriately and safely we:

- Store the data on our IT network at a location that is restricted to those staff who have signed the appropriate NHS Digital data access agreements
- Restrict access to data, whose source is identifiable, to those staff who have been nominated as data processors for the births and deaths data
- Remove the identity from any data used for secondary analysis (referred to as 'de-identified' data).

Publication of the outcome of secondary analysis is limited to permitted purposes and is restricted to the aggregate results of that analysis in line with our Data Access Agreement and the [Office of National Statistics Disclosure Guidance](#)⁶.

We only keep information for as long as is necessary and in accordance with the law and the Council's [records retention schedule](#)⁷.

Sharing information

Public Health information may be shared with our partners or service providers, such as government bodies, the Police, health and social care organisations, and educational establishments. We will only share your personal information when we are permitted to or are required to by law or we have your consent to do so, as required by the data protection legislation.

Opting out of the use of your information

You have the right to opt out of Southampton City Council Public Health receiving or holding your personal identifiable information. There are occasions where service providers will have a legal duty to share information, for example for safeguarding or criminal issues. The process for opting out will depend on what the specific data is and what programme it relates to.

You can choose not to have information about you shared or used for any purpose beyond providing your own treatment or care. Simply contact your GP for further information about registering an opt-out or to end an opt-out you have already registered. The [NHS Choices website](#)⁸ explains how your personal information is held, accessed and shared with organisations, such as Southampton City Council.

⁶

<https://www.ons.gov.uk/methodology/methodologytopicsandstatisticalconcepts/disclosurecontrol/guidanceforbirthanddeathstatistics>

⁷ http://www.southampton.gov.uk/Images/RRRS-version-9.000_tcm63-389236.pdf

⁸ <http://www.nhs.uk/NHSEngland/Pages/NHSEngland.aspx>

If you would like further information about opting out of the use of your information, please contact publichealth@southampton.gov.uk.

Accessing your information or further queries

If you would like to see the information that is held about you, you can [make a request for this](#)⁹. If you would like further information or have any concerns about any of the details in this notice, please contact publichealth@southampton.gov.uk.

The Council's Data Protection Officer can also be contacted if you have a query or complaint about the use of your information, whose contact details are available on the [Global Privacy Policy](#)¹⁰.

Further information and independent advice can be found on the [Information Commissioner's website](#)¹¹.

6. School Admissions

Southampton City County Council is a data controller for the purposes of the Data Protection Act 1998 (DPA) and the General Data Protection Regulation (GDPR), and is committed to dealing with your information safely and securely. We need to collect and share information in order to deliver our services effectively. We take our responsibility to protect your data seriously and we will use it in accordance with the legal requirements of the DPA and the GDPR.

We will be compliant with the School Admissions Code, which has the force of law. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way and in accordance with the published admission arrangements for the school. The Code requires local authorities to co-ordinate the admission arrangements for entry to Reception year, Year 3 in junior schools and Year 7 in secondary schools.

In respect of in-year admissions, the local authority is the admissions authority for all community schools and voluntary controlled schools. Academies, free schools, foundation and voluntary aided schools may delegate the co-ordination of their admissions to the local authority, or may remain own admission authority (OAA) schools.

The information you provide to us on your admissions application form, any supporting papers or appeal documentation you provide will be used to:

- Process your application
- Ensure the efficient co-ordination and fair allocation of school places in accordance with the School Admissions Code and local fair access protocols
- Consider Admission Appeals
- Populate our education database which runs our admissions and transfers allocation system

⁹ <http://www.southampton.gov.uk/council-democracy/council-data/data-protection/subject-access-requests.aspx>

¹⁰ <http://www.southampton.gov.uk/contact-us/privacy-cookies/privacy-policy.aspx>

¹¹ <https://ico.org.uk/>

We may also use this data for the following purposes:

- Forward planning as part of school budget, forecasting and reorganisation proposals
- To assist in the development of policy proposals
- For the prevention and/or detection of crime or fraud
- For research and statistical purposes when we will ensure that statistics are developed in such a way that individual children cannot be identified

In order to administer admissions to schools the following information is collected:

- Name, date of birth and gender
- Address where the child ordinarily lives at the time of application, which will be used for distance calculation purposes
- School preferences
- Reasons for requesting a school place
- Supplementary information, if required by individual school admission policies
- Parent name and contact details
- Details of medical and additional needs
- Details of siblings
- Current or last education provision
- Child looked after status
- Whether the child is subject to child protection planning
- Additional certification if applying for a faith school on denominational grounds
- Whether the child has a statement of educational need or EHC Plan
- Catchment information.
- Whether the child has been permanently excluded from their last provision
- Whether the child has attended school in England before
- Additional information as required under our In Year Fair Access Protocol

Other information not routinely collected, but that may be requested in order to provide the clarity needed to adhere to the Admissions Code is:

- Proof of residency at a particular address.
- Proof of parental responsibility if applications are made by someone other than a parent.
- Eligibility to access education in the UK.
- Proof of date of birth.

Agencies we will share the information with:

- Education providers to advise them of upcoming admissions
- Other local authorities, to enable neighbouring LAs to accurately run their co-ordinated offer scheme
- Department for Education to comply with statutory data collections
- Other teams within the LA to verify the information provided so that the admission scheme\process can be accurately administered
- School transport operators to enable them to accurately assess requests for LA transport support
- Admission appeal panels
- The Schools Adjudicator in response to any complaints made
- OAA schools to enable them to accurately administer their admission schemes
- In Year Fair Access Panel to enable them to appropriately place complex admissions

- The Local Government Ombudsman who has a remit for investigating maladministration in respect of school admissions and appeals

If you require any further information about the school admissions data that we hold or how we share it please contact the School Admissions Team at school.admissions@southampton.gov.uk.

7. Cookies

Southampton City Council and its partner sites* all place cookies onto your computer for the purpose of making your visits to our sites more friendly and efficient. Legislation requires we tell you about this and to give you the option to [remove these cookies](#)¹² if you so wish.

Southampton City Council makes every effort to maintain the accuracy of the information on this web site and this privacy statement applies to this entire website – www.southampton.gov.uk (and other associated websites) it does not apply to linked external websites. When linking to another web site, Southampton City Council recommends that you read their privacy statement on cookies.

Please note, some of our web pages include Google maps or links to YouTube film and these third party sites will register their own Cookies if you click into them.

Cookie security and privacy issues

Cookies are not intended to store any information that could otherwise identify the user/user identity – they only store information on user preferences. Due to their flexibility and the fact that many of the largest and most-visited websites use cookies by default, cookies are almost unavoidable. Disabling cookies will lock a user out of many of the most widely-used sites on the Internet like Youtube, Gmail, Yahoo mail, and others. Even search settings require cookies for language settings. Therefore you should be aware that by declining cookies on our site – you may find from time to time some pages will not respond as you anticipate.

When visiting our site, we will record the following information, in order to help us improve the browsing experience. We do not use this for tracking purposes.

- IP address
- country
- browser
- operating system
- screen resolution

Emails

If you send us an email, its contents will be checked before it is released it to the person to whom it was sent. Software will automatically detect unacceptable content, including obscenities and profanities, certain attachment types, viruses, spam (junk emails). If an email that contains unacceptable content is detected, it will not be delivered.

*Partner Sites

These are sites that are owned and hosted by Southampton City Council. They include:

Young Southampton <http://www.youngsouthampton.org/>
Southampton Information Directory <http://sid.southampton.gov.uk>
My Southampton self-service portal <https://my.southampton.gov.uk>
Plimsoll <http://www.plimsoll.org/>
Invest in Southampton <http://www.investinsouthampton.co.uk/>

¹² <http://www.aboutcookies.org.uk/>

Southampton Connect <http://www.southampton-connect.com/>

If you have any concerns or questions relating to this privacy statement then please contact:
information@southampton.gov.uk