

Merthyr Tydfil County Borough Council

SAFEGARDING ADULTS AND CHILDREN AT RISK

This notice has been written in accordance with the General Data Protection Regulations and relevant legislation.

Information Governance Team

Lisa Richards - Data Protection Officer

Sam Bishop - Data Disclosure and Records Officer

Rebecca Walsh - Data Disclosure and Records Officer

Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Data.Protection@merthyr.gov.uk, 01685 725000



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

Date Created: 25 May 2018
Responsible Department: Safeguarding Unit – Cwm Taf Safeguarding Board
Responsible Manager: Jon Eyre – Safeguarding Manager
Address: MTCBC, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

This privacy notice provides information on how Merthyr Tydfil County Borough Council collects and processes your personal data for safeguarding purposes. Merthyr Tydfil County Borough Council is 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.

This notice does not form part of any contract to provide services. We may update this notice at any time if we do we will ensure that an updated copy of this notice is made available to you as soon as reasonably practical.

It is important that you read this privacy notice together with our Privacy Standards Policy and full privacy notice which contains more detailed information about our data processing and can be accessed on our website.

This notice relates specifically to the activities of the Safeguarding Unit who form part of the Cwm Taf Multi Agency Safeguarding Hub (often referred to as MASH) which is the point of contact for professionals such as social workers, care and support staff, teachers or doctors, and members of the public to report safeguarding concerns about adults and children within Merthyr Tydfil but also facilitates concerns made across the Cwm Taf area. The MASH has established safeguarding boards for adults and children who are responsible for investigating concerns relating to the wellbeing of vulnerable adults and children.

1. IMPORTANT INFORMATION AND WHO WE ARE

Merthyr Tydfil County Borough Council's Safeguarding Manager is the Chair of the Cwm Taf Safeguarding Board (CTSB) for adults and children residing in Merthyr Tydfil. The Council is made up of different departments, details of which can be found on our website. When we mention the department, we are referring to the Safeguarding Unit, more specifically the CTSB who is responsible for processing your data which will be clear to you when you access this service.

The CTSB is responsible for investigating concerns regarding those working with or caring for vulnerable adults and children. This notice applies to the victims and perpetrators who are subject

to a safeguarding concern, which may include employees, agency workers, health care professionals, social care professionals, volunteers, carers, members of the public, vulnerable adults, children and other individuals who have contact with the victims and perpetrators or are witness to the safeguarding concern.

The CTSB is a partnership which is made up of a number of organisations with the aim of protecting and preventing vulnerable adults and children from becoming at risk of harm. The CTSB is made up of the following organisations:

Wales Community Rehabilitation Company
Rhondda Cynon Taf County Borough Council

Merthyr Tydfil County Borough Council

South Wales Police

Cwm Taf University Health Board

Welsh Ambulance Service

NHS Trust

Interlink Rhondda Cynon Taf

Voluntary Action Merthyr Tydfil

National Probation Service Wales

Merthyr Tydfil Primary Schools

Merthyr Tydfil Secondary Schools

The College Merthyr Tydfil

Merthyr Tydfil Nursery, Preschool and Crèche providers

A number of other organisations may facilitate concerns where appropriate.

Merthyr Tydfil County Borough Council has appointed a Data Protection Officer who can be contacted using the following details:

Mrs. Lisa Richards (Data Protection Officer)

Address: Information Governance Team, Merthyr Tydfil County Borough Council, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Email: data.protection@merthyr.gov.uk

Tel: 01685 725000

2. THE DATA WE COLLECT ABOUT YOU

The purpose of the CTSB is to protect the most vulnerable in society from abuse, when they need it. The CTSB will consider concerns and referrals that relate to children and adults. The types of abuse generally considered include:

- Physical abuse such as hitting, pushing, pinching, shaking, using too much medication or not allowing a person to take medication.
- Sexual abuse such as forcing someone into unwanted sexual activity, being touched inappropriately, rape, sexual assault, or sexual acts which you have not have consented to, or which you were pressurised into consenting to.

- Psychological or emotional abuse such as being intimidated, threatened, verbally abused or humiliated, being blamed, controlled or harassed, being ignored on purpose or isolated from friends, family, services or support.
- Financial abuse such as fraud or exploitation, stealing or withholding your money or spending it inappropriately, putting pressure on you to make changes to your will or misusing your property, inheritance, possessions or benefits.
- Neglect such as ignoring your medical or physical care needs, preventing access to health, social care or educational services, not caring for you properly, not providing you with adequate food, or putting you at risk.

Any of these forms of abuse can be either deliberate or be the result of ignorance, or lack of training, knowledge or understanding. Sometimes people may be being abused in more than one way. In order to investigate concerns and allegations of abuse we may collect, use, store and transfer different kinds of personal data about you which will include personal data as follows:

- Identity and contact data such as name, address, telephone number, date of birth, marital status, character descriptions, physical description, photographs, videos, national insurance number, local authority reference number, NHS number which is collected from the alleged victims and perpetrators.
- Financial data such as financial background, income data, spending habits, purchase history. This information forms part of a financial abuse concern.
- Employment data such as employer details, place or location of employment, job title, hours of work, working pattern, registrations with professional bodies, employers contact details all of which are used during a professional concern investigation.
- Education data such as your place of study, courses attending, year or class type which assists us when we are considering concerns in educational establishments.
- Lifestyle data such as your ethnicity which includes your race, colour, national or ethnic origin, we may also obtain details of your religion, trade union membership, opinions, comments, intentions which may include domestic violence history.
- Health data such as mental or physical health conditions.
- Criminal offenses data which may pose a risk to others.

We collect this information from the persons at risk, the suspected perpetrator, parents, next of kin, family members, carers, professionals involved, witnesses, and others who are in contact with the person at risk.

3. HOW WE USE YOUR PERSONAL DATA

We will collect your personal data in a number of ways, primarily through the agencies involved in dealing with the concern. During the safeguarding process we will also gather statements from

any witnesses, the perpetrator and the victim.

A referral form will need to be submitted before the process is initiated, a referral can be made by any individual who believes a person is at risk, and this will include professionals and members of the public. Internal departments and external organisations may also make a referral into the CTSB for consideration.

Once a referral has been received the Safeguarding Manager will hold a Multi-Agency Strategy Discussion in order to establish facts and assess the likely risk of serious harm in accordance with the statutory guidance issued by Welsh Government.

The personal data we receive and collect is transferred into our electronic system known as the Wales Community Care Information System, which is accessible to public sector professionals working within Local government and health. Access to this system is restricted, only authorised personnel can view, amend or delete your data. Safeguarding information is also stored on the Councils IT infrastructure. This also has access control embedded into the system and can only be accessed with those who have the relevant permissions. External agencies are not able to access the Councils internal systems.

The CTSB have produced a number of policy documents that detail how the safeguarding process operates which are all available on their website, www.cwmtafsafeguarding.org.

We will only use your personal data where the law allows us to. These will include the provisions set out under the General Data Protection Regulations and where relevant the Data Protection Act 2018. We will use your personal information in the following circumstances:

1. Where we need to comply with our legal obligations under the following laws:
Safeguarding Vulnerable Groups Act 2006
Social Services and Well-being (Wales) Act 2014
Children Act 2004
Children Act 1989
Well-being of Future Generations (Wales) Act 2015
2. Where it is needed in the public interest or for official purposes to enable us to comply with the commitments made by the Welsh Governments Guidance relating to the All Wales Safeguarding Procedures, Children and Young People: Rights to Action, Safeguarding Children: Working together under the Children Act 2004.
3. To support the provision of preventative or occupational medicine, medical diagnosis, the provision of health or social care treatment or the management of health and social care systems and services in accordance with the Safeguarding Procedures.

The CTSB will only ever process your data for safeguarding purposes in accordance with the law and the policies and procedures implemented by the Welsh Government and the MASH.

The above laws and guidance relate to the manner in which we must investigate matters relating to children and adults and when we can share information with external organisations. In recognised instances the duty of confidentiality can be waived as long as the CTSB can demonstrate that the safety and welfare of the child or adult is paramount to the disclosure. The

CTSB can also disclose information when it has received consent from the victim or that there is an overriding public interest in disclosing information.

4. HOW WE SHARE YOUR PERSONAL DATA

We may share your personal data with partners of the CTSB in response to the concerns raised. Where concerns do not meet the serious harm criteria the person raising the concern will be offered advice on what action they should take in response to the issues they have raised. For concerns that meet the serious harm criteria information will be shared between the partner organisations during the agreed meetings. A list of these partner organisations can be found under section 1.

The Cwm Taff Multi Agency Safeguarding Hub has entered into an Information Sharing Protocol with the appropriate parties which details how the information will be shared. This is available on the Wales Accord on the Sharing Personal Information website.

Once a Multi-Agency Strategy Discussion has taken place and the most appropriate course of action determined, referrals may be made to a number of internal and external support services such as:

- Children's Services
- Adult Services
- Care and Support Providers
- National Health Service
- Police
- Professional bodies such as the Nursing and Midwifery Council and the Care Council for Wales

We may also be required to share your personal data with other Government departments and Commissioners such as the Older Person's Commissioner, the Ombudsman and the Information Commissioner.

We may also share anonymised, statistical and complete sets of personal data on a quarterly basis regarding this activity with the Welsh Government for research and statistical analysis performed in order to improve the care and support provided to people in Wales.

We will not transfer your data to any countries outside of the European Economic Area. If we do we will inform you as soon as possible and you can expect a similar degree of protection in respect of your personal information.

5. HOW LONG WILL YOU USE YOUR INFORMATION AND KEEP IT SECURE

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Safeguarding concerns involving children will be retained for 75 years from the child's date of birth. Safeguarding concerns involving adults at risk will be retained for a minimum of 7 years from the date any social care service ended.

Details of retention periods for different aspects of your personal information are available in our

Records Management Policy which is available on our website (www.merthyr.gov.uk).

We have implemented appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

6. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data including the right to receive a copy of the personal data we hold about you these rights are detailed in the full privacy notice. You also have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues:

Address: Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH

Email: casework@ico.org.uk

Tel: 029 2067 8400

7. FURTHER DETAILS

If you are looking for more information on how we process your personal data including data security, data retention, individual rights please access our full privacy policy. You can also obtain information directly from Information Commissioners Office website, www.ico.org.uk.