

# Recovery Steps Cumbria IPS

## Privacy Notice

This privacy notice is for people who use the Individual Placement and Support (IPS) Project. The IPS project is a service Humankind provide in Cumbria. The IPS Project is managed by the Office for Health Improvement and Disparities (OHID) and is funded by the Department for Work and Pensions and backed by the Department of Health and Social Care.

Humankind adheres to the Data Protection Act 2018 in relation to how we collect and process information that identifies you as an individual. This type of information is called personal data.

### Managing Your Information

Humankind is the **Data Controller** for the IPS project which means that we decide how data is processed and the purpose for the processing. We are accountable for ensuring that your rights are respected and that the data is processed lawfully. Should a breach occur, it is our responsibility to report it to the Information Commissioner's Office (ICO) if there is a high risk to your rights or freedoms as per the UK General Data Protection Regulation (UK GDPR).

### What We Use and Why

We use personal data like your name, address, date of birth (DOB) contact details, national insurance number and employment information so that we can provide you with a service.

We also use more sensitive data about your health; and demographic data such as your gender, sex life (specifically relationships), sexual orientation, race and ethnicity and religious beliefs. This is called **Special Category Data** which requires extra protection.

If you are an offender or ex-offender, we may process some criminal offence data about you so that we can provide you with our service and so that we can manage risks to you, to our team and to the public.

### How We Collect Your Data

We receive your data from you, from the DWP/Job Centre Plus and from Recovery Steps Cumbria (which is also a service led by Humankind). You must be a receiving a service from Recovery Steps Cumbria to access the IPS project.

If we are not sure that you want our service, we will check with you. If you do not want our service then we will erase this information at the point of referral.

### Lawful Reasons for Processing

The lawful reasons (known as lawful bases) for processing are set out in the UK General Data Protection Regulation (UK GDPR). At least one of these must apply whenever we process personal data.

We use the lawful basis of **Legitimate Interests** to process your data, to provide you with the IPS Project. You have the right to request erasure of your data and to object to its processing. You can make a Subject Access Request (SAR) if you wish to have a copy of the data held about you. Please be aware that in some cases there may be exemptions to your rights. If we erase your data, we will not be able to offer you a service.

We process your health data using the **Article 9 condition (h) Health or Social care**. We only process what is necessary for the purpose; and processing is overseen by a health professional bound by the common law duty of confidentiality. This is further supported by **Schedule 1 Condition 2: Health and Social Care Purposes**.

Where we are processing criminal offence data, we rely on:

- the Schedule 1, Condition 2; **Health and Social Care Purposes** to work with the prison and probation to provide you with healthcare.
- the Schedule 1, Condition 10; **Preventing or Detecting Unlawful Acts**, if there is a high risk of reoffending and we need to manage risks in relation to the public.
- the Schedule 1, Condition 18; **Safeguarding Children and Individuals of Risk**, to manage risks where you may present a risk to the public and service users we work with.

## Sharing Your Information with Others (also known as 'Third Parties')

There are times when legally we share your information with third parties as either a **Public Task** or as a **Legal Obligation** and we do **not** require your consent to be allowed to do this. Sometimes we do **not** need to make you aware that we are sharing. We will only share the information that is needed; and we only share the minimum information for the purpose.

Examples of this are:

- to report a crime to the police (this includes driving under the influence)
- to report abuse or neglect to social services
- to let mental health crisis services know if you are at serious risk
- if you are on a criminal justice order we will inform your Offender Manager or Probation Officer of your engagement.
- to share information in multiagency settings should you be subject to Multi Agency Risk Assessment Conferences (MARAC: to prevent domestic abuse) and/or Multi Agency Tasking And Coordination Meetings (MATAC: to prevent domestic abuse), or Multi Agency Public Protection Arrangements (MAPPA: to prevent reoffending).
- to share information (if requested to by law) with the court of law.
- any other request where we are obliged to share data as per a legal obligation which is laid down in UK law.

If you were in a life-or-death situation, we use the lawful basis **Vital Interests** to provide your personal data to the emergency services so that they may save your life.

We rely on the lawful basis **Legitimate Interests** to share your personal data with:

- The Recovery Steps Cumbria service (Please see the Recovery Steps Cumbria privacy notice also available on our website)
- Cumbria County Council social care team to provide you with support through partnership working, where risks and vulnerabilities require us to do so in your best interests or in the best interests of others (particularly children, families and adults at risk).
- the prison, probation services, courts and police, if you have recently been released or are going into custody.
- we may share information to your GP where we make the decision that your life or someone else's is at risk and we believe strongly that the GP is in a key position to help you/others. If we make this decision we will make all reasonable attempts to inform you.
- research organisations and funders who carry out evaluation and statistical work. Your data is only shared for research and planning purposes with Caldicott Guardian Approval following our National Data Opt Out Policy. Please see the section below 'You Can Opt Out of Your Personal Data Being Used For Research and Planning' which explains this in more detail

All other third-party personal data sharing is decided by you with your explicit consent. You provide us with this information on the **Sharing Consent Form**. You should update us at any point if you wish us to change these consents.

We will ask you if you wish us to share your data with NDTMS. NDTMS is the National Drug Treatment Monitoring System (NDTMS). It is used by Office for Health Improvement and Disparities (OHID) to collect information about drug and alcohol treatment in England. If you consent, your treatment service will share some of your treatment information with NDTMS. We will provide you with the IPS Privacy Notice Consent Form which is an OHID form that allows us to obtain your consent.

Approximately twice a year we will be asked to share raw personal data with Office for Health Improvement and Disparities (OHID) so that OHID may analyse this data alongside other data from DWP and National Drug Treatment Monitoring System (NDTMS). You will be asked for your consent to share this via an OHID consent form.

We work in partnership with the DWP/Job Centre Plus and you can consent to your information being shared to DWP/Job Centre Plus.

## Management Information Systems (MIS)

The project shares your data onto SystemOne and your data is shared with Recovery Steps Cumbria. SystemOne is a third-party MIS. Your data is held securely and only those who need access, have access to it. This includes staff that support you and also staff who maintain the system. We have policies in place which our staff follow to ensure your data is only accessed appropriately and when necessary.

We also have an incident reporting system called The Hub. This is where we record incidents such as safeguarding, death in service, health and safety and information governance incidents. We would only add your personal data to this system if you were involved in an incident. Each incident has access restrictions. Only those who are interested parties can see it and some staff who maintain the system.

We store some of your personal data on our secure networks which are restricted to our service team and may be accessed under policy by our IT Team should there be a technical issue. All Humankind workforce abide by data management policies, processes and training.

We cannot offer you a service without storing your details on these systems.

Please note that if you have consented that your data may be shared to the Department of Health of Social Care/NDTMS we add your data to IPS Grow website.

## Confidentiality

Information about you may be shared between IPS team members and Recovery Steps Cumbria staff. This information will be recorded on your file and in other records to enable us to give you the best service that we can and get the best possible support for you.

Only what is necessary and proportionate is shared and we are bound by the common law duty of confidentiality. In some circumstances we may share your data in order to keep you or other people safe which is a legal obligation this is explained in the section above titled **Sharing Your Information with Third Parties**.

## Transferring Your Data Outside of the UK

We do not transfer your data outside of the UK unless with your explicit consent to do so (right to portability).

## Keeping Your Information Safe

We keep your information safe by using secure ways to store it. We only keep what we need and no more than that. Everyone who handles data is trained on how to use it safely and only people who need to use it are able to.

We have a number of people who oversee that data is used safely (see 'Relevant Contacts').

Should an incident occur where we breach your data, causing a high risk to your rights or freedoms, we will inform you of this without delay and using the primary contact details you have provided. We will also report this to the ICO (who supervise organisations that handle data) via our Data Protection Officer.

## Keeping Your Information

We keep your personal data for the period stated in our records retention policy. The policy currently states that we will keep your information for 10 years from the date that you stop using the Recovery Steps Cumbria service; and for no longer than this. Please see the Recovery Steps Cumbria privacy notice which is available on the Humankind website. Should there be a change to the retention period, we will update our privacy notice and notify you of this change.

## Destroying Your Information

Your data will be securely destroyed at the end of our retention period. It will be destroyed by us if it is electronic. Where we hold paper records, we will use a contractor who will destroy this data on

our premises. If destruction is required after data has been archived with Iron Mountain, this will be destroyed securely on their premises.

## Keeping in Touch With You

As part of your treatment we will contact you at various stages to discuss your progress, deliver interventions and provide reminders around upcoming appointments.

This is usually via the following methods; however this is not an exhaustive list:

- letters
- online platforms such as Zoom or WhatsApp
- phone calls
- home visits (when applicable)
- e-mails\*
- text messages\*

If you do not wish to be contacted via one or all of these methods or have specific communication needs then please tell us using the **Contact Preferences Form**. You can request this from your IPS worker.

\*e-mail & text Messages should be used for non-urgent contact only. IPS workers have e-mail accounts and mobile phones but will not routinely access them throughout the day. We always recommend phoning the service if you require assistance urgently (for example cancelling / rearranging upcoming appointments).

## Your Data Rights

Under the Data Protection Act 2018 and UK GDPR, you have the following rights:

- to be informed about the collection and use of your personal data.
- to access your personal data (known as Subject Access Request).
- to have inaccurate personal data rectified; or completed if it is incomplete.
- to have personal data erased (known as the right to be forgotten).
- to request the restriction or suppression of your personal data.
- to data portability, which allows individuals to obtain and reuse their personal data for their own purposes across different services.
- to object to the processing of your personal data in certain circumstances.

We do not use any automated decision making (decisions made by a computer) or profiling (when an automated system is used to assess certain things about you) when we use your data.

Please note that some of these rights only apply in certain situations and we may not be able to fulfil every request. Where we say no to a request, we will always explain our decision in full, within the timeframe that the law says. Should you request that your data is erased please be aware that we will be unable to continue offering you a service as we require your personal data to do this effectively and safely.

To request access to your data or to contact us about any of the rights we have listed, you can request this through the service or contact our Caldicott Guardian (see below; Relevant Contacts).

## How To Complain

If you are unhappy about an issue relating to your data you can complain to us through the service you attend; or if you would feel more comfortable, you can contact the Humankind Caldicott Guardian (see below; Relevant Contacts).

To make a formal complaint to the independent regulator for personal data in the UK about the way we have used your data, contact the Information Commissioner's Office (ICO):

<https://ico.org.uk/make-a-complaint/> or call ICO on 0303 123 1113

## Relevant Contacts

Recovery Steps Cumbria IPS service [josh.nastri@recoverystepscumbria.org.uk](mailto:josh.nastri@recoverystepscumbria.org.uk)

You can write to us at Humankind, Inspiration House, Unit 22 Bowburn North Industrial Estate DH6 5PF.

Our Data Protection Officer (DPO) is Tori Jones. You can contact our DPO by email [dpo@humankindcharity.org.uk](mailto:dpo@humankindcharity.org.uk) or by phone 01325 731 160.

Our Caldicott Guardian is Leesa Howes. You can contact our Caldicott Guardian by email [caldicott.guardian@humankindcharity.org.uk](mailto:caldicott.guardian@humankindcharity.org.uk) or by phone 01325 731 160.