

Bolton

Together

Bolton Together Privacy Notice

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Responsible for review	Chief Executive
Author of the Plan	IThrive Programme Manager

1. Purpose of the Notice

Bolton Together is the children and young people's voluntary and community sector consortium for Bolton. Our IThrive programme is committed to supporting the emotional health and wellbeing of children and young people aged 2-19 (and up to 25 for those with special educational needs and disabilities), along with their families and parents through peer support. We take your privacy seriously and are committed to safeguarding your personal information.

Bolton Together works in partnership with our members who deliver support under the IThrive programme and other relevant agencies (such as Bolton CAMHS and the Mental Health Support Team). This means we may share your information with our members and other agencies to provide you with your care and treatment.

This privacy notice lets you know what happens to any personal data that you give to us, or any information that we may collect from you or about you from other organisations.

This privacy notice applies to personal information processed by or on behalf of Bolton Together.

This Notice explains:

- Who we are and how we use your information
- Information about our Data Protection Officer
- What kinds of personal information about you we hold and use (process)
- The legal grounds for our processing of your personal information (including when we share it with others)
- What should you do if your personal information changes?
- For how long your personal information is retained / stored by us?
- What are your rights under Data Protection laws

The UK General Data Protection Regulation (UKGDPR) and the Data Protection Act 2018 (DPA 2018) became law on 25th May 2018, and 1st January 2021 when the UK exited the EU.

For the purpose of applicable data protection legislation (including but not limited to the General Data Protection Regulation (Regulation (UK) 2016/679) (the "UKGDPR"), and the Data Protection Act 2018 **the organisation** responsible for your personal data is Bolton Together.

This Notice describes how we collect, use and process your personal data, and how in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights.

Our Legal Responsibilities We are a data controller, which means we are responsible for how your personal data is processed and for what purposes. We process personal data lawfully under the following legal bases:

- Article 6(1)(a) - Consent: Where you have given clear permission for us to process your data.
- Article 6(1)(b) - Contract: When processing is necessary for delivering a service to you.
- Article 6(1)(f) - Legitimate Interests: To deliver and improve services while protecting your rights.

- Article 9(2)(h) - Special Category Data: When processing data about health and wellbeing to provide care or support services

2. How we use your information and the law.

Bolton Together will be what's known as the 'Controller' of your personal data.

We may collect the following types of personal information from service users (including children and young people), parents/carers, volunteers, and staff:

- Name, address, contact details
- Age and date of birth
- Emergency contact information
- Support needs and wellbeing data
- Notes from sessions or referrals
- Health information (only where relevant and with explicit consent)
- Education and social care information (with consent)

We may also collect anonymised data to help evaluate and improve our services. We will collect sensitive confidential data known as "special category personal data", in the form of health information, ethnicity, and sexual orientation information that are linked to your care, we may also receive this information about you from other health providers or third parties.

3. Why do we need your information?

Both Bolton Together who receive your referral for support and our member organisations who provide you with care maintain records about your health and any intervention or care you receive through the IThrive programme. These records help to provide you with the best possible care and intervention.

Bolton Together records will be electronic. We use technology to ensure that your information is kept confidential and secure.

Records about you may include the following information.

- Details about you, such as your address, your carer or legal representative and emergency contact details.
- Any contact Bolton Together or our members have had with you, such as appointments, contact, and correspondence.
- Notes and reports about your health.
- Details about your intervention and care.
- Results of interventions.
- Relevant information from other health professionals, relatives or those who care for you.
- Contact details (including email address, mobile telephone number and home telephone number)

To ensure you receive the best possible care, your records are used to facilitate the care you receive, including contacting you.

4. How do we lawfully use your data?

We need your personal, sensitive and confidential data in order to provide you with support and mental health services, under the General Data Protection Regulation we will be lawfully using your information in accordance with: -

Article 6, e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;"

Article 9, (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems

This Privacy Notice applies to the personal data of our patients and the data you have given us about your carers/family members.

We use your personal and healthcare information in the following ways:

- when we need to speak to, or contact other professionals or organisations (medical, health, educational etc.) during the course of your referral, or intervention, or ongoing care;
- when we are required by law to hand over your information to any other organisation, such as the police, by court order, solicitors, or immigration enforcement.

We will never pass on your personal information to anyone else who does not need it, or has no right to it, unless you give us consent to do so.

5. Legal justification for collecting and using your information

The law says we need a legal basis to handle your personal and healthcare information.

Consent: Sometimes we also rely on the fact that you give us consent to use your personal and healthcare information so that we can take care of your healthcare needs. This can be found on our iThrive 2 – 19 years Referral Form located on our website.

Please note that you have the right to withdraw consent at any time if you no longer wish to receive services from us.

Necessary care: Providing you with the appropriate healthcare, where necessary. The Law refers to this as 'protecting your vital interests' where you may be in a position not to be able to consent.

Law: Sometimes the law obliges us to provide your information to an organisation (see above).

Special categories

The law states that personal information about your health falls into a special category of information because it is very sensitive. Reasons that may entitle us to use and process your information may be as follows:

Public Interest: Where we may need to handle your personal information when it is considered to be in the public interest. For example, we need to pass your information to relevant organisations to ensure you receive advice and/or intervention.

Consent: When you have given us consent.

Vital Interest: If you are incapable of giving consent, and we have to use your information to protect your vital interests (e.g. if there are safeguarding risks).

Defending a claim: If we need your information to defend a legal claim against us by you, or by another party.

Providing you with medical care: Where we need your information to provide you with support and healthcare services.

Anonymised information

Sometimes we may provide information about you in an anonymised form. Such information is used to analyse population-level health issues and helps us to plan better services. If we share information for these purposes, then none of the information will identify you as an individual and cannot be traced back to you.

6. Patient Communication

Because we are obliged to protect any confidential information, we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.

We may contact you using SMS texting to your mobile phone or via email in the event that we need to notify you about your referral and other services that we provide to you involving your direct care, therefore you must ensure that we have your up-to-date details. This is to ensure we are sure we are contacting you and not another person. As this is operated on an 'opt out' basis we will assume that you give us permission to contact you via SMS and email if you have provided us with your mobile telephone number and email address. Please let us know if you wish to opt out of this service. We may also contact you using the email address you have provided to us. Please ensure that we have your up-to-date details.

7. Safeguarding

Bolton Together is dedicated to ensuring that the principles and duties of safeguarding adults and children are holistically, consistently and conscientiously applied with the wellbeing of all, at the heart of what we do.

Our legal basis for processing For the General Data Protection Regulation (GDPR) purposes is: -

Article 6(1)(e) '...exercise of official authority...'

For the processing of special categories data, the basis is: -

Article 9(2)(b) – 'processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law...'

8. Third party processors

In order to deliver the best possible service, Bolton Together will share data (where required) with other bodies such as our member organisations school, social care, Bolton Council, GP, CAMHS etc. In addition, Bolton Together will use carefully selected third party service providers. When we use a third-party service provider to process data on our behalf then we will always have an appropriate agreement in place to ensure that they keep the data secure, that they do not use or share information other than in accordance with our instructions and that they are operating appropriately. Examples of functions that may be carried out by third parties include:

- Companies that provide IT services & support, including systems which manage service-user facing services (such as our website and service accessible through the same); data hosting service providers or; document management services etc.
- Delivery services.

Further details regarding specific third-party processors can be supplied on request to the Data Protection Officer as below.

9. How do we maintain the confidentiality of your records?

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 2018
- The General Data Protection Regulations 2016
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

Every member of staff who works for Bolton Together has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. safeguarding), where the law requires information to be passed on and / or in accordance with the information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

Bolton Together's policy is to respect the privacy of our service-users, their families and our staff and to maintain compliance with the General Data Protection Regulation (GDPR) and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

In certain circumstances you may have the right to withdraw your consent to the processing of data. Please

contact the Data Protection Officer in writing if you wish to withdraw your consent. If some circumstances we may need to store your data after your consent has been withdrawn to comply with a legislative requirement.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified.

10. With your consent we would also like to use your information

There are times that we may want to use your information to contact you or offer you services, not directly about your healthcare, in these instances we will always gain your consent to contact you. We would however like to use your name, contact details and email address to inform you of other services that may benefit you. We will only do this with your consent.

At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you have the ability to consent and opt out prior to any data processing taking place.

This information is not shared with third parties or used for any marketing and you can unsubscribe at any time via phone, email or by informing Bolton Together's DPO as below.

11. How can you access, amend move the personal data that you have given to us?

Even if we already hold your personal data, you still have various rights in relation to it. To get in touch about these, please contact us. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

Right to object: If we are using your data and you do not agree, you have the right to object. We will respond to your request within one month (although we may be allowed to extend this period in certain cases). This is NOT an absolute right sometimes we will need to process your data even if you object.

Right to withdraw consent: Where we have obtained your consent to process your personal data for certain activities (for example for support, or consent to send you information about us or matters you may be interested in), you may withdraw your consent at any time.

Right to erasure: In certain situations (for example, where we have processed your data unlawfully), you have the right to request us to "erase" your personal data. We will respond to your request within one month (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited conditions apply. If we do agree to your request, we will delete your data but will need to keep a note of your name/ other basic details on our register of individuals who would prefer not to be contacted. This enables us to avoid contacting you in the future where your data are collected in unconnected circumstances. If you would prefer us not to do this, you are free to say so.

Right of data portability: If you wish, you have the right to transfer your data from us to another data controller. We will help with this with a data transfer and transfer of any hard copy notes.

12. Access to your personal information

Data Subject Access Requests (DSAR): You have a right under the Data Protection legislation to request access to view or to obtain copies of what information we hold about you and to have it amended should it be inaccurate. To request this, you need to do the following:

- Your request should be made to Bolton Together.
- There is no charge to have a copy of the information held about you.
- We are required to provide you with information within one month.
- You will need to give adequate information (for example full name, address, date of birth, and details of your request) so that your identity can be verified, and your records

13. What should you do if your personal information changes?

You should tell us so that we can update our records please contact the Bolton Together as soon as any of your details change, this is especially important for changes of address or contact details (such as your mobile phone number), Bolton Together will from time to time ask you to confirm that the information we currently hold is accurate and up-to-date. To update your personal information, please contact:

Email: ithrive@boltontgether.org.uk

14. Objections / Complaints

Should you have any concerns about how your information is managed, please contact the Bolton Together's Data Protection Officer as below. If you are still unhappy following a review by Bolton Together, you have a right to lodge a complaint with a supervisory authority: You have a right to complain to the UK supervisory Authority as below.

Information Commissioner:

Wycliffe house
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545745

<https://ico.org.uk/>

If you are happy for your data to be used for the purposes described in this privacy notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact Bolton Together's Data Protection Officer.

If you would like to know more about your rights in respect of the personal data we hold about you, please contact the Data Protection Officer as below.

15. Contact Us

Bolton Together's Data Protection Lead/Officer is Paul Couldrey. Any queries regarding Data Protection issues should be addressed to him at: -

Email: info@pcdc.org.uk

Address: NBV Enterprise Centre, 6 David Lane, Nottingham, NG6 OJU

Telephone: 0115 838 6770

To exercise any of your rights or ask a question about your data:

Email: [BoltonTogether@boltontgether.org.uk](mailto: BoltonTogether@boltontgether.org.uk)

This document will be reviewed on a yearly basis.

For further information about the Privacy Notice email:

Louise.mcdade@boltontgether.org.uk