



## Privacy Notice

### Adult Social Care: Rehabilitation Officers for Visual Impairment (ROVI) Service

When processing your personal data, the council is required under Articles 13 and 14 of the General Data Protection Regulation (GDPR) to provide you with the information contained in this document.

#### Data Controller

<b>Name</b>	Cumbria County Council
<b>Address</b>	Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD
<b>Registration Number</b>	Z5623112

You can search the Information Commissioner's Register of Fee Payers at:  
<https://ico.org.uk/about-the-ico/what-we-do/register-of-fee-payers/>

#### Data Protection Officer

The council's Data Protection Officer is Claire Owen. You can contact the Data Protection Officer by:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

#### Purpose

The Rehabilitation Officers for Visual Impairment (ROVI) provide a service for adults who have a visual impairment. People may be categorised as sight impaired or severely sight impaired by an NHS consultant ophthalmologist.

Cumbria County Council holds a register for people with sight impairment, this is referred to as the Sight Register. Inclusion on the Sight Register is voluntary and may entitle you to receive benefits and information about support services. (See [Consent](#) for details of how you can withdraw this consent)

Anonymous data can also be used to help the council know about the type of people with visual impairment to help shape services that they need and be inclusive in design. You can be offered services regardless of registration and they may include:

- advice and Information relating to your enquiry
- assessment of your needs and support planning to address those needs
- reviewing your care needs and support plan
- registering your sight impairment category on the Local Authority Sight Register and contacting you to ensure that your registration is accurate
- contacting you with relevant information that may be useful to you
- providing rehabilitation programmes i.e. orientation and mobility, activities of daily living and teaching of Braille
- compensatory advice or potentially provision of equipment, small adaptations, and or assistive technology
- to ensure that information about services is accessible where possible e.g. to ask if support could be given to assist with participation in electoral events

We will work with you and any carer or family member that you appoint for support, to achieve the outcomes that matter to you.

We will record any assessment of how you currently are and your needs and any support plan that may be written and share this with you, in a format that you or your nominated carer or family member can access. We will also record any contact that we make with you.

We are also responsible for keeping the Sight Register up to date for people who are sight impaired and severely sight impaired. To ensure that the data we hold remains accurate and relevant, registered individuals will be contacted every three years to update, amend or remove their details. For individuals lacking mental capacity to make their own decisions, removal from the Sight Register will be balanced alongside any ongoing service requirements or best interest considerations.

## Data Collection

While providing the services described [above](#), we may collect data about you in the following ways:

- at point of contact, from yourself or others
- direct from the NHS in the form of a Certificate of Visual Impairment
- during assessments, Support Planning and Reviews, and during Rehabilitation Programmes
- via telephone, face to face contact, video call or electronic methods, or communication via the post

## Data Types

The following data is required to meet legal obligations and to enable officers to reach informed and robust recommendations and decisions:

- name
- address
- telephone number
- date of birth
- contact details for members of your carers, family and support network

We may also collect, store and use the following 'special categories' of more sensitive personal information:

- information about your racial or ethnic origin, religious or philosophical belief and your sexual orientation
- information about health conditions or disabilities that may apply to you including eye diagnosis and any impairments
- information about you and your circumstances
- information about relevant health and safety concerns
- information about your needs and wishes
- information about your finances, e.g., bank details, income, benefits

## Legal Basis for Processing Data

When we collect your personal data (such as name, age, address) we rely on the following legal bases:

- **GDPR Article 6(1) (a) Consent**
- **GDPR Article 6(1) (c) Legal Obligation**

Where the council is relying on GDPR Article 6(1)(c) all [Relevant Legislation](#) is listed below.

When we collect your 'special categories of personal data', (such as health, race, ethnicity, sexual orientation) we rely on the following legal bases:

- **GDPR Article 9(2) (a) Explicit consent**
- **GDPR Article 9(2) (b) Employment/social security and social protection**
- **GDPR Article 9(2) (c) Vital interests (where the data subject is physically or legally incapable of giving consent)**

## Relevant Legislation

These legal bases above are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities, including:

- Care Act 2014
- Health and Social Care Act 2015

- Children's Act 1989
- Children and Families Act 2014
- Localism Act 2011
- Mental Health Act 1983 (Amended 2007)
- Mental Capacity Act 2005
- Homelessness Reduction Act 2017

## Automated Decision-Making/Profiling

We may use your information that we hold on the sight register for profiling purposes to help us understand the needs of people with this specific disability and the services available. We may occasionally use this to send you specific relevant information, such as services for people with a visual impairment.

## Data Transfers

Your personal data is not transferred to a third country or international organisation.

## Redaction

We operate a policy where we routinely redact the following details before making forms and documents available online:

- contact details e.g., telephone numbers, email addresses
- signatures
- personal or special category data
- information agreed to be confidential or commercially sensitive

Occasionally it may be considered necessary, justified and lawful to disclose data that appears in the list above. In these circumstances the council will make all reasonable efforts to contact you if this processing is going to have an impact on your rights or privacy.

## Data Sharing

We may need to share your data with the following organisations to achieve your outcomes:

- advocates, deputies, legal power of attorney
- borough councils, housing associations and landlords
- cabinet members
- Care Quality Commission (CQC)
- central government i.e. Department for Work and Pensions (DWP)
- contractors or providers who provide council services
- county councillors
- Cumbria Fire and Rescue Service
- external providers and partner agencies
- family members and carers
- internal teams

- legal representatives, such as solicitors
- local government ombudsman
- MPs
- 'Nearest Relative' as defined under the Mental Health Act
- NHS providers, such as GPs and hospitals
- other professionals
- schools

While responding to your enquiries or complaints it may be necessary to share your personal data with other parts of the council or other public bodies or organisations. The council will make all reasonable efforts to contact you if this processing is going to have an impact on your rights or privacy.

**Important:** Please be aware that should we receive a safeguarding concern about you, in order to satisfy our duty under Section 42 of the Care Act 2014, we may need to share information with relevant statutory partners to ensure your safety or safety of others. This legal duty to share data overrides any previous reliance on consent as the [legal basis](#) for processing your personal data.

## Data Security and Retention

All of the information you give us will be kept safe and secure whether it is written or on a computer system. We will treat any personal information confidentially and will comply with the Data Protection Act 2018. This means that, if we keep any of your personal data we must:

- tell you what information we need to collect from you
- only use the information for the reason we have agreed with you
- not ask for more information than we need to provide the services
- let you see any information we have collected about you, on request
- keep the information safe, secure and confidential
- personal information will be deleted in accordance with council policy

The information you supply will be kept on a secure council system and can only be accessed by authorised employees within the Adult Social Care Team.

If based on the nature of your impairment, that you indicate that you would like your details added to the Sight Register we will retain that data for as long as relevant to meet your identified needs. (See [Consent](#) for details of how you can withdraw this consent)

## Your Rights - Data Subject Access

The General Data Protection Regulation (GDPR) provides you with the right to access information the council, as a public authority holds about you. Upon receipt of a valid request the council will:

- provide you with a response within one month
- let you know if your request is subject to an extension
- make reasonable efforts to comply with the format of your request

- inform you if your request is going to be refused or a charge is payable

You can make a Data Subject Access Request by contacting:

Email: [information.governance@cumbria.gov.uk](mailto:information.governance@cumbria.gov.uk)  
Post: Cumbria County Council, Information Governance Team  
Parkhouse, Baron Way, Carlisle CA6 4SJ  
Telephone: (01228) 221234  
Online: [Contact Form](#)

## Your Rights - Other

In addition to your right of access the General Data Protection Regulation (GDPR) also gives you the following rights:

- the right to be informed via the council's Privacy Notice
- the right to withdraw your consent. If we are relying on your consent to process your data, then you can remove this at any point
- the right of rectification, we must correct inaccurate or incomplete data within one month
- the right to erasure. You have the right to have your personal data erased and to prevent processing unless we have a legal obligation to process your personal information
- the right to restrict processing. You have the right to suppress processing. We can retain just enough information about you to ensure that the restriction is respected in future
- the right to data portability. We can provide you with your personal data in a structured, commonly used, machine readable form when asked
- the right to object. You can object to your personal data being used for profiling, direct marketing or research purposes
- you have rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention

Where our processing of your personal data is necessary for our legitimate interests, you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Unless otherwise stated above you can exercise any of these rights by contacting:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor,  
Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

## Consent

Where our processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent,

we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on - in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point. If you would like to withdraw your consent, please contact [customerserviceswest@cumbria.gov.uk](mailto:customerserviceswest@cumbria.gov.uk) in the first instance.

## Verifying Your Identity

When exercising the rights mentioned above please be aware that under GDPR Article 12(6) additional information can be requested to verify that you are the data subject if your identity is unconfirmed. Please note that:

- additional documentation is only required when the council cannot verify your identity using internal council systems that relate to the service you are requesting information about
- the council will contact you for this documentation prior to processing your request
- the statutory deadline for responding to your request will start when you have provided the additional documentation
- failure to provide additional documentation may lead to the council rejecting your request

## Complaints

If you have any concerns about the information contained in this Privacy Notice, please contact: [customerserviceswest@cumbria.gov.uk](mailto:customerserviceswest@cumbria.gov.uk).

If you have concerns about the way the council has processed your data, please contact the council's Data Protection Officer via:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)

Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD

Online: [Contact Form](#)

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law you can complain to the Information Commissioner's Office (ICO): <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

## Reviews and Updates

In accordance with UK GDPR Article 13(3) where either, the extent of the data being collected or the purpose for collecting it changes this notice should be updated and republished, to ensure that data subjects are properly informed.