

Safeguarding Function Privacy Notice

Context

This notice sets out how Norfolk & Norwich University Hospitals NHS Foundation Trust (the “Trust”) will use your personal data, and your rights in relation to its Safeguarding Functions.

This notice updates and replaces the information relating to our Safeguarding activities provided in the Trust’s full Patient Privacy Notice which is available on the public facing website <https://www.nnuh.nhs.uk/privacy-notice/>

This notice also engages and is relevant to the Trust’s Children’s Privacy Notice which is available on the public facing website <https://www.nnuh.nhs.uk/publication/children-s-privacy-notice/>

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| Name of Data Controller | Norfolk & Norwich University Hospital, Colney Lane, Colney, Norwich NR4 7UY |
| Controller contact/DPO | Data Protection Officer Email: info.gov@nnuh.nhs.uk |

The Trust’s Safeguarding Functions overall purpose is to protect people from harm, abuse, and neglect. It’s about making sure the Trust is working together with partner organisations to prevent and stop both the risks and experience of abuse or neglect, whilst also making sure that people’s rights to live in safety are protected.

Purpose and Lawful bases and data protection rights

Under UK data protection law, we must have a “**lawful basis**” for collecting and using personal information in relation to the purposes for which we collect and use personal information for our Safeguarding activities.

The data protection lawful bases for collecting or using personal information to provide specific safeguarding related purposes(activities) are as follows:

| Purpose | Legal bases for processing |
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| Safeguarding Adult Reviews | <p>Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Care Act 2014 section 45.</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.</p> |
| Safeguarding Practice Reviews This is also informed by the guidance in “Working together to Safeguard Children 2023” | <p>Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Children Act 2004 and Children and Social Work Act 2017.</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the</p> |

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| | management of health or social care systems and services. |
| Domestic Abuse Related Death Reviews (Previously, Domestic Homicide Reviews) This is also informed by the guidance in “Multi-agency Statutory Guidance for the Conduct of Domestic Homicide Reviews, 2016” | Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Domestic Violence, Crime and Victims Act 2004 . and Article 9 (2)(h) - ... health or social care or treatment... |
| Multi-Agency Risk Assessment Conference (MARACs). Responding to ad-hoc safeguarding queries from external organisations | Article 6(1)(e) - processing is necessary to perform at task in the exercise of official duty, Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services. |
| Deprivation of Liberty Safeguards (DoLS) Applications completed by the Ward/Hospital Staff, and Safeguarding Team support with complex queries | Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Mental Capacity Act 2005 . Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services. |
| Section 42 Enquiries Received from Local Authority (LA) with information collected and returned to LA. | Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Care Act 2014, section 42 . Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services. |
| Chronologies for strategy meetings, Initial Child Protection Conferences (ICPC's) and review conferences This is also informed by the guidance in “Working together to Safeguard Children 2023” | Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Children Act 1989 . Domestic Abuse Act 2021 ; and Serious Violence Duty 2022 . Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services. |

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| Joint Agency Group Supervision (JAGS), Team Around the Child (TAC's) additional safeguarding practice meetings | <p>Article 6(1)(e) - processing is necessary to perform at task in the exercise of official duty,</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.</p> |
| AA1s completed by Hospital Staff, and telephone referrals for adults. Safeguarding Team support with complex queries. | <p>Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Care Act 2014.</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.</p> |
| <p>Children`s Advice and Duty Service (CADS) and Emergency Duty Team (EDT)</p> <p>Telephone referrals</p> <p>This is also informed by the guidance in “Working together to Safeguard Children 2023”</p> | <p>Article 6(1)(c) - processing is necessary for compliance with a legal obligation to which the controller is subject, ref: Children Act 1989.</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.</p> |
| Participation in and contribution to Safeguarding meetings and responding to information requests relating to safeguarding concerns. | <p>Article 6(1)(e) - processing is necessary to perform at task in the exercise of official duty,</p> <p>Article 9 (2)(h) - processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.</p> |

Who we share information with for Safeguarding related activities

- Norfolk Safeguarding Children Partnership
- Norfolk Safeguarding Adult Board
- Norfolk Social Services – Adult
- Norfolk Social Services- Children
- Norfolk County Council
- Suffolk County Council
- Police
- Probation
- Norfolk and Waveney Integrated Care Board

- PohWER (Charity providing advocacy for people who find it difficult to express their views or get the support they need due to vulnerabilities they may have)
- Norfolk & Suffolk Foundation Trust (NSFT)
- General Practices
- Queen Elizabeth Hospital
- James Paget Hospital
- Norfolk Community Health and Care NHS Trust (NCHC)
- West Suffolk Hospital
- Cambridgeshire Community Service (CCS)
- Other Local Authorities as appropriate on an ad-hoc case-by-case basis
- Other Acute Hospitals Trusts as appropriate on an ad- hoc case-by-case basis

The information we use for safeguarding reasons:

Personal Data:

- Name, address and contact details
- NHS number
- Hospital number
- Emergency contact details

Special Category Data:

- Photographs
- Health information (including medical conditions, allergies, medical requirements and medical history)
- Information about care needs (including disabilities, home conditions, dietary requirements and general care provisions)
- Records of meetings and decisions

Where we get personal information from

- Directly from you
- Family members or carers
- Norfolk Safeguarding Children Partnership
- Norfolk Safeguarding Adults Board
- Norfolk Social Services for Children and Adults
- Police
- Probation

- Other NHS organisations
- Other Local Authorities

How long we keep your safeguarding information

8 years

Your Data protection rights

All of your data protection rights may apply, **except the right to erasure, the right to object and the right to data portability**. That is because by Data Protection Law, the legal obligation informing the activity does not allow for these rights to be applicable.

Your Rights that are Applicable

Your right of access - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exemptions which means you may not receive all the information you ask for.

Your right to rectification - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete.

Your right to restriction of processing - You have the right to ask us to limit how we can use your personal information.

Your right to withdraw consent – When we use consent as our lawful basis you have the right to withdraw your consent at any time.

If you exercise a right, we must respond to you without undue delay and in any event within one month.

[You can read more about your data protection rights here](#)

To make a data protection rights request, please contact patient.access@nnuh.nhs.uk. If you make a request, we must respond to you without undue delay and in any event within one month.

How to complain

To us

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

To the UK Regulator on Data Protection

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the Information Commissioner's Office (ICO).

The ICO's address:

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>