



Access to **Personal Social Care Records**

Durham County Council provides a wide range of social care services to members of the public.

In order to do this efficiently, we collect personal information about the people we are providing services for.

You have the right to know what information is held about you. You are also entitled to know who supplied the information, for what purposes it is being used and who it is being shared with. This booklet explains why we keep your records and how you can access the information we hold.



Your questions answered...

What sort of information is held?

If you receive help or advice from Durham County Council about social care services you will be asked to give information about yourself and your personal or family circumstances.

This information is recorded and held securely, often on computer, together with information given by other people, such as NHS colleagues.

Will I see all of the information held?

We work with a number of different organisations to make sure that you receive the right level of service. This can involve us sharing information. We treat all information given by other people as confidential and we would need to receive their permission before passing it on, unless there is a specific reason for not doing so.

Could I have my request for access refused?

Your request cannot be refused if you are over 18 years of age. However, there may be a reason why some information which is held cannot be given to you. For example, where it is thought information would cause harm to you or another person. You could also be refused access to any information which is held for the purpose of prevention or detection of crime.

Can other people have access to my records?

Your information will not be disclosed to third parties such as other organisations, relatives, friends or carers without your consent, unless there is a specific legal or professional reason for doing so. You can, however, authorise another person to make a request on your behalf. This person will then be called 'an agent'.

How do I gain access to my personal records?

Please complete and return the form attached to this leaflet. You will need to provide us with photographic identification such as a driving licence or passport to ensure the safety of your information (photocopies are not accepted). You may include this with the form but if you do so, we strongly recommend using special delivery. If you do not wish to post your identification you can take it, along with your completed form, to one of the offices listed at www.durham.gov.uk/contactsocialcare. If you have difficulty completing the form, we can help you (see contact details on back page). Following receipt of your form we may contact you for further information which will help us deal with your request.

How long does it take to get my information?

In normal circumstances, you will receive your information within 40 days of us receiving your request.

Is there a charge?

A statutory charge of £10 must be paid before requests can be progressed. This should be included with your completed application form. Please make cheques payable to Durham County Council.

How long are records kept?

Many social care records are kept for a minimum of twenty years after the service ends, but some records, for instance, child protection information has to be kept longer by law.

Who decides what information I can have access to?

A senior social care manager will consider your request and arrange for someone to get in touch with you.

Section 1.

I am requesting access to my own personal records.

Name:..... Signature:

Address:

.....

.....

Postcode:

Phone number: Date of birth:

Email address:

Please tick as appropriate: (✓)

I am under 18 and wish to apply for access to my personal records

I am over 18 and wish to apply for access to my personal records

Please complete sections 2 and 3 if you are applying for access to personal records on behalf of someone else.

Section 2.

I am applying for the personal records on behalf of someone else (please tick the box that best describes your relationship). (✓)

Solicitor

Advocate

Friend

Relative

Social Care/Health Professional

Other (please specify)

Name:..... Signature:

Address:

.....

.....

Postcode: Phone number:

Email address:

Section 3.

Personal details of the applicant.

Full name: Date of birth:

Present address:

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Postcode:

Phone number:

Email address:

Section 4.

This section must be completed in all cases.

Please provide a description of the personal data which is required and the dates from which we should search. (if appropriate, please also provide any previous/alternative names, addresses, specific dates, etc. as this will help us with our searches).

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Affix
stamp

Social Care Records
Information Management Team
Room 4/143-148
Durham County Council
County Hall
Durham
DH1 5UF

Can I appeal if I am refused access?

You can write to the Information Management Team if you feel that your request to access information from your file has been refused on unreasonable grounds:

Information Management Team

Room 4/143-148

Durham County Council

County Hall

Durham

DH1 5UF

Tel: 03000 268 035

Email: dataprotection@durham.gov.uk

You can also challenge a decision to refuse access through the Information Commissioner at the following address:

The Office of the Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF



Please ask us if you would like this document summarised in another language or format.



Braille



Audio



Large print

altformat.cas@durham.gov.uk

03000 261 381