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Fife Integration Joint Board – Data Protection Policy			



**Fife Health & Social Care
Partnership**

Supporting the people of Fife together

Fife Integration Joint Board

Data Protection Policy

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1. Introduction

Fife Integration Joint Board (IJB) needs to collect and use certain types of information about the individuals or service users who come into contact with the Board and the Fife Health and Social Care Partnership. Any personal data must be collected, processed, shared and stored in accordance with data protection legislation, including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

2. Data Controller

Under GDPR, Fife Integration Joint Board (IJB) is a controller – this means that it determines the purposes and means of processing the personal data that it collects and holds. The IJB is also required to register, as a controller, with the UK Information Commissioner (ICO).

3. Scope

This policy applies to all personal data, in any format, held by the IJB. This includes IJB personal data held in the devices, systems, applications and storage media of partner organisations (particularly NHS Fife and Fife Council), in web based and remotely hosted services, as well as personal computers, laptops, tablets and mobile phones.

This policy covers any individual with access to the IJB's information and records, including (but not limited to): Board Members and Officers, professional advisors, employees of partner organisations, agency and other temporary employees, suppliers, contractors, and other third parties.

4. Definitions

Fife Integration Joint Board

Fife Integration Board is responsible for the integration of health and social care services in Fife. This includes the planning and delivery of integration arrangements and delegated functions.

The IJB is commonly referred to as the Fife Health and Social Care Partnership – this is the public facing aspect of Fife Integration Joint Board.

Data processing

In relation to personal data, processing means any operation or set of operations which is performed on personal data or on sets of personal data (whether or not by automated means, such as collection, recording, organisation, structuring, storage, alteration, retrieval, consultation, use, disclosure, dissemination, restriction, erasure or destruction).

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Personal data

Any information relating to a person (a 'data subject') who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

Special categories of personal data

Special category data includes information about an individual's:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for ID purposes)
- health;
- sex life; or
- sexual orientation.

5. Principles

This policy aligns with the data protection principles identified in Article 5 of the GDPR. These are:

- lawfulness, fairness and transparency;
- purpose limitation;
- data minimisation;
- accuracy;
- storage limitation;
- integrity and confidentiality (security); and
- accountability.

6. Rights of Data Subjects

All processing of personal data by the IJB will be in accordance with the rights of the data subject:

- the right to be informed;
- the right of access (to the individuals' own personal data);
- the right to rectification;
- the right to erasure;
- the right to restrict processing (in certain circumstances);
- the right to object to processing (in certain circumstances).

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7. Privacy Notice

Most of the information which the IJB collects and uses is statistical, or anonymised data. Usually this is provided by partner agencies for the purpose of planning and delivery of health and social care services within Fife.

Sometimes, in very specific circumstances, the IJB also collects personal information about individuals. The IJB Privacy Notice describes when personal data will be collected and held, the purpose(s) it will be used for, and the length of time it will be held. The IJB Privacy Notice Policy is available on the public facing website of the Fife Health and Social Care Partnership and will be reviewed annually. This is a link to the Privacy Notice: <https://www.fifehealthandsocialcare.org/privacy-notice-fife-integration-joint-board/>

8. Data Sharing

For the planned, regular sharing of personal information between the IJB and other partners or agencies, appropriate information sharing agreement's, protocols and supporting guidance materials have been agreed.. Information sharing agreements and other governance elements will be reviewed, amended and updated regularly and in accordance with legislative and business requirements.

9. Roles and Responsibilities

IJB Chief Officer

The Chief Officer, also identified as the Director of Health and Social Care, has senior responsibility for all aspects of data protection within the IJB. This includes:

- Authorising the IJB Data Protection Policy.
- Ensuring that suitable training is provided to all Board members, partnership employees, and other individuals who access the IJB's personal data.

IJB Data Protection Officer

The Data Protection Officer is responsible for:

- Developing and maintaining the IJB Data Protection Policy and supporting procedures and guidance.
- Ensuring that the Data Protection Policy is reviewed annually, and for providing advice and guidance on implementation.
- Monitoring IJB compliance with data protection legislation, and providing advice and information to the IJB where required.
- Developing, maintaining and reviewing the IJB Privacy Notice.
- Ensuring the IJB registration with the ICO is maintained.
- Notifying the ICO of relevant data breaches, and co-operating with the ICO in any subsequent investigations.

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All Individuals

All individuals who process IJB personal data have a responsibility to ensure that they understand and comply with this Data Protection Policy, and to ensure that IJB personal data is properly accessed, handled and stored at all times. This includes individuals acting in their capacity as IJB Board Members, and employees of partner agencies who provide support to Fife Health and Social Care Partnership as part of their work duties.

10. Data Breaches

Wherever possible the IJB will take a proactive approach to the management of its personal data. In the event of a potential, or actual, data breach involving IJB personal data, the incident will be contained, investigated, and responded to, in accordance with current best practice and legislative requirements. Where appropriate, this will include informing the individual involved and / or reporting the breach to the Information Commissioner (ICO).

11. Legislation, Regulation and Standards

This policy and associated guidance have been developed within the context of national legislation, professional standards, and codes of practice. Specifically, this includes:

- Data protection legislation including GDPR (General Data Protection Regulation) and the UK Data Protection Act 2018.
- Guidance provided by the Information Commissioner (ICO).
- Freedom of Information (Scotland) Act 2002.
- Code of Practice on Records Management issued under Section 61 of the Freedom of Information (Scotland) Act 2002.
- Public Records (Scotland) Act 2011.
- Scottish Government Records Management Code of Practice for Health and Social Care (Scotland) 2020.
- In addition, some personal data may be subject to other legislation or requirements covering specific subject areas.

12. Review

This policy will be reviewed annually, or sooner if required.

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