

# Privacy Notice for ReferKent (Kent County Council)

## Introduction

This notice is provided to meet the requirements of the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) to provide transparency in how we share personal data for ReferKent, run by Kent County Council. This document will be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

## Service description

Kent County Council (KCC) collects, uses and is responsible for collecting certain personal information about you. KCC is responsible as 'controller' of that personal information for the purposes of those laws. Their Data Protection Officer is Benjamin Watts.

Kent County Council's ReferKent platform is an online referral platform that aims to mitigate the action of signposting. It helps people get the support and guidance they need in a timely way, to alleviate hardship. It allows a direct referral to be made to a network of organisations who have onboarded to the ReferKent platform. So that the referral can be made, personal information is collected by KCC and its ReferKent partner organisation's and shared.

Thanet District Council (TDC) uses the ReferKent platform in the Thanet Community Safety Partnership team and the Domestic Energy team to support those facing hardship.

TDC is a partner organisation of KCC for the purpose of ReferKent.

## Information collected by KCC:

Through a referral being made on your behalf, KCC collect the following personal information when you provide it to KCC:

- Your name, post code, telephone number and/or email address
- A reason why your referral is being made

KCC also collect the following 'special category data' (personal data which is more sensitive and is treated with extra care and protection) when you provide it to KCC:

- Information about health conditions or disabilities that may be relevant to your circumstances or the support you require
- Information about racial or ethnic origin is collected for equality monitoring and evaluation purposes only
- Information about gender is collected for equality monitoring and evaluation purposes only
- Other relevant information about your current circumstances and why you require a referral.

## Collecting and sharing your personal information

In the course of making a referral KCC, along with ReferKent partner (which includes Thanet District Council), KCC, will collect information from you this will be shared between KCC and the third parties who make and receive referrals through the ReferKent platform.

A list of organisations who can make and receive referrals through ReferKent can be found here: [ReferKent - for organisations who support Kent residents - Kent County Council](#)

KCC routinely share:

- your name, form of contact e.g. telephone number, email address or address, type of issue (from a drop-down selection), a brief description of the reasons for requiring a referral – which may include sensitive personal data (e.g. health data) depending on the nature of the referral.

with:

- partner agencies, such as volunteer organisations and statutory organisations (e.g. district councils, borough councils, housing associations, Department for Work and Pensions (DWP)) who may receive your referral and provide support
- external providers including Viccari Wheele Ltd (referral software).

KCC has a data sharing agreement in place with agencies who process your data on their behalf.

KCC will share personal information with their legal and professional advisers in the event of a dispute, complaint, or claim. KCC rely on Article 9(2)(f) where the processing of special category data is necessary for the establishment, exercise, or defence of legal claims or whenever courts are acting in their judicial capacity.

## How your information will be used

KCC use your personal information to:

- Create a secure record of the referral that is being made on your behalf
- Fully understand your needs about your current circumstances and why you require the support the referral is made for
- Hold your referral on a UK based secure referral platform that works in accordance with UK GDPR
- Analyse the service that KCC are providing through anonymised statistical reports output by our computer systems

The sharing of information facilitates a joined-up approach with partner agencies, to provide you with the best possible advice and support.

## Reasons we can collect and use your personal information:

When we collect your personal data, we rely on:

- Public task Article 6(1)(e) as our lawful basis to collect and use your personal data

- Substantial public interest Article 9(2)(g) as the lawful basis on which we collect and use your special categories of personal data
- The 'equality of the opportunity or treatment purpose' condition from Schedule 1 of the Data Protection Act ('DPA') 2018
- Article 9(2)(g) condition in the Data Protection Act 2018 to process your special category data.

As KCC has a statutory basis for collecting your personal data, KCC do not need to ask for your permission to collect and share it, however KCC will only ever share your data on a basis of need, in line with legislation and will always work transparently with you.

If you do not provide your data, it will limit the effectiveness of the services and support that KCC and our parent organisations are able to offer.

### Your rights

Under UK GDPR you have a number of rights which you can access free of charge which allow you to:

- know what KCC are doing with your information and why KCC is doing it
- ask to see what information KCC hold about you (subject access request)
- ask KCC to correct any mistakes in the information KCC hold about you
- object to direct marketing
- make a **complaint to the Information Commissioner's Office.**

Depending on our reason for using your information you may also be entitled to:

- ask KCC to delete information KCC holds about you
- object to decisions being made that significantly affect you
- object to how KCC is using your information
- stop using your information in certain ways
- ask KCC to delete information KCC hold about you
- have your information transferred electronically to yourself or to another organisation
- object to decisions being made that significantly affect you
- stop KCC using your information in certain ways.

KCC will always seek to comply with your request; however KCC may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the United Kingdom General Data Protection Regulation.

If you would like to exercise a right, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk)

## Keeping your personal information secure

KCC have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. KCC limits access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

KCC also has procedures in place to deal with any suspected data security breach. KCC will notify you and any applicable regulator of a suspected data security breach where KCC is legally required to do so.

## How long your personal data will be kept

For the purpose of referring individuals through ReferKent, personal information will be anonymised after six months from the date of the referral being made.

KCC will hold your personal information for:

- 6 months. Please see ReferKent retention period AS4.12.17 in KCC's retention schedule for more information.

## Your right to withdraw your consent

Where KCC relies on your consent to process your personal information, you can withdraw your consent to KCC's use of your data at any time.

You can do this by:

- Contacting the KCC ReferKent team who will ensure that your data has been withdrawn on the platform – [referkent@kent.gov.uk](mailto:referkent@kent.gov.uk)

## Further information

Please contact the KCC's Information Resilience and Transparency Team at: [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk) to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long KCC has kept it for.

You can contact KCC's Data Protection Officer, Benjamin Watts, at [dpo@kent.gov.uk](mailto:dpo@kent.gov.uk)

If you would like to know more about how Thanet District Council uses your information, please contact the Data Protection Officer (DPO) at Thanet District Council:

Data Protection Officer  
Thanet District Council  
Cecil Street  
Margate  
CT9 1XZ

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

Tel: 01843 577 000

### **How do I complain?**

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner

Wycliffe House,

Water Lane, Wilmslow,

Cheshire SK9 5AF

Phone: 0303 123 1113 or 01625 545745

Website: [www.ico.org.uk](http://www.ico.org.uk)