

Privacy notice

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Privacy Notice¹

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What we do

Care Inspectorate Wales (CIW), as part of Welsh Government (WG), is the independent regulator of social care and childcare in Wales. In order to carry out our work effectively and in line with statutory requirements², we have to collect, hold and use certain kinds of information about people. These include service providers, service users and representatives of service users. This may include information by which specific individuals can be identified, and information which is sensitive to the individuals concerned. In regulating services provided to children and vulnerable adults we seek to reduce or eliminate risks to their welfare and ensure that care providers operate within the law.

The types of information we hold

In order to fulfil our regulatory functions we have to collect and hold personal information. Personal information is that by which an individual can be identified. At times this information can be sensitive in nature (for example, it can be about an individual's health or police record). Below is a list of the main types of personal information we collect and hold. The nature of our work means that we cannot know in advance all the types of personal information that we will be presented with and need to collect and hold to fulfil the requirements of our regulatory functions.

- General information
 - Name, address, date of birth, age, gender, language and communication preferences, contact details, references, copies of photographic identification
- Provider/service information
 - CIW Online username and PIN, details of registration with other bodies such as Social Care Wales registration number, financial records, qualifications and training, history of service
- Medical
 - Care plans, medical reports, medication records
- Law enforcement
 - Police records, convictions, allegations of misconduct at work, DBS checks
- Safeguarding and enforcement activities
 - Enforcement activities, conditions of deprivation of liberty, child protection referral details, abuse allegations

What we do with your information

The personal information which we collect and process enables the evaluation of the performance of service providers and local authorities and their compliance with regulatory requirements. In the case of local authorities, the purpose is to evaluate whether a local authority has fulfilled its statutory functions. This entails analysing information collected during inspections and preparing reports. These reports will be shared with service providers and local authorities before being published and may be the subject of correspondence between ourselves and the provider/local authority before the report is finalised and published.

We are also called on to participate in adult protection and child protection procedures: personal information will be processed to support decision-making by local authorities and other public bodies with statutory responsibilities for protection of children and adults. Personal information will also be processed, to the extent necessary, to support criminal or civil enforcement action against service providers or to support interventions against local authorities which are in default or who may be in default of their statutory duties.

Personal information may be processed in the exercise of our functions of referring individuals to the Disclosure and Barring Service or referring individuals to professional regulatory bodies. Personal information may also be shared with other regulatory or law enforcement bodies where we are required by law to do so or where sharing the information is consistent with our statutory functions.

The specific processes we are involved in include:

Registration

- Providing secure online access for service providers
- Undertaking 'fitness' checks on registration applicants
- Registering providers and services
- Providing a public register of providers and services

Inspections

- Inspecting providers and services
- Inspecting the delivery of social services by local authorities
- Processing notifications received from registered services

Safeguarding and Concerns

- Responding to concerns relating to providers and services
- Monitoring the safeguarding of people receiving care and support, including where individuals have to be deprived of their liberty.
- Taking part in multi agency safeguarding discussions and investigations where people are believed to have been abused or are at risk of abuse.

Enforcement

- Enforcing regulatory requirements that apply to the services
- Conducting civil and criminal enforcement actions

Support Services

- Organising events, meetings and consultations
- Producing engagement communications, including newsletters
- Collecting Self Assessment of Service Statements (SASS) from service providers
- Administering Disclosure and Barring Service (DBS) checks for service providers
- Responding to general service enquiries

In addition to the processes above, we also use and share anonymised information to:

- Produce publicly available annual reports (DoLS; CIW Annual Report etc) and thematic reports (Learning Disability provision in Wales etc)
- Prepare statistical analyses

- Support research or consultations commissioned by the Welsh Ministers
- Provide information to Welsh Ministers to help them make decisions relating to policy changes

Who we share your information with

We only share information with other organisations when it is lawful to do so. Typically this is to aid the safeguarding and support of vulnerable people or the necessary lawful processes of the other organisations. We may share your information with, and obtain information about you from the organisations set out below. This sharing is in accordance with the General Data Protection Regulations and is governed by formal agreements (ad hoc requests are governed by the same controls) which test the legal basis for the sharing of that information before it is shared.

The organisations we have information sharing agreements with include:

- Financial services
 - Her Majesty's Revenue and Customs
- Local authorities
 - Social Services
 - Family Information Services
 - Welsh Local Government Association
 - North Wales Commissioning Hub
 - Children's Commissioning Support Resource
- Emergency services
 - Fire and Rescue Authorities
 - Welsh Ambulance Service NHS Trust
- Regulatory bodies
 - Public Services Ombudsman Wales
 - Older People's Commissioner for Wales
 - Estyn
 - Wales Audit Office
 - Ofsted
 - Health and Safety Executive
 - Social Care Wales
 - Nursing and Midwifery Council
 - Her Majesty's Inspectorate of Constabularies, Fire and Rescue Service
- Law enforcement
 - Police
 - Disclosure and Barring Service

How long we keep your information

Information relating to:	Retention period
CIW online access	6 years from de-registration of service
Registration	Pre-registered service: retained until registered Registered service: 6 years from de-registration of service Application documents: 3 years following determination of the applications Refused and enforced cancelled services: indefinitely
Inspection of providers and services	6 years from publication of report
Notifications	3 years from receipt of notification
Concerns	3 years from resolution of concern
Deprivation of Liberty Safeguards	3 years as a result of notifications 6 years as a result of inspections
Enforcement activities	3 years from end of enforcement activity
Events, meetings, consultations newsletters and bulletins	Until de-registration of service
Self Assessment of Service Statements	6 years from publication of next inspection report
DBS certification	In line with Disclosure and Barring Service policy
CIW online enquiries	6 years from cessation of service
Anonymised statistical information	In line with Welsh Government corporate policy

Your rights

For all the personal information we hold about you, you have the right to:

- access the personal information that we are processing about you
- require us to rectify inaccuracies in that information
- (in certain circumstances) object to our processing your information
- have your information erased
- lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection (see Contacts)

In addition, where you have consented to give us personal information (for example, so that you can receive our newsletter or for the Nannies Approval Scheme), you have the right to:

- remove consent
- request your information in a commonly accessible digital format

However, as set out above, you should note that there may be exceptions to these rights under certain circumstances, for example where the safeguarding of others may be compromised or when law enforcement actions are under way.

Contacts

For any concerns relating to specific personal information that Care Inspectorate Wales holds, use the contact details here:

Knowledge Information Manager,
Care Inspectorate Wales
Welsh Government
Sarn Mynach
Llandudno Junction
CONWY
LL31 9RZ

Email: CIWInformation@gov.wales
Website: www.careinspectorate.wales

For any concerns relating to information controls within Welsh Government, use the contact details here.

Data Protection Officer
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ
Email: Data.ProtectionOfficer@gov.wales
Website: www.gov.wales

For independent advice regarding the General Data Protection Regulation, use the contact details here:

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

Telephone: 01625 545 745 or 0303 123 1113
Website: www.ico.org.uk

¹ Formerly called our 'Fair Processing Notice'

² We collect and keep information about people in accordance with the requirements of the legislation listed below and the associated regulations. We process that information in accordance with the provisions of the General Data Processing Regulations (GDPR).

The Regulation and Inspection of Social Care (Wales) Act 2016
The Care Standards Act 2000
The Children Act 1989 (as amended)

The Adoption and Children Act 2002
The Children and Families (Wales) Measure 2010
The Health and Social Care (Community Health and Standards) Act 2003
The Government of Wales Act 2006