

Personal Health Budgets (PHBs)

Data Controller(s)	NHS North Lincolnshire CCG
Purpose	A Personal Health Budget is an amount of money allocated to pay for your health and wellbeing needs agreed between you and your local NHS team. Personal Health Budgets help people with long term health conditions manage their care and support in a way that suits them. It helps them to have more choice and flexibility in the way their care and support needs are met. Any adult or child who is eligible for NHS Continuing Healthcare can have a Personal Health Budget if they want one. There are plans to widen the availability of Personal Health Budgets in the future.
Type of information Used	Identifiable: Personal (such as name, address, date of birth) and Special Category (health information)
Legal basis	<p>GDPR Article 6(1)(e) – processing is necessary for the performance of a task carried out in the exercise of official authority vested in the controller</p> <p>GDPR Article 9(2)(h) processing is necessary for the purposes of the provision of health or social care or treatment or the management of health or social care systems and services.</p> <p>Relevant legislation: National Health Service (Direct Payments) Regulations 2013</p> <p>In relation to Emergency Planning, Response & Recovery: GDPR Article 6 (1) (C) – processing is necessary for compliance with a legal obligation.</p> <p>Relevant Legislation: Civil Contingencies Act 2004</p>
How we collect (the source)and use the information	<p>Personal Health Budgets are managed in one of three ways or a combination of all three.</p> <ul style="list-style-type: none"> • National - We tell you how much money is available for your care; you say how you want us to spend the money. If your local NHS team agree this meets your needs they arrange the care and support for you. • Third Party - An organisation looks after the money for you and you say how you want to spend it. If your local NHS team agrees this meets your needs, the organisation pays for the care and support you have chosen. • Direct Payments - Once your care plan has been agreed, we give you or your representative the money to buy and manage your own healthcare and support. Your local NHS team must agree that this meets your needs. <p>You can spend your Personal Health Budget on any care or services that are set out in your care plan and agreed with your local NHS team. You will be able to use your Personal Health Budget for a range of things to help you meet your goals, for example therapies, personal care and equipment. You don't have to change the healthcare and support that is working well for you, but if there is something that isn't working, you can change that.</p> <p>Things you can't include in your plan will be explained to you at the beginning of the planning process. You will not need to pay for emergency care and care you normally get from a GP.</p> <p>This process is carried out with the consent of the patient to satisfy</p>

	<p>the Common Law Duty of Confidentiality.</p> <p>Emergency Planning Response & Recovery: The CCG is required to obtain and process a record of all vulnerable patient groups living in the community with complex health conditions; this information may be used, at the time, in conjunction with emergency planning, preparedness and response, for example, to organise a rapid response service following an emergency or major incident.</p>
Data Processors	focus independent adult social work
Your Rights	<p>With regards to Personal Health Budgets under GDPR you have the right:</p> <ul style="list-style-type: none"> • To be informed about the processing of your information (this notice) • Of access to the information held about you • To have the information corrected in the event that it is inaccurate • To restrict or stop processing • To object to it being processed or used • Not to be subject automated decision-taking or profiling • To be notified of data breaches
How long we will keep the information	The organisation has adopted the retention periods for health and non-health records as set out in the Records Management Code of Practice for Health and Social Care 2016. The retention schedule is in line with the Records Management Code of Practice for Health and Social Care 2016.
Who we will share the information with (recipients)	<p>The Local Authority (Social Services), health and care organisations involved in delivering or arranging the care required. The third party looking after your money where this has been arranged.</p> <p>Emergency Planning Response & Recovery: In the case of an emergency/ major incident the CCG may share information with the emergency services and in extreme case the military.</p>