



Norfolk Care Association Consultation – Have your say

With only a few days before the Norfolk Care Association consultation online survey closes, don't miss the chance to feed in your views.

So far over we have received almost 180 contributions from social care providers (managers, owners/employers and care workers) either as part of the face to face consultation events last October and/or through the survey. The respondees represent the full range of adult social care services and work with all ages and needs. We continue in our quest to make this consultation as inclusive as possible.

You can complete the online survey by going to:

www.norfolkcareassociationconsultation.com

The new Care Consultation will be all about supporting social care providers and representing their views to commissioners and policy makers alike. However, the priorities for a Care Association for Norfolk and the way it runs are still to be determined and are the focus of this consultation.

The provider led Executive Steering Group overseeing the consultation is determined that the voice of the sector be sought and acted on throughout.

There are already some excellent and much valued support services available to social care providers but our feedback is that they often work well for one part of the sector or one part of Norfolk but not for everyone. A Care Association offers the opportunity to be a central hub for all social care providers. Below are just a few of the possible services a Care Association for Norfolk might offer:

- a voice for the sector with commissioners and regulators – around the true cost of care but also more widely on systems and processes,
- lobbying/campaigning/raising awareness of the sector generally.
- providing information/advice and specialist support (eg HR/recruitment law/finance)
- Signposting to partner services
- Supporting recruitment and promoting careers in social care
- Co-ordinating peer support networks

- Maximising opportunities to buy services and goods at a discounted rate

The survey will close at 11 pm on Friday 8th February so please find time to take 20 minutes out of your day to give us your views.

We look forward to hearing from you.

The Executive Steering Group - Shaping a Care Association for Norfolk

Association Representing Mental health Care (ARMC)
 Community Action Norfolk (CAN)
 Norfolk and Suffolk Care Support Ltd (N&SCS)
 Norfolk County Council (NCC)
 Norfolk Community Health & Care NHS Trust (NCH&C)
 Norfolk Continuing Care Partnership (NCCP)
 Norfolk Independent Care (NIC)
 Norfolk Older People's Strategic Partnership
 Voluntary Norfolk

Training

Contributes significantly towards Subjects 1, 4, 5, 7 and 8 on the Dementia Standards Training Framework 2018

EXPERIENTIAL DEMENTIA TRAINING

Day 1: Dementia - The Wider Picture
 Exploring the Brain, Different Types of Dementia, Recognising the Key Characteristics (Including Signs and Symptoms)

Day 2: Dementia - Distressed Behaviour / Communication
 What to say when someone says.... What to do when someone does....

Dates:
 5th & 6th February 2019 *Last Few Places*
 13th & 15th March 2019
 16th & 17th April 2019

Price: £57 per day or attend both days for a reduced price of £100.
 84.5am - 4pm each day at The Willow Centre, Cringford, Norwich NR4 7J
(The days are designed to be booked as a two day workshop)

To find out more and to book your place please contact Claire Gilbert on 07584 047996 or email clare@carerits.co.uk

Data Protection Officers for Adult Social Care Providers

Overview

A Data Protection Officer (DPO) is a new role which has been mandated, in specific situations, by the General Data Protection Regulation (GDPR).

It is unclear if all care providers will be required by law to have a DPO. There is advice below on why this is and what to do in this situation.

Under GDPR, you must appoint a DPO if:

1. you are a public authority^[1], except for courts acting in their judicial capacity;
2. your core activities include large scale regular and systematic monitoring of individuals (like online behaviour tracking); or
3. your core activities include large scale^[2] processing of special categories of data (includes health and social care information) or data relating to criminal convictions and offences.

If your organisation is considered a public body under the Freedom of Information Act (e.g. Local Authority/NHS owned care homes), then you must have, or have access to, a DPO.

Large organisations will require a DPO or require access to a DPO – this can be a consultant role and does not have to sit internally.

For small care providers it is less clear if a DPO is required because there is no clear definition yet for “large scale processing”. There is advice in the “What to do” section below on how to manage this.

The GDPR does not state exactly what qualifications a DPO should have. They should have experience working in and expert knowledge of data protection law. Ideally, they will also know the sector well.

The DPO’s responsibilities include:

1. Informing and advising organisations about complying with GDPR and other data protection laws.
2. Monitoring compliance with GDPR and data protection laws – including

- staff training and internal audits.
3. Advising on and monitoring data protection impact assessments (DPIAs).
 4. Cooperating with the Information Commissioner's Office.
 5. Being the first contact point for the ICO and citizens in terms of data processing.

It will be difficult for many social care providers to appoint a DPO internally because of the position the DPO must occupy in the organisation. The GDPR specifies that the DPO must:

- not receive instructions on how to carry out their tasks;
- not be dismissed or penalised for performing their tasks; and
- report directly to the highest level of management.

Additionally, the DPO cannot be the individual who decides how and why data is processed in your organisation.

For example, a registered manager might decide that they want to start using a new digital rota system which includes personal data from staff. They could not be the DPO because they can decide how data is processed. Their decision-making process might conflict with data protection obligations.

What to do

For LA/NHS Owned Care Providers:

It is likely that the LA or CCG already has a DPO – find out who this person is.

For large care organisations:

A large care organisation could be characterised as multisite (perhaps on a regional or national level) with dedicated staff in roles such as IT, HR and estates. They have large volumes of care records.

You should appoint, hire or contract a DPO for your organisation. Skills for Care and the Information Commissioner's Office have written more in-depth guidance this role.

If you choose not to have a DPO, you must record why you have made this decision. There is suggested wording below.

For small care providers:

A small care provider could be characterised as having one or two sites, no dedicated staff in roles such as IT or HR and a small volume of care records. You should assign someone in your organisation to be a “Data Protection Champion” who is responsible for ensuring your organisation complies with data protection legislation. Do not call this person a Data Protection Officer. Skills for Care have written [guidance on this role](#).

Record the fact that you have not appointed a DPO and why you haven't. This is probably because you do not consider yourself to be processing special categories of data on a large scale. There is suggested wording for this below.

Example wording for why you don't have a DPO

Please note that you don't have to use this exact wording.

“Due to our size, we have determined that we are not required to have a Data Protection Officer (DPO), as we do not process special categories of data on a large scale. Nonetheless, to ensure that every individual's data rights are respected and that there is the highest levels of data security and protection in our organisation, we have appointed a member of staff to the Data Protection Champion role. The Data Protection Champion will report to the highest management level of the organisation. We will support the Data Protection Champion with the necessary resources to carry out their tasks and ensure that they can maintain expertise.”

Finally - The Care Provider Alliance (CPA) is continuing to discuss this matter with the Information Commissioner's Office (ICO), Information Governance Alliance and NHS Digital. The CPA will provide updates if/when there are any changes.

Additional Resources

1. Skills for Care have produced guidance on [DPOs and Data Protection Champions](#). This is written specifically for the social care provider sector.
2. The Information Governance Alliance has more [guidance on GDPR](#).

3. The Information Commissioner's Office has detailed guidance on DPOs.
4. The CPA's FAQ answers this question and you can check there for updates.

[1] As defined in the Freedom of Information Act 2000 – this will only apply to LA or NHS owned providers

[2] Note that there has not yet been a definition of what is meant by “large scale” and so there is some uncertainty around which size of provider would be expected to have a DPO.



National Care Association working as part of the Care Provider Alliance. The Alliance represents independent and voluntary adult social care providers in England. We work to represent the sector and ensure a coordinated response to the major issues that affect it.

Events/Information

The Anchor Project

Norwich and Central Norfolk Mind is providing a support network for anyone over the age of 18 who has been bereaved by suicide. Over eight-weeks the group will support you to speak openly about your reactions, feelings and emotions, to find support and to meet others who are going through similar experiences. The group offers a safe, confidential and non-judgemental environment.

To join or find out more contact:

emiliedarlison@norwichmind.org.uk 01603 432457

The Golden Threads Club

“Every fortnight a group of lonely and bereaved people gather at St George’s Theatre café bar in Great Yarmouth for a social session that brightens their lives.

Club founder Gloria Gee knows at first hand the pain of losing a loved one and the need to regain the confidence to venture out again to meet other people.

She and husband Wally were married for 54 years having met at the Lowestoft Palais in 1955. He was a power station scaffolder and rigger by day and helped her run the St Anne’s Hotel in Norfolk Square then the Burrage Centre social club at the James Paget Hospital.

“When he died life was really tough. A day without someone to talk to feels like 48 hours. And it’s worse in the winter when you cannot go out so much,” she added.

“You cannot describe the loneliness. People encourage you to ‘move on’ but it is difficult when you have lived a lifetime together,” she explained.

Mrs Gee decided to set up a club for people in the same situation, discovered the “perfect venue” at St George’s, and has been thrilled with its success.

Members chat over a drink and snack – and it makes a difference to their lives.

“One lady told me that until she joined us she just used to stay indoors, shut the door and cry. She said the club was her salvation,” said Mrs Gee.

“Going out alone is difficult especially for a woman, so Golden Threads is a great chance to meet and make new friends in a safe welcoming daytime environment.”

Everyone is welcome to come along and to bring a friend if they do not want to attend on their own.

The Golden Threads Club will still be taking place at the St George’s Café, which is closed to the public for the foreseeable future.

The next meeting is on Wednesday 23rd January 2019 and fortnightly from there on. The time is 1.30-3.30pm.

Tea, coffee & snacks are available.

Please contact Gloria on 01493 722303.”

Here is their Norfolk Community Directory entry:

<https://communitydirectory.norfolk.gov.uk/Services/6198>

Care Provider Alliance

Dear colleagues

I am delighted to confirm that the Care Provider Alliance's publication "New ways of working in adult social care services" has been published today. It can be downloaded from www.careprovideralliance.org.uk/new-ways-of-working.

The CPA would be very grateful if you could share this across you networks, and it is keen to receive as much feedback from providers as possible via www.careprovideralliance.org.uk/feedback. A final report, reflecting feedback received by **Friday 8th March 2019**, will be published in the spring.

Social media shares would be welcomed and if you could add the hashtag #CareProviderAlliance, it would be very much appreciated. Thank you!

Kind regards

Peter

Peter Cheer
Director