

Privacy Notice – Tameside Council use of Magic Notes

Our core data protection obligations and commitments are set out in the [Council's Corporate Privacy Notice](#) and on our website on the [Find a Privacy Notice](#) webpages.

This additional privacy notice tells you what to expect when Tameside Council uses an AI (artificial intelligence) tool called Magic Notes by Beam

What is Magic Notes?

Magic Notes is a web-based tool that helps Council staff create records of meetings and conversations. Magic Notes is available on mobile devices and laptops provided to members of staff within Tameside Council's Children's Services and Adults Services.

When a member of staff uses Magic Notes, it can:

- record a conversation;
- create a written transcript;
- produce draft notes or assessments.

Magic Notes helps staff spend less time typing or handwriting notes and more time supporting people. It helps staff create records and draft documents. All notes and documents created by Magic Notes are checked and edited by a member of staff before they are added to council records.

Magic Notes does not make any decisions about you and does not replace professional judgement.

Magic Notes is provided by Beam (a trading name of Beam Up Ltd). Beam processes your information only under the Council's instructions and is not permitted to use your information for its own purposes. Your information is not used to train Magic Notes or any of the AI that forms part of Magic Notes.

Why we use your information

The use of Magic Notes to record discussions with you and provide transcripts, summaries or other notes for inclusion in specific case documents will:

- keep accurate records of conversations;
- reduce the need for staff to take detailed notes during meetings;
- make sure important information is not missed;

- improve the quality and consistency of case notes and records;
- allow staff to focus more on supporting you during meetings.

What information we collect

Depending on the service you use, we may collect:

- Name;
- Date of Birth or age;
- Address and previous addresses;
- Email address and telephone number;
- Details relating to your adult social care need, children's social care or early help need, or educational needs.

Further information about how specific services in Adults or Children's Services will use your data can be found on their privacy notices, located on the [Find a Privacy Notice](#) webpages.

Sensitive information we may use

Depending on the service you use, some conversations that Magic Notes records may include information that data protection law treats as particularly sensitive (known as Special Category Data). This may include:

- Information about your physical or mental health (including disabilities and long-term illness);
- Information about your racial or ethnic origin;
- Information about your sex life or sexual orientation;
- Information about your religious or philosophical beliefs.

Why we are allowed to use your information

Data protection law says we must have a valid reason for using your personal information. We mainly use your information because:

- We have a legal duty to provide services and keep appropriate records; or
- We need to carry out our public responsibilities as a local authority.

Under UK GDPR these reasons, or lawful bases, would be:

- Article 6(1)(c) – legal obligation
- Article 6(1)(e) – public task

We have set out below a list of some of the relevant legislation that provides our legal obligation or public task:

- Care Act 2014;
- Health and Social Care Act 2015;
- Mental Capacity Act 2005;
- Mental Health Act 1983 (Amended 2007);
- Children Act 1989;
- Children Act 2004;
- Children and Families Act 2014;
- Special Educational Needs and Disability Regulations 2014
- Education Act 1996;
- Education Act 2002;
- Learning and Skills Act 2000;
- Disabled Persons Act 1986;
- Localism Act 2011.

The above is not an exhaustive list.

We may also collect and use sensitive personal information where this is necessary for:

- Reasons of substantial public interest (UK Article 9(2)(g) and Schedule 1 of the Data Protection Act 2018);
- Provision of health or social care (UK GDPR Article 9(2)(h)).

We use your information under our legal duties and public task responsibilities rather than consent.

Before a meeting or conversation is recorded using Magic Notes, the member of staff will tell you. If you do not want the conversation to be recorded using Magic Notes, you can tell the member of staff and they will take notes manually instead.

If a recording has already started, it will be stopped when you raise your objection. Any recording made before that point may still be used as part of the official record of the meeting.

Where your personal information has come from

You are the primary source of the personal data but we may also collect personal data about you from others who were present at the meeting. These could be:

- Family members;
- Parents/guardians;
- Carers/caregivers;
- Teachers or other educational professionals;
- Other health or social care professionals

Who we share your information with

The information/personal data recorded and processed through Magic Notes may be shared with appropriate social care practitioners.

Once notes have been produced and saved onto the relevant service's case records/case management system, your information/personal data will be stored, processed and shared in line the details set out in that service's privacy notice, which are located on the [Find a Privacy Notice](#) webpages.

How long we will keep your data for and why

Magic Notes creates three things when recording:

1. The audio recording of the conversation;
2. A written transcript;
3. Draft notes or documents (the output)

Recordings and transcripts are kept in Magic Notes for 30 days and then deleted automatically.

Final documents that form part of your case record are stored in the relevant council case management system and retained in line with that service's retention schedule.

International transfers

Your personal information is not routinely transferred outside of the UK. Magic Notes is hosted on UK cloud servers. The Council's case management systems are hosted on UK based servers.

If information needs to be transferred outside the UK, appropriate safeguards will be put in place to protect it.

Your rights

Under data protection law, you have a number of rights. Depending on the circumstances these may include the right to:

- Access your personal information (subject access request);
- Have inaccurate information corrected (right to rectification);
- Request that processing be restricted, in certain circumstances (right to restrict processing);
- Request the deletion of your information, in certain circumstances (right to erasure);
- Ask us to stop using your information, in certain circumstances (right to object to processing);

- Withdraw consent, only where we are relying on consent to process your information rather than our legal obligation or public task;
- Complain to the Information Commissioner's Office (ICO).

Information about exercising your rights can be found on the council's website [Exercising Your Individual Rights](#).

To find out more about how these rights apply in particular circumstances, please refer to our Guide to exercising your rights or alternatively visit the Information Commissioner's web site at [ICO guidance - for the public](#)

How we keep your information safe

We take the security of your information seriously. We use appropriate technical security measures, and organisational measures such as staff training, policies and procedures, in order to protect your information from loss, misuse, and unauthorised access, disclosure, alteration or destruction.

Controller's contact details

Tameside Council is the controller for the personal information we process, unless stated otherwise. We are registered with the Information Commissioner's Office (ICO) under registration reference Z5861307 and you can view our [registration certificate here](#).

There are many ways you can contact us, including by phone, email, live chat and post. Our primary postal address is:

Tameside Metropolitan Borough Council,
Tameside One,
PO BOX 317,
Ashton under Lyne,
OL6 0GS

Phone number: 0161 342 8355

Data Protection Officer

If you have any questions or concerns about how we use your personal information, please contact the Data Protection Officer at information.governance@tameside.gov.uk or by calling 0161 342 8355.

Automated decisions

There is no automated decision-making or profiling by Magic Notes, it provides a recording, transcription and draft notes for any case records or documents required as an output of the meeting that has been recorded.

All the decisions we make about you will be made by a member of staff, not Magic Notes.

Updates to privacy notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details on our [Find a Privacy Notice](#) page.