

YOUR PRIVACY NOTICE

Under the law we have to tell you what information we keep about you, how we use that information to care for and support you and what your rights are about it. The law also means that we have to give you this privacy notice about your information.

In this privacy notice the following terms have the below meanings:

- **'PERSONAL DATA'** means:
 - information which relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information
 - This information might be provided to us by you, or someone else such as a family member, a previous care home where you used to live, the medical team who help you or it could be created by us.
- **'SPECIAL CATEGORIES OF PERSONAL DATA'** are special types of information about:
 - your race;
 - your political views;
 - your religious beliefs;
 - the way you look and other visible or hidden features inherited from your parents;
 - your health;
 - the relationships you have with other people, who you may have sex with or whether you are attracted to men, women or both; and
 - any crimes you may have committed.
- We may hold and use any of these types of your information in accordance with the law.

1 What we are allowed to do with your information

1.1 There are 6 rules that we have to follow when we use your information to care for you. These are:

- 1.1.1 We must be fair and fully up front with you about how we use your information;
- 1.1.2 We must only use the information we have for the specific reason we got it for;
- 1.1.3 We must only ask and use just the right amount of information;
- 1.1.4 We must make sure that the information we hold about you is correct and delete anything that is a mistake;
- 1.1.5 We must only keep the information for as long as we are allowed to and for as long as necessary; and
- 1.1.6 We must keep your information safe.

2 The Information we hold about you

2.1 We will collect and use the following types of information about you:

- 2.1.1 your contact details, name address, telephone number, email and date of birth;
- 2.1.2 the contact details for your emergency contacts;
- 2.1.3 whether you are a man or a woman;
- 2.1.4 whether you are married and your family details;
- 2.1.5 your bank details and information in relation to your tax status including your national insurance number;
- 2.1.6 your identification documents including passport, proof of address both past and present, your National Insurance Number, age and date of birth;
- 2.1.7 information about your health and well-being such as your medical records, what illnesses you may have or anything else about how well you are or have been in the past, hospital numbers and hospital admission information;
- 2.1.8 your image and how you look;
- 2.1.9 Information about your family background, where you grew up and where you previously lived;
- 2.1.10 Information about your finances and what benefits you are entitled to with the government;
- 2.1.11 any other category information which we may tell you about from time to time.

3 What is processing?

3.1 “**Processing**” means anything we do with the information about you such as:

- 3.1.1 collecting, recording, organising, or storing it;
- 3.1.2 changing it;
- 3.1.3 finding it;
- 3.1.4 giving it to other people when we need to;
- 3.1.5 putting it with other information we have about you; and
- 3.1.6 getting rid of it when we are finished with it.

4 How will we use your information?

4.1 We will use your information for:

- 4.1.1 Ensuring that we meet your care needs as required by the local authorities, CQC or anyone else we have an agreement with about your care and support;
- 4.1.2 Making sure we don't break the law; or
- 4.1.3 If the use of the information is necessary for us to run effectively as a care provider.

4.2 We don't need to tell you each time we use your information and we will not do anything with your information for different reasons than the above without speaking to you first.

5 Examples of when we might use your information

5.1 We have to use your information in the following ways

- 5.1.1 to decide whether you can live or continue to live with us;
- 5.1.2 to decide how to best care for and support you;
- 5.1.3 to check whether you have the ability to make decisions that you understand;
- 5.1.4 to carry out what is needed to care for and support you properly;
- 5.1.5 to check on how you are doing and whether we need to change anything about your care and support;
- 5.1.6 to determine whether we need to make sure we change our approach to caring for you because of your changing health and needs;
- 5.1.7 to keep you and everyone else safe;
- 5.1.8 where necessary to look after your finances If you don't have the ability to do this for yourself;
- 5.1.9 to answer questions from insurers about any insurance policies which relate to you or others;
- 5.1.10 running our homes and planning for the future;
- 5.1.11 the prevention and detection of fraud or other criminal offences;
- 5.1.12 to defend our homes if there are any legal problems;
- 5.1.13 to follow the rules with local councils and other people who check we are doing everything correctly;
- 5.1.14 for any other reason which we may tell you about from time to time.

5.2 We do not need your consent to use special types of your information when we are using it for the following purposes, which we may do:

- 5.2.1 Where we are providing care and support under social care and health arrangements;
- 5.2.2 where it is necessary to protect your vital interests or those of another person where you/they are physically or legally unable to make decisions;
- 5.2.3 where you have made the information public;
- 5.2.4 where using it is necessary to see whether you or any-one else has a claim that you may want to make in court or where someone says that you have done something wrong and you need to defend yourself about a claim.
- 5.2.5 Where remembering or thinking about your criminal convictions, cautions or other relevant information is necessary to comply with all the laws about you as a vulnerable adult in our care.

5.3 We do not make any automatic decisions using a computer (known as “automated decisions”).

6 Sharing your information

6.1 Sometimes we might share your information with other people such as people who may provide equipment you may need so that we can help you or other services such as managing your finances.

- 6.2 We try our best to make sure that other people do not misuse your information and they keep it secure.
- 6.3 We may also need to share your information with local authorities including safeguarding, social services and people who regulate us.
- 6.4 We do not send your information outside the European Economic Area. If this changes we will tell you and explain what this means for you.

7 What happens if we go wrong

- 7.1 If we make a mistake and any of your information is not used properly or gets sent to somewhere where it shouldn't go, we have to write this down in a log book.
- 7.2 If any of your rights and freedoms are put at risk by this mistake and it could mean that your rights are damaged then we will have to tell the Information Commissioner about our mistake within 3 days.

8 Who is responsible for your information?

- 8.1 The person who is responsible overall for your information is Jane Heslop. The Home's registration number with the government about your information is PZ537702.
- 8.2 Please speak to your key worker or the manager of your home if you have any queries about this notice or how any of your information is used.

9 Your Records

- 9.1 The information in your support plans may be seen by other people involved in your care who work for the council, social services or who are involved in your health care.
- 9.2 You have a right to ask to see your support plan. If you want to view any of your support plans please speak to your key worker.
- 9.3 You have the right to ask for your information to be kept from us, from other health care professionals or from any other people. We must respect that right unless withholding such information would cause serious harm to you or to others, or you lack the ability to make a decision about an exact issue and it is not in your best interests to withhold the information.

9.4 Releasing your information to others

- 9.4.1 All of the staff are told that they are not allowed to release information about you other than for providing care and support to you or where they must release that information by law. You can also give your permission for information to be released to others if you want to.

10 Requesting to see your information

- 10.1 You can make a request to see your information and to find out the information we hold about you. This request must be made in a letter or in an email to us addressed to Jane Heslop.

- 10.2** If you make a request, we have to respond within one month unless the request is big, difficult or you have made lots of requests in one letter. The time period where we must respond may then be made longer by a further two months.
- 10.3** You do not have to pay anything for wanting to see your information unless the request you make is over the top or unnecessary, In which case we may charge you a reasonable fee or we may choose not to respond to your request.

11 Your rights

- 11.1** You have the right to information about what information we use, how and on why we use it.
- 11.2** You have the right to see and use your own information.
- 11.3** You can correct any mistakes about your information. To do you should speak to your key worker or the manager of your home.
- 11.4** You have the right to request that we delete your information where we have made a mistake and should not have been using the information how we have been.
- 11.5** While we are dealing with a request to correct or stop using your information, you can request that we stop using your information in some circumstances.
- 11.6** If we are using your information because we have real and correct need to use it for the Home's purposes, you can object to the use of the information for these reasons. If you wish to do so please speak to your key worker or the home manager.
- 11.7** You have the right to object if we use your information for the purposes of direct marketing.
- 11.8** You have the right to receive a copy of your information and to transfer your information to another person who will then keep and use that information. We will not charge for this and will in most cases aim to do this within one month.
- 11.9** With some exceptions, you have the right not to be subjected to computers making automatic decisions about you.
- 11.10** You have the right to be told about any mistakes we make where we may have misused your information.
- 11.11** If we ask you for your consent to use your information in a specific way, you have the right to refuse to consent. If you have given your consent to the use of your information for a specific purpose, you have the right to withdraw your consent later. To withdraw your consent, you should contact your key worker or the home manager.
- 11.12** You have the right to complain to the Information Commissioner if you feel that we have not handled your information correctly. You can do this by contacting the Information Commissioner's Office directly or with the help and support of staff. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk). This website has further information about your rights and how we should be correctly using and storing your information.

12 Keeping your information secure

- 12.1** We will use appropriate computer measures and organise the way we work to keep your information secure and to protect everyone from improper use of information.

- 12.2** Some of the technical measures that the Company has taken are as follows:
- 12.2.1 All computers have been scrambled except when passwords are used;
 - 12.2.2 We will install internet scramblers routers that will scramble all connections from any of our homes that use our internet services to people from the outside;
 - 12.2.3 All phones will have pass codes and finger print identification to ensure protection if they are stolen;
 - 12.2.4 All smart phones have built in scramblers.
 - 12.2.5 When devices stop working, memory cards will be wiped where possible and destroyed where possible after any information has been kept safe;
 - 12.2.6 All computers have virus scanning that regularly scans computers for hidden problems;
 - 12.2.7 All information has a back-up copy to an internet computer which is also scrambled;
 - 12.2.8 unauthorised access will be monitored;
- 12.3** Some of the things done in the way we work are:
- 12.3.1 Clear rules about access, storage and use of information are in place;
 - 12.3.2 All information on paper will be stored in lockable drawers and cabinets where possible and must be kept locked when not in use;
 - 12.3.3 All personal files will need to be signed out and back in again if they are taken offsite and will only be allowed to be taken off site if something rare happens;
 - 12.3.4 We will undertake regular checks to makes sure the rules are being followed;
 - 12.3.5 Visitors' badges and passes will be introduced so that visitors can be clearly identified when visiting.
- 12.4** Keeping information safe means:
- 12.4.1 Only people who are allowed to use the information can access it;
 - 12.4.2 Where possible, information will be scrambled, initialled or code named;
 - 12.4.3 Information is up to date, relevant, accurate and suitable for the purpose it is needed for;
 - 12.4.4 The appropriate things are in place to prevent, identify and stop any wrongful use of any information.
- 12.5** All of our contractors will be asked to certify and prove that they too are data protection compliant
- 12.6** General security measures in place include:
- 12.6.1 Ensuring that computer servers are not readily accessible and stored in a secure location;
 - 12.6.2 All external cd's, DVD's or memory sticks are virus checked first before use and any password protected;
 - 12.6.3 Back-up copies are kept in case the information is destroyed by mistake;

- 12.6.4 Computers are to be set to lock when they haven't been used for 5 minutes or more and all computers are to be locked by the person using them when they leave the room where the computer is present;
- 12.6.5 All computer systems, security and software must be approved by the Director of Operations, the HR Director or the CEO;
- 12.6.6 Telephone methods are in place to prevent calls that fish for information as below:
 - (a) The full name and contact details such as phone numbers and email addresses should be obtained from the person calling including where they are calling from whether it is an organisation or a personal call;
 - (b) If you cannot confirm who the caller is, then they should be asked to email the Company with their query;
 - (c) Do not allow callers to bully staff into providing personal data or any other confidential information. If staff are concerned about the caller, explain that you will need to take their details, end the call and refer the call to a manager;
 - (d) If any person will not end the conversation, becomes aggressive or threatening in any way, politely inform them that you will be terminating the call, say good bye and hang up the phone.

12.7 All information must be disposed of properly. The following methods of getting rid of old information should be used:

- 12.7.1 **Paper documents:** These must be shredded;
- 12.7.2 **Memory sticks, CD's and DVD's:** These must be scrambled, broken into pieces and/or if possible shredded using a specific cd shredder where available;
- 12.7.3 **Hard drives and memory cards:** These must first be scrambled, then broken and ideally destroyed;
- 12.7.4 **Smart phones:** These should be returned to full factory settings and then destroyed;
- 12.7.5 **SIM cards:** These should be broken and then ideally shredded where facilities allow.

13 How long we hold your records for:

- 13.1 Your records - 20 years after last entry or 8 years after your death
- 13.2 Incidents, events or occurrences that require notification to CQC - 3 years
- 13.3 Use of restraint or the deprivation of liberty - 3 years
- 13.4 Money or valuables deposited for safekeeping - 3 years
- 13.5 Purchasing of medical devices and medical equipment - 11 years
- 13.6 Records of destruction of individual health records (case notes) and other health related records - Permanently

If you have any queries at all about this privacy notice, then please speak to your key worker or the home manager. END