

PRIVACY NOTICE

Introduction

As part of the services we offer, we are required to process personal data about our service users and, in some instances, the friends, relatives and representatives of our service users. "Processing" can mean collecting, recording, organising, storing, sharing or destroying data. We are committed to providing transparent information on why we need your personal data and what we do with it. This information is set out in this privacy notice. It will also explain your rights when it comes to your data.

Data Controller Information

A Data Controller determines the purposes and means of the processing of personal data. The Company, is the "Data Controller" and its contact details are:

Data Controller:	A.G.E. Nursing Homes Limited
Data Controller's Representative:	The Home Manager
Data Controller's Address:	The Angela Grace Care Centre, 4-5 Cheyne Walk, Northampton, NN1 5PT.
Data Controller's Tel Number:	01604 633282

Data

So that we can provide a safe and professional service, we need to keep certain records about you and we need to have and advise you of the lawful basis for processing the data.

Service Users

General Data

We will process the following types of data about you:

- Your basic details and contact information e.g. your name, address, date of birth and next of kin;
- Your financial details e.g. details of how you pay us for your care or your funding arrangements.

The lawful reason for us processing this data is in order for us

- We are required to do so in order to fulfil an Agreement that we have with you;
- We are required to do so in our performance of a public task;
- We have a legal obligation to do so as set out in applicable legislation and guidance please see attached links

<http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers-relevant>

<http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers-relevant-guidance>

Special Category Data

We will process the following data, which, is classified as “special category”:

- Health and social care data about you, which might include both your physical and mental health data.
- We may also record data about your race, ethnic origin, sexual orientation or religion.

We require this data so that we can provide high-quality care and support.

The lawful reasons for us processing your special category data is because:

- We are required to do so in order to fulfil a contract that we have with you;
- We have a legal obligation to do so as set out in applicable legislation and guidance please see attached links
<http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers-relevant>
<http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers-relevant-guidance>
- It is necessary for us to provide and manage health and social care services;
- We are required to do so in our performance of a public task;
- It is necessary due to social security and social protection law (generally this would be in safeguarding instances);

So that we can provide you with high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s);
2. Third parties.

We do this face to face, via phone, via email, via post and via application forms.

Third parties are organisations we have a legal reason to share your data with. These include:

- Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals;
- The Local Authority;
- Organisations we have a legal obligation to share information with i.e. safeguarding team and the CQC;
- The police or other law enforcement agencies if we have to by law or court order

Confidentiality Sharing Information and Consent

We understand that the data that we hold about you may contain personal and sensitive information. We have a duty to ensure that this information remains confidential. Unless we are required to share this information in order to fulfil a legal obligation or where there is an overriding public interest requirement we will seek your consent before sharing this information.

If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

Power of Attorney/Representatives

As part of our work providing high-quality care and support, it might be necessary that we hold the following information about you:

- Your basic details and contact information e.g. your name and address;
- Details of any legal arrangements in place between yourself and the service user
- Financial details or bank details provided by you, if you are responsible for organising or funding the service users care
- Information about you that you have provided to assist in the effective delivery of care to the service user (e.g. personal histories, photographs, birthdays, anniversaries) We will process the following types of data about you:

By law, we need to have a lawful basis for processing your personal data. The lawful reason for us processing this data is in order for us

- We have a legitimate business interest in holding next of kin and lasting power of attorney information about the individuals who use our service.
- We are required to do so in order to fulfil a contract that we have with you;
- We are required to do so in our performance of a public task;
- We have a legal obligation to do so as set out in applicable legislation and guidance please see attached links

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

Your rights

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data:

1. You have the right to request a copy of all of the data we keep about you. Generally, we will not charge for this service;
2. You have the right to ask us to correct any data we have which you believe to be inaccurate. You can also request that we restrict all processing of your data while we consider your rectification request;
3. You have the right to request that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for, subject to any statutory requirements to retain your data. (We retain our data in line with the requirements of our regulator, the Care Quality Commission and in accordance with the Records Management Code of Practice for Health and Social Care 2016.) <https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>
As a general guide the Code of Practice requires that we retain your care records for a period of 8 years from the date of discharge or death.
4. You may also request that we restrict processing if we no longer require your personal data for the purpose we originally collected it for, but you do not wish for it to be erased.
5. You can ask for your data to be erased if we have asked for your consent to process your data. You can withdraw consent at any time – please contact us to do so.
6. If we are processing your data as part of our legitimate interests as an organisation or in order to complete a task in the public interest, you have the right to object to that processing. We will restrict all processing of this data while we look into your objection.

If you make a request to exercise your rights set out above, you may need to provide adequate information for our staff to be able to identify you, for example, a passport or driver's licence. This is to make sure that data is not shared with the wrong person inappropriately. We will always respond to your request as soon as possible and at the latest within one month.

If you would like to complain about how we have dealt with your request, please contact:

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

<https://ico.org.uk/global/contact-us/>