

# Client Privacy Notice

## Introduction

- The Company is fully aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently.
- This privacy notice sets out, in line with the GDPR, the types of data that we hold on you as a Client of the Company. It also sets out how we use that information, how long we keep it for and other relevant information about your data.
- This notice applies to current and former Clients.

We ask that you **read this privacy notice carefully** as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on 'Your rights' for more information.

In order that we can provide an excellent level of care and support services to our Clients we collect and use certain personal information about you.

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

As the 'controller' of personal information, we are responsible for how that data is managed.

The [General Data Protection Regulation](#) ("GDPR"), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

## Data Controller details

The Company is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

[insert name and contact details of Company]

## Data protection principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for reasons that we find proper for the course of our relationship in ways that have been explained to you;
- only use it in the way that we have told you about;
- ensure it is correct and up to date;
- keep your data for only as long as we need it;
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please contact a member of the Management Team.

Please note when we refer to:

- A “public body” we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm’s length bodies and regulators.
- A “social or health care professional” we mean any person who provides direct services, acts as a consultant or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.

## The personal information we collect and use in relation to people who enquire about and use our services

### Types of data we process

We collect data about you when we undertake a review and assessment of your needs. In some cases, we will also collect data about you from third parties, such as other individuals, agencies or organisations who have been involved in your care.

We may therefore hold many types of data about you, including **[delete and add points from the list as appropriate]**:

- Full name;
- The name you like to be called;
- Address;
- Telephone Number(s);
- Email address, if available;
- Date of Birth;
- Nationality;
- Relationship status (e.g. married, divorced etc.);
- Whether you alone;
- If not, the name(s) of the person(s) who live with you;
- Religious beliefs;
- Name of next of kin;
- Name of emergency contact(s);
- Details of Lasting Power of Attorney (if any);
- Name(s) of people who are involved in your care;
- Name of your General Practitioner;
- Name of your Physiotherapist;
- Name of your Speech and Language Therapist;
- Names of other contacts relevant to your health and wellbeing;
- Details of recent hospitalisation and record of any disabilities;
- Record of any infectious diseases;
- Reason(s) for care and support;
- Details of all medication taken;
- Mobility;
- Details relating to assistance needed with money and finances;
- Details relating to all aspects of daily living where you may need support;
- Spirituality and Religious beliefs;
- Assistance with general healthcare needs;
- Things that are important in relation to your life;
- Your worries;
- Your goals in life;
- Your likes and dislikes;

- Details relating to your emotional health;
- Details of any allergies/phobias;
- Aspects of daily living you prefer to do yourself;
- Aims to improving your independence
- Communication issues;
- Risks to your health and safety;

## Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to carry out legally required duties;
- in order for us to carry out our legitimate interests, including the delivery of the care plan agreed with you;
- to protect your interests; and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Prepare, review and update a suitable care plan, describing the nature and level of care and support services which you have requested we supply to you and which is fully responsive to your needs and aspirations;
- Promote your health and wellbeing;
- To communicate with you, your representatives and any appropriate external social or health care professionals about your individual needs and personalise the service delivered to you;
- Make reasonable adjustments, when required, to meet your individual needs and to ensure we have suitable facilities to ensure your safety;
- Invoice you for the care and support services we provide in accordance with our terms and conditions;
- Carry out quality assurance procedures, review our service and improve our customer experience

[insert other legitimate interests as appropriate]

## If you do not provide your data to us

The provision of up-to-date personal information relating to you, and your medical, physical or mental condition is necessary to enable us to create a care plan and to provide you with suitable care and support services. **Without this information, we will not be able to assess your care needs or provide any care services to you.**

## Sharing your data

We regularly share your medical information with appropriate external social or health care professionals (including your GP and Pharmacist) and any individuals you have nominated as your representative. This data sharing enables us to establish the type of care and support you need. It also allows us to design the right care package to suit your individual circumstances, including if (in future) you decide to receive care from an alternative provider. We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory framework. We are also required to share personal information with external social or health care professionals, including public bodies and local safeguarding groups (in some circumstances) to ensure your safety.

**We will not share, sell or trade your personal information with any other third party.**

## How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of time we are providing care services for you and for a limited time thereafter in order that we may be able to follow up with any queries subsequent to the conclusion of our services to you.

Specifically:

- we will hold the personal information kept within your client file for **[[insert number] years]** **[insert other retention period]** as required by **[law] [our insurers]**
- we will hold the personal information kept within our feedback procedure for **[insert retention period]** so that we can identify trends and patterns in our service

**[insert additional information for each category of personal data to the extent there are differences]**

## The personal information we hold

### Reasons we can collect and use your personal information

We rely on the following grounds within the GDPR:

- Article 6(1)(b) – processing is necessary for the performance of our contracts to provide individuals with care and support services;
- Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our regulatory framework and the law;
- Article 9(2)(h) – processing is necessary for the provision of social care or the management of social care systems and services.

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

## Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice;
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our Subject Access Request policy which is available from the Management Team.
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it;
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it;
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct;
- the right to portability. You may transfer the data that we hold on you for your own purposes;
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests. [Please note that if you ask us to delete any of your personal information which we believe is necessary for us to comply with our contractual or legal obligations, we may no longer be able to provide care and support services to you];

- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will normally be no immediate consequences for withdrawing your consent, although in some situations we may not be able to deliver the care we had agreed upon. In some cases, however, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Management Team.

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

## Protecting your data

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

## Automated decision making

[Select from the following sentences and delete as appropriate]

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

OR

We will make some decisions about you based on automated decision making (where a decision is taken about you using an electronic system without human involvement). [Include more information on this, including the decisions that are taken based on automated decision making, how the decisions are made, the significance of the decisions and the impact that it will have on the data subject].

## Making a complaint

We hope that we can resolve any query or complaint you raise about our use of your information, so please contact the management team in the first instance.

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, and you wish to take any matter further, then you are able to make a complaint to the ICO.

[Delete following paragraph as applicable]

## Data Protection Officer

The Company's Data Protection Officer is [insert name]. [Delete as appropriate – He/She] can be contacted on [insert contact details].

## Changes to this Notice

This Privacy Notice was published on (insert date) and last updated on (insert date). We may change this Privacy Notice from time to time.

## The Management Team

The Management Team, and their contact telephone numbers are:

- 1.
- 2.
- 3.