

RESIDENT / RELATIVE PRIVACY NOTICE

Howard Court Care Home Limited cares about looking after your personal information. We have to keep and use information about you as part of our business, to provide care to you and keep you safe! We have to comply with the law when using your information.

This document tells you how we use your information, why we need to and how we keep it safe. It is relevant to you and also your relatives whose information we might use.

We won't keep your information any longer than we need to, bearing in mind the reason we have it. .

We are a '**data controller**' for the purposes of your personal data which we use. This means that we decide why we need your information and what we do with it. We can be contacted at Howard Arms Lane, Brampton, Cumbria CA8 1NH

Data Protection Principles

When using your personal information, we have to comply with some basic principles which say that your information must:

- be used fairly, lawfully and transparently – this means not doing anything with it that we shouldn't and, via this document, telling you what we do with it;
- be collected and used only for specified, explicit and legitimate purposes – this means telling you what we will do with it and not using it if we don't have to;
- be adequate, relevant and limited to what is necessary for the purposes for which it is processed – this means only using your information for the reasons we say we will use it and not having more of your information than we need;
- be accurate and kept up to date – this means correcting any information which is wrong;
- not be kept for longer than is necessary for the purposes for which it is processed - this means deleting your information when we no longer need to use it; and
- be processed securely – this means keeping your information safe.

We have to be able to show that we comply with these requirements if asked to do so.

What information do we have and where do we get it from?

Your information might be provided to us by you, or someone else (such as a relative of yours, social services, the Police, NHS organisations (including your GP) or a county council/local authority), or it could be created by us.

We will collect and use the following types of personal data about you:

- your name and date of birth;
- your identity documents;
- the contact details for your emergency contacts;
- your gender;
- your family details;
- care plans;
- risk assessments;
- safeguarding documents;
- medical records;
- details about your daily activities;
- daily reporting sheets;
- details about your care fees and payments made;
- details about your whereabouts and location; and
- your images.

How will we use your information?

We have to tell you what legal reasons we rely upon to use your information. Those legal reasons are:

- complying with any legal obligation;
- performing a contract;
- to protect your vital interests; or
- if it is necessary for our legitimate interests (or for the legitimate interests of someone else).

We might rely on more than one of the above reasons which justify us using your

personal information. Our legitimate interests are running our care home and developing our business.

We can use your personal information without your knowledge or consent. We won't use your personal information for any other reason without telling you.

We use your information to provide safe and quality care and support to the residents/service users in our care.

We also use more sensitive information relating to you in certain situations where necessary to protect your vital interests or for the provision of care services to you and the management of those services.

We don't take automated decisions about you using your personal information or use profiling.

Sharing your personal data

Sometimes we might share your personal data with group companies or associated companies (as defined by the Employment Rights Act 1996), our contractors, agents and the following organisations or people:

- Police
- Social Workers
- Health Professionals
- Relatives
- Regulators
- Pharmacists
- Local Authorities

Everyone who we share your information with is required to keep your personal data confidential and secure and to protect it in accordance with the law. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

We do not send your personal data outside the European Economic Area. If this changes, you will be notified of this and the protections which are in place to protect the security of your data will be explained.

Subject access requests

You can make a '**subject access request**' ('SAR') to find out the information we hold about you. This request must be made in writing.

We will respond within one month unless the request is complex in which case the period in which we must respond can be extended by a further two months.

There are situations where we don't have to tell you about the information we hold about you, such as where doing so could put you at risk or cause you harm.

Your rights

You have the right to access your own personal data by way of a subject access request (see above).

You can correct any inaccuracies in your personal data.

You can ask us to delete your personal data if we were not allowed by law to process it or we no longer need it.

You can ask us not to use your data whilst we are considering a request to delete or correct it.

You can ask us to stop using your data if you think that your rights and interests outweigh our legitimate interests and you wish us to stop.

You have the right to object if we process your personal data for the purposes of direct marketing.

You can ask for a copy of your personal data and to transfer your personal data to someone else in limited circumstances.

With some exceptions, you have the right not to be subjected to automated decision-making.

We will notify you if the security of your personal information is breached.

You can complain to the Information Commissioner if you think we are using your personal information illegally. You can do this by contacting the Information Commissioner's Office directly. 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 on your rights and our obligations.

Data Security

We have conducted a Data Protection Risk Assessment for our the home and put in place measures to protect your information. We will keep this under review.

Other people or organisations will have their own obligations under GDPR but where they act as our processor they will only process your information on our instructions and only if they have agreed to treat it confidentially and to keep it secure.

We do all we can to stop your data being lost or used/accessed in an unlawful way, or changed. We only let people (including employees) who need to use it access to your information. They have to keep your information confidential as well.

Data retention

We won't keep your information any longer than we have to. We might need to keep it for legal, accounting, safeguarding or reporting reasons. To decide how long to keep it, we look at how much information we hold, what the information is and the sensitivity of the personal information, the risk of harm to you from unauthorised use or disclosure, the reason we had it in the first place and the applicable legal requirements. In some cases we are required to hold data indefinitely for regulatory reasons.

We might anonymise your personal information so that nobody can identify you by having access to it. Once we have done that, we can use it without further notice to you.

If you have any questions in relation to this document, please speak to a member of staff.