



Client Privacy Notice – General Data Protection Regulation

8th May 2018

This statement is provided with the intention to comply with your right to be informed under the General Data Protection Regulation (GDPR).

We will hold and process the following information:

1. Your personal and contact details including your name, address, telephone numbers, emails
2. Particulars of your Care Plan including your needs, medication and interests
3. Financial information relating to your Direct Debit only (if applicable)
4. Emergency contact information including GP and next of kin details
5. Particulars of your calls including times and dates and any feedback carers send to the office relevant to that call and written diary sheets
6. Copies of letters and communications between us and you.

We are the controller of this information and we are also the processor of this information. This data has been gathered with your consent and in the legitimate interest of assisting us in fulfilling the contractual requirements to supply care services to you. It will also be necessary for us to hold and process this data in the interests of your health, safety and welfare.

The officer responsible for the protection of your data is:

Andrew Barratt
01442 824137
andy.barratt@nashhomecare.co.uk
Nash House
15 Sovereign Park
Cleveland Way
Hemel Hempstead
HP2 7DA

Your data will be used to plan and monitor your care, safeguard your health, safety and wellbeing, monitor our performance and write to you with important documents.

This is done on the basis of your consent and the legitimate interests to safeguard your health, safety and welfare and the health, safety and welfare of our staff and third parties in the workplace. Your data is also processed in accordance with a contractual requirement between us and you. The failure to provide us with the data or to withdraw your consent may impact upon your care and what we can offer. You should discuss the further impact of this with the Office.

The recipients of your data are us and we anticipate that we may need to share personal data with the Care Quality Commission (If required for an Inspection), Herts County Council, HSE (e.g. your Name and Details where there has been a reportable accident or investigation), Legal Advisers and professional advisers (if and when we need advice), Tribunals and Courts (e.g. your name and other

personal data which is necessary for the determination of claims where litigation is commenced). It is not anticipated that there will be any other recipients nor any transfers of data to a third party. Accordingly, it is considered that safeguards for the transfer of data to a third party are not necessary. Should this change you will be notified.

Your data will be kept for the duration of your care with us and for a further period thereafter of 6 years. This period has been set for the protection of our organisation throughout your care and for a period thereafter in the event of any investigation by a regulatory authority. If such an investigation has been lodged, the data will be retained for a period of 6 years following resolution of that investigation and for 6 years following the resolution of any further investigations. This period has been determined for the protection of the organisation in the event any professional negligence or breach of contract claims in the event we use representation to defend any claims.

Your financial data (if applicable for direct debit payments) will be kept for the duration of your care and for a further period thereafter of 6 years. This period has been set for the protection of our organisation throughout your care and for a period thereafter in the event of any investigation by a regulatory authority. If such a claim has been filed, the data will be retained for a period of 6 years following resolution of that claim and for 6 years following the resolution of any further claims. This period has been determined for the protection of the organisation under CQC requirements and in the event any professional negligence or breach of contract claims in the event we use representation to defend any claims.

You have the right to be informed of fair processing information with a view to transparency of data. This statement is intended to fulfil that right

You have the right to access the information we hold. You should make such a request in writing to Andrew Barratt using the above contact information.

You have the right to request the information we hold is rectified if it is inaccurate or incomplete. You should contact Andrew Barratt using the above contact information and provide him with the details of any inaccurate or incomplete data. We will then ensure that this is amended within one month. We may, in complex cases, extend this period to two months.

You have the right to erasure in the form of deletion or removal of personal data where there is no compelling reason for its continued processing. We have the right to refuse to erase data where this is necessary in the right of freedom of expression and information, to comply with a legal obligation for the performance of a public interest task, exercise of an official authority, for public health purposes in the public interest, for archiving purposes in the public interest, scientific research, historical research, statistical purposes or the exercise or defence of legal claims. You will be advised of the grounds of our refusal should any such request be refused.

You have the right to restrict our processing of your data or contest the accuracy of the data until the accuracy is verified. You have the right to restrict our processing of your data where you object to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and we are considering whether our organisation's legitimate grounds override your interests. You have the right to restrict our processing of your data when processing is unlawful and you oppose erasure and request restriction instead. You have the right to restrict our processing of your data where we no longer need the data and you require the data to establish, exercise or defend a legal claim. You will be advised when we lift a restriction on processing.

You have the right to data portability in that you may obtain and reuse your data for your own purposes across different services, from one IT environment to another in a safe and secure way, without hindrance to usability. The exact method will change from time to time. You will be informed of the mechanism that may be in place should you choose to exercise this right.

You have the right to object to the following:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics

The data collected is not anticipated to fall within the above categories.

Whilst there is no anticipated automated decision making relating to the data you provide, you have rights where there is automated decision making including profiling. We may only do this where it is necessary for the entry into or performance of a contract, authorised by EU or the UK law or based on your explicit consent. Whilst it is not anticipated that this will occur, where it does, we will give you information about this processing, introduce to you simple ways for you to request human intervention or challenge a decision, and carry out regular checks to ensure that our systems are working as intended.

You have the right to withdraw your consent at any time.

You have the right to lodge a complaint with a supervisory authority such as the Information Commissioner's Office or any other of our regulators or accreditors that may regulate or provide accreditations to us from time to time. We advise that you exhaust our internal complaints procedure prior to referring the matter to any supervisory, regulatory or accrediting body. A copy of our complaints process is available from Andrew Barratt at the contact information above.

Kind Regards

AB Barratt

Andrew Barratt
Data Protection Officer
Nash Homecare