

## SERVICE USER PRIVACY NOTICE

Ascot Care is committed to protecting the privacy and security of your personal information. 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 care and support services to the people we support 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 PROTECTION PRINCIPLES

As the 'controller' of your personal information, we will ensure that the personal information we hold about you is:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

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 (including the Care Quality Commission).
- A **"social or health care professional"** we mean any person who provides direct services, acts as 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.

### PERSONAL INFORMATION COLLECTED BY US

When you enquire about our care and support services and during the course of providing care and support services to you we collect the following personal information when you provide it to us:

- Your name, home address, date of birth NHS number and contact details (including your telephone number, email address)
- Information about your marital status, next of kin, dependents and emergency contact information
- Your allergies and any medical, physical or mental conditions, your wellbeing and in particular your care needs
- Your likes, dislikes and lifestyle preferences including your religious beliefs or other beliefs of a similar nature, end of life plans, racial or ethnic origin, politics, genetics, health, sex life

and sexuality (so far as they relate to providing you with suitable care)

- Records of daily care and support provided including medication, nutrition and domestic assistance
- Details of your personal finances including credit or direct debit details (if you pay for some or all of our services using one of these methods), utilities, life insurance details, bank statements and bad debt information
- Property details required in the legitimate interest of entering premises to providing care and support.
- Details of any incidents or accidents during the course of providing care and support services and details of any compliments or complaints raised
- Information related to your tenancy agreements, residency contracts and other property related details

### INFORMATION COLLECTED FROM OTHER SOURCES

We also obtain personal information from other sources such as:

- Your allergies and any medical, physical or mental conditions and in particular your care and support needs, from any appropriate external social or health care professionals (including your GP)
- Your name, home address, date of birth, contact details, needs assessments and financial assessments from any appropriate external social or health care professionals (including any relevant public body regardless of whether you are publicly funded)
- Your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, politics, genetics, health, sex life and sexuality (so far as they relate to providing you with suitable care) from your family, friends and any other person you have nominated as your representative
- Your Attorney or Deputy (if applicable)
- Details on your wellbeing and movements and activity (from sensors and fall detection technology including pendants and cameras)

### HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information 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
- 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
- To assist in the scheduling and recording of care visits
- 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 in accordance with our terms and conditions
- To keep you informed about the company's business
- Carry out quality assurance procedures, review our service and improve our customer experience and to determine trends and patterns in our service (please note that feedback can also be provided anonymously)

### COLLECTION OF YOUR PERSONAL INFORMATION

We collect and use your personal information to carry out our legal obligations and in some instances to pursue legitimate interests of our own or our third parties

The provision of 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.

The provision of your personal contact details and property access details is required so that we can arrange for our staff to attend your home to deliver the services and so that we can invoice you for the fees.

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
- **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.

We also rely on **Article 6(1)(f)** of GDPR to process your personal information in pursuit of our legitimate interests including financial and administrative practices, service development and improvements and keeping you informed about the company's business and new services

## WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We may have to share data with third party services and other entities in the group. We require third parties to respect the security of your data and to treat it in accordance with the law.

We regularly share your medical information with appropriate external social or health care professionals 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 may share your personal information with third party services (including other service providers, contractors, Housing Associations and other housing providers). The following activities are carried out by third parties and contractors on our behalf: invoicing and administration, visit scheduling, call monitoring, daily log and compliance monitoring, telecoms and IT services. We may share information with other entities in the Group as part of our regular reporting activities on company performance, in the context of a business reorganisation or for system maintenance support and hosting of data.

## HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. Details of retention periods for different aspects of your personal information are set out in our retention policy which is available on request by emailing us at 'admin@ascotcare.com'. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and the applicable legal requirements.

## YOUR RIGHTS

Under the GDPR you have a number of important rights. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- require us to correct any mistakes in your information
- request the erasure (i.e. deletion) of personal information concerning you in certain situations. 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;
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances; or
- claim compensation for damages caused by our breach of any data protection laws.

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.

## KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, 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.

## DATA PROTECTION OFFICER

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO by emailing us at [admin@ascotcare.com](mailto:admin@ascotcare.com). You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is retained, managed or used please send an email to [admin@ascotcare.com](mailto:admin@ascotcare.com) or write to Ascot Care Limited at 6 Kings Court, Harwood Road, Horsham, RH13 5UR.