

PLEASE RETAIN FOR YOUR OWN RECORDS

Client Privacy Notice

Introduction

Highland Home Carers Limited (“HHC”) is committed to protecting the privacy and security of your personal information. In order that we can provide care and support services 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 data controller of personal information, we are responsible for how that data is managed. This Notice sets out how HHC may collect, use and share information and describes:

- Principles of data protection
- What information do we collect about you?
- What are our responsibilities to you?
- How we may use and share the information we collect;
- Whether information has to be provided by you;
- Legal grounds for using personal information;
- The measures we have in place to protect and safely store the information we collect;
- Retention of the information we collect;
- Your choices and rights in respect of the information we hold;
- How to contact us;
- How to make a complaint; and
- Changes to our privacy policy

You’ll also find a note of defined words and terms at the end of this Notice.

Principles of Data Protection

As the ‘controller’ of your personal information, we have adopted the following principles to ensure that the personal information we hold about you is:

- Processed **fairly** and **lawfully** and with valid and informed **consent**;
- Obtained for specific and **lawful purposes**;
- Kept **accurate** and **up to date**;
- **Adequate, relevant** and **not excessive** in relation to the purposes for which it is used;
- **Not kept for longer than is necessary** for the purposes for which it is used;

- Processed **in accordance with the rights of individuals**;
- **Kept secure** to prevent unauthorised processing and accidental loss, damage or destruction; and
- Not transferred to any subsidiary or service provider appointed by HHC where these core principles cannot be met.

What information do we collect about you?

Information collected by us

When you enquire about our care and support services through our website, phone, email, post, face to face or social media, 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 and contact details (including your telephone number, email address) and emergency contacts (i.e. name, relationship and home and telephone numbers);
- Your allergies and any medical, physical or mental conditions and in particular your care needs;
- 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, marital status and sexuality trade union membership or biometrics (so far as they relate to providing you with suitable care);
- Bank Account , Credit or direct debit details (if you pay for some or all of our services using one of these methods or if we require to access these on your behalf in the provision of services to you);
- Your feedback and contributions to questionnaires and surveys about the service we offer;
- Your complaints, compliments or concerns about the service we provide;
- Any accidents and incidents or near misses you may have been involved in whilst in your home or whilst our employees are delivering a regulated service to you – this may include details of injuries and treatment you may have received.

When using our website, we collect standard internet log information including:

- IP address
- Details of the pages you visit
- General details about the type of computer or device that you are using

This is statistical information only which we collect in order to find out the numbers of visitors to our site and the pages they have visited. This information is collected in such a way that it is not used to identify individuals. Where we do collect personal information on the website, this will be made obvious to you through the relevant pages.

Please be aware that our website may provide you with links to other websites. If you follow a link to any other website please note they have their own privacy notices. We do not accept any responsibility or liability for the privacy and security practices of such third-party websites and your use as such is at your own risk.

Information collected from other sources

We work closely with third parties such as social and healthcare professionals and public bodies. We therefore also obtain personal information about you from other sources such as:

- Your allergies and any medical, physical or mental conditions, test results 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, marital status and sexuality trade union membership or biometrics (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 legal representative (for example Power of Attorney), if applicable.

What are our responsibilities to you?

As a data controller, we are responsible for ensuring our systems, processes, people and suppliers comply with data protection laws in relation to the information we handle.

All of our people must abide by this Notice when handling personal data and must take part in any required data protection training. Any breach will be taken seriously and may result in disciplinary action.

We currently have a Data Protection Leader and will be appointing a Data Protection Officer to oversee our compliance with data protection laws and this Notice, and provide guidance and advice to HHC and our people as required. Our Data Protection Leader and, once appointed, our Data Protection Officer will be responsible for reporting any failures to comply with the data protection legislation.

How we may use and share the information we collect

We may use the information we collect 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;
- 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 your safety;
- Invoice you for the care and support services in accordance with our terms and conditions;
- Carry out quality assurance procedures, review our service and improve our customer experience;
- Send information about our services which we believe you may be interested in. You may unsubscribe from this at any time;
- Notify you about changes to our services which are relevant to you;

- Monitor how effective our services are and to make sure that the services we provide meet your needs; and
- Improve your experience of our website and to ensure that the content is presented in the most effective way.

How we may share the information we collect

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 share your personal information with our people, but their use shall be limited to the performance of their duties and in line with the reason for processing. Our employees are required to keep that information confidential and are not permitted to use it for any purposes other than to provide care and support services.

We will not share, sell or trade your personal information with any other third party without your consent.

In order to deliver our service to you we rely on third parties to provide specialist support to us. To provide this support they will have access to or a duty of care over your personal information. These providers are:

- IT and Telecoms Support companies – to ensure the safe, secure and resilient operation of our IT infrastructure including computers, servers, phones and mobile devices;
- Software support companies – to provide specialist support and resolve issues with the software that we run, for example the systems we use to store and manage your customer records;
- Data archiving companies – responsible for the secure storage and destruction of records.

These providers are under a written contract to ensure the same level of privacy and security that we promise to you.

Whether information has to be provided by you

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 name, home address is required so that we can arrange a care worker to attend your home to deliver the services and so that we can invoice you for the fees.

Legal grounds for using personal information

We rely on the following legal grounds to process personal information, namely:

Consent: we may use personal information as described in this Notice subject to your consent. You have the right to withdraw your consent to such use at anytime. To do this you can contact us via our Contact Us page on our website <http://highland-home-carers.co.uk/> or see our contact details below.

Performance of a contract: we may need to collect and use personal information to enter into a contract with you or to perform a contract that you have entered into with us. For example, when you engage HHC to provide care services we will use your personal information to provide you with such services.

Legal obligation: we may need to collect and use personal information to comply with legal obligations to which HHC is subject.

Legitimate interests: we may use your personal information for our legitimate interests to provide care services and to improve our services. Consistent with our legitimate interests, and any consents that may be required, we may use personal information for providing services to you and reviewing any areas for improvement.

Additional care is required when processing special category (sensitive) data such as your health. We process this information on the grounds that it is necessary for the provision of social care or the management of social care systems and services.

The measures we have in place to protect and safely store the information we collect

The confidentiality and security of your information is of paramount importance to us. We have appropriate organisational and technical security measures in place to prevent personal information from being accidentally lost or accessed in an unauthorised way. However, no information system can be 100% secure. So, we cannot guarantee the absolute security of your information. We are not responsible for the security of information you transmit to us over networks that we do not control, including the internet and wireless networks.

We have taken appropriate steps to ensure that there are adequate 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.

Retention of the information we collect

We retain the information we collect for no longer than is reasonably necessary to fulfil the purposes for which we collect the information and to comply with our legal obligations

Following completion of the care services provided by us, we will retain your hard copy and electronic file for 6 years from the date of the last entry. This is on the basis that the file may be required during this period e.g. in relation to legal issues that may arise including the defence of any claims. We will hold the personal information kept within our feedback procedure for 1 year so that we can identify trends and patterns in our service. We will hold financial records for 7 years in line with our legal requirements.

Your choices and rights in respect of the information we hold

Personal data must be processed in line with individuals' rights, including the right to:

- Access your personal information and request a copy of it;
- Require us to correct any mistakes in your information which we hold;
- Require 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;
- Opt out at any time to processing of personal information concerning you for direct marketing;
- Restrict our processing of your personal information in certain circumstances
- In limited circumstances, request the transfer of your personal information to another party.

If you would like a copy of some or all of your personal data, please write to us at:

Data Protection Officer, Highland Home Carers Ltd, 3 Stadium Road, Inverness, IV1 1FF.

How to contact us

As the data controller, our contact details are 3 Stadium Road, Inverness, Highland, IV1 1FF, or by telephone 01463 241196.

If you have any queries concerning your personal data or any questions on our use of that information, please contact the Data Protection Officer by email or at the address above.

How to make a complaint

If you have any queries concerning your personal information or any questions on our use of the information, please contact our Data Protection Leader at the address above.

You also 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 keep this Notice under regular review and we will notify you by posting notice of the changes in a clear and conspicuous manner on our website <http://highland-home-carers.co.uk/>

This Notice was last updated 21 May 2018.

More information

Detailed information about your rights under Data Protection legislation can be found on the website of the United Kingdom Information Commissioner, the address of which is (as at the date of this policy) www.ico.org.uk.

Defined words

In this Privacy Notice, the following terms have the following meanings:-

"client"	any person or organisation to whom HHC provides a service to;
"contact"	an individual who is a contact of HHC, including any client, any potential or former client, any supplier, any consultant, or any another professional advisor and any other contact of HHC;
"data"	recorded information whether stored electronically, on a computer, or in certain paper-based filing systems;
"data controller"	a person who or organisation which determines how personal data is processed and for what purposes;
"data protection leader"	the person designated as the Data Protection Leader of HHC from time to time;
"data protection officer"	the person designated as the Data Protection Officer of HHC from time to time;
"individual" or "you"	the person whose personal data is being collected, held or processed;
"personal data"	Information which relates to an individual and from which he or she can be identified either directly or indirectly through other data which HHC has or is likely to have in its possession. These individuals are sometimes referred to as data subjects.
"our people"	means members, consultants, employees, temporary workers and those on work placements providing services to/working for HCC;
"notice"	this Privacy Notice as amended from time to time;
"public body"	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.
"principles"	the core data protection principles set out in this Privacy Notice;
"process" or "processing"	any activity that involves use of personal data, including: obtaining, recording or holding personal data, or carrying out any operation or set of operations on personal data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties or allowing them access to it as set out in this Notice.