



Privacy Policy

Version number:	Version 1	Document owner:	HND Children's Care Ltd.
Version Date: Review Date:	January 2026 January 2027	Document ID number:	1.22 Privacy Policy
Version expiry:	January 2027	Document classification:	Final
Version status:	Live document		

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This policy was formulated in 2022 in line with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

1. Introduction:

As a company, HND Children's Care Ltd are committed to protecting and respecting the privacy of all service users, staff, and any other person whose data we process in any way shape or form.

This policy explains when and why we collect personal and special categories of information (data) about people who use our services, work for, or with us.



Personal information is not collected if you use our website, however some statistical information is collected about our website users through the use of 'cookies'. Please see section 10 for full details about this.

Any questions regarding this policy and our privacy practices should be sent in writing.

2. Who are we?

HND Children's Care Ltd look after and provide care to some of the most vulnerable and complex children and young adults within our society. We work in partnership with local authorities and specialist agencies nationally.

3. Collecting personally identifiable information:

HND Children's Care Ltd obtain personal information (data) and also special categories of data (health information etc.) about our service users at the point of referral, this is to meet legal obligations outlined in the Children's Homes Regulations 2015, to enter into a contract with a local authority, and to protect the vital interests of the service user whether child or adult. If the referral does not result in a placement being provided, then this data is deleted permanently.

If a placement is provided, and HND Children's Care Ltd begin to provide services, then we continue to process this information for all the reasons identified in the above paragraph, and obviously to provide health and social care services to the service user. The legal justification for this collection is compliant with articles 6 and 9 of the General Data Protection Regulation (GDPR). This information is only retained for a period of time identified in the Children's Homes Regulations 2015.

Personal and special categories of information (data) is collected pertaining to our staff at the point of application for employment and then on an ongoing basis throughout any term of this employment. This is necessary to draw up a contract with our staff, to meet legal obligations (such as for tax HMRC purposes), to exercise specific rights of the organisation in the field of employment, and to assess the working capacity of employees. This collection and processing is again justified in article 6 and 9 of GDPR.

If you are a visitor to one of HND Children's Care Ltd homes, we will keep a brief record of that visit. This is to meet a legal requirement.

4. Privacy Notices:

Whenever HND Children's Care Ltd collect information from anyone we always, at the time the information is requested, provide them with the information below, this is called a privacy notice.

- Who are we and our contact details?
- The contact details of our Responsible Individual (if required)
- The purposes of the collection/processing as well as the legal basis for the processing.



- The recipients or categories of recipients of the personal data, if any.
- The period for which the personal data will be stored.
- Your right to request from us access to and rectification or erasure of personal data or restriction of processing, or to object to processing as well as the right to data portability.
- If we require your consent to process information that you can withdraw consent at any time and how to do so.
- Your right to lodge a complaint with the Information Commissioners' Office (ICO) and how to contact them.
- Whether giving HND Children's Care Ltd information is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and of the possible consequences of failure to provide this
- The existence of automated decision-making (which we do not use anyway)

5. Security precautions in place to protect the loss, misuse, or alteration of your information:

When you give HND Children's Care Ltd personal information, we take steps to ensure that it is treated securely. Any sensitive information is protected. All our employees are subject to a confidentiality clause preventing the sharing of any company data / information. Furthermore, HND Children's Care Ltd ensure that your data is safe, locked securely away or stored securely within our ICT systems.

6. How long do we keep information for?

Whether a staff member or service user HND Children's Care Ltd only keep the information for as long as we need it legitimately. It will then be disposed of/destroyed permanently.

For service users most information is returned to the placing authority at the point of discharge.

The Children's Homes Regulations (2015) states that children's 'case records' (*Schedule 3 – Regulation 36 – The Children's Homes Regulations 2015*) this should be for a minimum of seventy-five years after the child's birth or in the event of their death, fifteen years after they have died. Other records as specified in Schedule 4 (*Regulation 37 – The Children's Homes Regulations 2015*) are required to be stored for a minimum of 15 years.

If a staff member, the organisation will hold your personal data for the duration of your employment in order to meet its obligations under your employment contract. Some of your personal data will be retained for a set period of time after the end of your employment with the organisation, after which time it will be destroyed. Personal data retained after the end of your employment will only be done so where one of the following applies:

1. You have given your clear consent for us to retain and process your personal data for a specific purpose.
2. The retention of your personal data is necessary for a contract you have with the



organisation.

3. The retention of your personal data is necessary for the organisation to comply with the law.
4. The retention of your personal data is necessary to protect someone's life.
5. The retention of your personal data is necessary for the organisation to perform a task in the public interest or for the organisation's official functions, and the task or function has a clear basis in law.
6. The retention of your personal data is necessary for the organisation's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

7. Who has access to your information?

Only people within our organisation that have a definite need to have information about our staff and or service users will do so. We will never share your information with third parties for marketing purposes.

Service Providers working on our behalf:

HND Children's Care Ltd may pass your information to some of our service providers, IT providers, private payroll companies etc.). However, when we use these organisations, we disclose only the personal information that is necessary to deliver our services or employment obligations to our employees and we have a contract in place that requires them to keep your information secure and not to use it for any purpose that we do not specify in our contract with them. We will never let them share your information for marketing purposes. Please be reassured that we will not release your information to anyone else unless we are required to do so by law, for example, by a court order or for the purposes of prevention of fraud or other crime.

8. How you can access and update your information

The accuracy of your information is important to us. We request that all staff contact the Director or management if and when any details change to ensure accuracy.

9. Your rights

As a company HND Children's Care Ltd are committed to facilitating your rights wherever possible. We are transparent and accountable in this and all other areas of compliance with Data Protection Legislation (General Data Protection Regulation – GDPR). You have the following rights.

- **The right to be informed** – this means that you must be told what information we are using, why and for what purpose.
- **The right of access** – you have the right to see what information of yours is being processed if you request it, unless otherwise stipulated in law.
- **The right of rectification** – if your data is wrong, it must be corrected.
- **The right to erasure** – you can demand that all data of yours is erased unless we have



legal justification to retain it.

- **The right to restrict processing** – you can demand that we stop using your data unless we have a legitimate legal basis for continuing to do so.
- **The right to data portability** – you can decide to move your data to another processor, and we have to provide them with all your data so you can do this. This however only relates to data collected by automated means. This would rarely be applicable within the company.
- **The right to object** – you can object to the use of your data, and we must stop using unless we have an overriding legitimate reason to continue:
- **Rights in relation to automated decision making or profiling** – you can demand that automated decisions about you are reviewed by a human. At the company, we do not use automated decision making anyway.

10. Use of 'cookies':

A cookie is a small file of letters and numbers that we place on your computer, our website uses up to 5 different cookies. These cookies allow us to distinguish you from other users of our website, which helps us to provide you with a better experience when you browse our site.

The cookies we use are session cookies and analytical cookies.

Session cookies:

Like many other websites, HND Children's Care Ltd website uses cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. They collect statistical data about your browsing actions and patterns and do not identify you as an individual.

These cookies allow HND Children's Care Ltd to ensure that our site functions correctly and operates efficiently when you use it. Session cookies expire once you have closed our website and are not stored once your visit has ended, they are generally not considered to be invasive of your privacy.

Analytical cookies:

This type of cookie allows us to recognise and count the number of visitors to our site and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example by ensuring that users are finding what they are looking for easily. Please see our Cookie Policy Information on our website for further information.

Preventing the use of cookies:

It is possible to stop your browser and/or mobile device accepting cookies either generally or from specific websites. However, you may find that some aspects of our website stop working or work less well if you do this. For this reason, we do not recommend turning cookies off when using our website.



All modern browsers allow you to change your cookie settings. These settings will typically be found in the 'options' or 'preferences' menu of your browser. In order to understand these settings, you should use the 'Help' option in your browser for more details.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org.

Universal analytics:

HND Children's Care Ltd site uses Googles universal analytics code which supports data collection without browser cookies, this means that data can be collected even if cookies are cleared or disabled. To opt out of being tracked by Google Analytics across all websites please visit <https://tools.google.com/dlpage/qaoptout>

11. Links to other websites

HND Children's Care Ltd website may contain links to other websites run by other organisations. This privacy policy applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. HND Children's Care Ltd cannot be responsible for the privacy policies and practices of other sites even if you access these using links from our website.

In addition, if you linked to our website from a third-party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third-party site and recommend that you check the policy of that third party site.

12. Transferring your information outside of Europe

HND Children's Care Ltd will not transfer your information outside of the European Economic Area.

END.