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| Policy Name |  | Module |
| **Privacy Policy** | | **Human Resources** | |

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| Statement of purpose |  |
| Care View Limited recognises its legal obligations under the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) to protect the personally identifiable and sensitive data of our Service Users, employees, social or healthcare professionals, visitors and the public.  The purpose of this policy is to set out how we collect, use, retain and disclose the personal information we hold about you.  Care View Limited is committed to protecting the privacy and security of your personal information and seeks to be transparent in the way in which it processes data on your behalf.  **As the ‘Data Controller’, we will ensure that the personal information we hold is:**   * Used lawfully, fairly and in a transparent way; * Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes; * Relevant to the purposes we have informed you about and limited only to those purposes; * Accurate and kept up-to-date; * Kept only as long as necessary for the purposes we have told you about; * Kept securely.   It is the overall responsibility of the Registered Manager to ensure that all staff have read and signed (as understood) this Privacy Policy for Care View Limited, and that it is implemented consistently in daily practice.  It is the overall responsibility of every staff member to follow this policy. Failure to do so may lead to disciplinary action.  A current copy of the policy will be available electronically and in the Office.  This policy will be reviewed at least annually, or more frequently if significant changes occur. | |

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| Policy |  |
| **What is ‘personal’ and ‘sensitive’ data and processing?**  **Personally-identifiable information-** is any information that identifies a person, for example, name and address.  **Sensitive personal information-** is any personal data that reveals:   * Racial or ethnic origin * Political opinions * Religious or similar beliefs * Trade union membership * Physical or mental health condition * Sexual life or orientation   **Processing data-** is any operation that is performed with or on data, for example, the collection of, themanipulation of, the use of, the sharing of and the storage of information that has been shared with the organisation or collected on behalf of the organisation.  **Your Rights**  Under the Data Protection Act 2018 and The General Data Protection Regulation (GDPR) you have the following rights in respect of the personal data that Care View Limited holds about you:   * The right to be informed about how your data is processed by Care View Limited. * The right to access your personal data and verify its accuracy. * The right to have incorrect data updated if the information we hold on you is inaccurate or incomplete. * The right to be forgotten and have data erased. * The right to stop or restrict the processing of your personal data. * The right of data portability (allowing you to get and reuse your data for different services). * The right to object to how your data is processed in certain circumstances. * For further information on your rights can be found on the following website: [www.ico.org.uk](http://www.ico.org.uk)   **What information we collect**  When you enquire about our care service or employment opportunities through our website, telephone conversations, emails, post, and social media or face to face, we may collect the following personal information about you when you provide it to us. Care View Limited will retain this information whilst providing our care services to you or during your employment with us.  Care View Limited may collect and process two categories of personal information about you:  **Standard personal information**- This includes information we use to identify you, make contact with you and manage our relationship with you:   * Your full name, home address, email address and phone numbers and details of your next of kin; * Other information may include: the country you live in, your age, your date of birth and national identifiers, for example, your National Insurance number, passport number and driving licence; * Information about your employment and employment history, CV, training, qualifications, references; * Details of any contact we have had with you, for example, any complaints or incidents; * Financial details, for example, details about your payments, your bank details and funding details.   **Special categories of information**- This includes information that is particularly sensitive:   * Information about your physical or mental health, including genetic information or biometric information; * Information about your COVID-19 Vaccination status, which is part of your private health data; * Information about your race, ethnic origin and religion; * Information about any criminal convictions and offences (we may get this information when carrying out anti-fraud or anti-money-laundering checks, or other background screening activity).   If we are providing care to you, we may also collect information via your healthcare professional, referral details from your GP or from the local authority.  **On what grounds do we use the information?**  Adults social care collect and lawfully process your personal information under the following legislation:   * Care Act 2014 * Mental Health Act 1983 * Mental Capacity Act 2015 * Health & Social Care Act 2008 (Regulated Activities) Regulations 2014 * Health & Social Care Act 2008 (Regulated Activities( (Coronavirus) Regulation 2021 (‘the Regulations’)   **Service Users- How and why we collect this information**  The main source of where we receive our information is directly from you either manually or electronically.  In most cases Care View Limited obtains most of the personal data directly from you or your family during initial assessments, or information can be collected by referrals from your GP, Social Workers, hospitals or initial pre-assessments completed by your local authority.  We collect and hold personal information about you that is relevant to assist the care team to deliver safe, appropriate and person-centred care and support to meet your needs and preferences. By law, we need to have a lawful basis for processing your data.  We may record the following types of data about you:   * Your basic details and contact information e.g. your name, address, date of birth and next of kin; * Your financial details e.g. details of how you pay us for your care or your funding arrangements. * Health and social care data about you, which might include your COVID-19 vaccination (or exemption) status and both your physical and mental health data. * We may also record data about your race, ethnic origin, sexual orientation or religion.   Your information will help us to:   * Fulfil our contract and duty to you; * Provide and manage our social care services to you; * To meet our legal obligations, generally under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and the Mental Capacity Act 2005; * To meet social security and social protection laws (for safeguarding purposes); * Meet requirements to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations. * Design a person-centred care plan and package to provide you with the right care and support to meet your individual needs and preferences; * Complete regular reviews of your care needs and respond to any changes so that we can tailor our services to always meet your needs and ensure care is safe and effective; * Communicate with you, your representatives/family and/or your next of kin; * Provide health and social care professionals who are involved in your care with relevant and up-to-date information about your health or care needs; * Answer any queries that you may have or investigate your concerns or complaints; * Keep you safe from harm and abuse and to protect the health and safety of our staff and others; * Invoice you where you are self-funding; * Seek your feedback to check the quality of the service that we provide and improve it where necessary.   We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.  It is very important to us to provide you with holistic care to meet your care needs and wishes. To do this effectively, we may sometimes need to share information about you with others such as other professionals or agencies involved in your care and treatment. This is done so with your consent and on a ‘need to know basis’. Only employees who are directly involved in your care and support will have access to your personal information.  Your data is collected from or shared with:   * You or your legal representative(s); * Third parties.   Third parties are organisations we have a legal reason to share your data with. These include:   * Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals; * The Local Authority; * Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC; * The police or other law enforcement agencies if we have to by law or court order.   As part of our duty of care to ensure the safety and wellbeing of our Service Users and staff, there may be exceptions to seeking your consent for information to be disclosed. This would be when we are required by law to provide information, e.g. to help with a criminal investigation. Even when seeking to notify the local authority of a safeguarding matter or the Care Quality Commission of an incident that requires us to notify it, we would only do so with consent or ensure that the information provided is treated in confidence. We will share information for your best interest in the event of an emergency. We expect all third parties to respect the security of your data.  **National Data Opt-Out**  The National Data Opt-Out is a service that allows individuals to opt out of their confidential health information being used for any reason beyond their care and treatment, such as for research and planning purposes. In July 2022 it became a requirement for all adult social care providers to be compliant with the national data opt-out policy.  At this time, Care View Limited do not share any data for planning and research purposes for which the national data opt-out would apply. Care View Limited review all of the confidential service user information we process on an annual basis to see if and where information of this nature may be shared for this purpose.   * You can find more information on the NHS website at https//[www.nhs.uk/your-nhs-data-matters/](http://www.nhs.uk/your-nhs-data-matters/)   **Employees- How and why we collect this information**  The main source of where we receive our information is directly from you either manually or electronically.  Employees’ personal information is obtained directly from you and with consent through such means as references, testimonials and criminal records (DBS) checks. When recruiting staff, we seek applicant’s explicit consent to obtain all the information needed for us to decide to employ them.  So that we can provide a safe and professional service, we need to keep certain records about you. We may record the following types of data about you:   * Your basic details and contact information e.g. your name, address, date of birth, National Insurance number and next of kin; * Your financial details e.g. details so that we can pay you, insurance, pension and tax details; * Your training records.   We also record the following data which is classified as “special category”:   * Health and social care data about you, which might include both your physical and mental health data – we will only collect this if it is necessary for us to know as your employer, e.g. fit notes or in order to claim statutory maternity pay; * Your COVID-19 vaccination (or exemption) status; * We may also record data about your race, ethnic origin, sexual orientation or religion; * Criminal Record Data.   We require this data so that we can contact you, pay you and make sure you receive the training and support you need to perform your job. By law, we need to have a lawful basis for processing your personal data.  We process your data because:   * We have a legal obligation under UK employment laws; * We are required to do so in our performance of a public task.   We process your special category data because:   * It is necessary due to social security and social protection law - we are required to perform Disclosure and Barring Service (DBS) checks on our staff; * It is necessary for us to process requests for sick pay or maternity pay; * We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.   We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.  As part of our duty of care to ensure the safety and wellbeing of our Service Users and staff, there may be exceptions to seeking your consent for information to be disclosed. This would be when we are required by law to provide information, e.g. to help with a criminal investigation. Even when seeking to notify the local authority of a safeguarding matter or the Care Quality Commission of an incident that requires us to notify it, we would only do so with consent or ensure that the information provided is treated in confidence. We will share information for your best interest in the event of an emergency. We expect all third parties to respect the security of your data.  **Friends/ Relatives - How and why we collect this information**  The main source of where we receive our information is directly from you either manually or electronically and is obtained (usually) directly from you.  As part of our work providing high-quality care and support, it might be necessary that we hold the following information on you:   * Your basic details and contact information e.g. your name and address.   By law, we need to have a lawful basis for processing your personal data.  We process your data because we have a legitimate business interest in holding next of kin and lasting power of attorney information about the individuals who use our service and keeping emergency contact details for our staff.  We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.  Your data is collected from or shared with:   * You or your legal representative(s); * Third parties (where appropriate).   Third parties are organisations we have a legal reason to share your data with. These may include:   * Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals; * The Local Authority; * The police or other law enforcement agencies if we have to by law or court order.   As part of our duty of care to ensure the safety and wellbeing of our Service Users and staff, there may be exceptions to seeking your consent for information to be disclosed. This would be when we are required by law to provide information, e.g. to help with a criminal investigation. Even when seeking to notify the local authority of a safeguarding matter or the Care Quality Commission of an incident that requires us to notify it, we would only do so with consent or ensure that the information provided is treated in confidence. We will share information for your best interest in the event of an emergency. We expect all third parties to respect the security of your data.  **Our Website**  In order to provide you with the best experience while using our website, we may process some data about you.  You may give us basic information about you by completing our enquiry forms on the website. The information you give us may include your name, email address, address/location phone number. We will retain this information while we are corresponding with you or providing services to you or to a Service User you represent. We will retain this information for a period of 7 years from the date we cease providing services to you.  Care View Limited may collect information from you when you visit our website:  Website tracking, the amount of website visitors, and whether the views are direct or from our social platforms such as Instagram, Yelp, etc. This information is kept for 1 year.  **How your information is kept safe**  We take the security of your information very seriously and have both appropriate and safe electronic and paper storage systems in place to comply with legislation. It is also for the purpose of protecting your information from being accessed, viewed, shared or used by any unauthorised persons and from being accidently lost or altered in anyway.  Access to records are restricted to only those who are authorised and need to know or view such information.  Care View Limited and all employees are legally obliged to meet the Data Protection Act 2018, General Data Protection Regulation 2018, Information Commissioner’s Office (ICO), Common Law Duty of Confidentiality and Confidentiality Codes of Practice to ensure the protection of all personal data.  **How long do we keep this information?**  Care View Limited will not keep any data for longer that is necessary in line with the Data Protection Act 2018 and General Data Protection Regulation 2018 principles.  We will always hold your personal information whilst you still receive our services and whilst staff are still employed under Care View Limited.   * We shall hold your personal information that is stored within our electronic and manual Service User files for 7 Years. * We shall hold employee personal information that is stored within our electronic and manual files for 7 Years. * Data that is gathered from your feedback during compliments, complaints and grievances will be held for 7 Years to support Care View Limited identify area for improvements to our services and identify particular patterns and trends.   **Changes to this Privacy Policy**  Care View Limited reserves the right to update this notice at any time, and will provide you with a new notice when any substantial changes are made.  **Making a complaint**  You also have the right to complain, if you feel at any time Care View Limited has failed to safeguard your personal information.  In the first instance Care View Limited would ask you to contact us on the following to allow us to investigate the matter thoroughly to identify any security issues.   |  |  | | --- | --- | | Name and Position: | Rebbecca Lewis | | Telephone: | 01452 905153 | | Email: | [office@careviewlimited.co.uk](mailto:office@careviewlimited.co.uk) | | Address: | Cotswold View, Bath Road, Hardwicke, Gloucester, GL2 2RG |   You do however have the right to lodge a complaint with the Information Commissioners Office (ICO), who are the UK’s regulatory authority, if you believe we are not processing your data or respecting your rights relating to the handling of your information. Or if you feel we have not been able to resolve your complaint to your satisfaction.  You are entitled of course to contact the Information Commissioner’s Office without first referring your complaint to us.  **Information Commissioner’s Office**  Water Lane,  Wilmslow,  Cheshire,  SK9 5AF,  UK: +44 (0) 303 123 1113,  Email: casework@ico.org.uk  Website: <https://ico.org.uk/make-a-complaint/>  If you want to access, review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us on the following contact details:   |  |  | | --- | --- | | Name and Position: | Rebbecca Lewis (Registered Manager) | | Telephone: | 01452 905153 | | Email: | [office@careviewlimited.co.uk](mailto:office@careviewlimited.co.uk) | | Address: | Care View, Cotswold View, Bath Road, Hardwicke, Gloucester, GL2 2RG | | |

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| Relevant Legislation |  |
| <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>   * Data Protection 2018   <http://www.legislation.gov.uk/ukpga/2000/36/contents>   * Freedom of Information Act 2000   <http://www.legislation.gov.uk/ukpga/1998/42/contents>   * Human Rights Act 1998   <http://www.legislation.gov.uk/ukpga/1990/18/contents>   * The Computer Misuse Act (1990)   <http://www.legislation.gov.uk/ukpga/2015/28/contents/enacted>   * Health and Social Care (Safety and Quality) 2015   <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>   * Care Act 2014 | |

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| Quality Statements |  |
| * We make sure that medicines and treatments are safe and meet people’s needs, capacities and preferences by enabling them to be involved in planning, including when changes happen. * We maximise the effectiveness of people’s care and treatment by assessing and reviewing their health, care, wellbeing and communication needs with them. * We plan and deliver people’s care and treatment with them, including what is important and matters to them. We do this in line with legislation and current evidence-based good practice and standards. * We work effectively across teams and services to support people. We make sure they only need to tell their story once by sharing their assessment of needs when they move between different services. * We support people to manage their health and wellbeing so they can maximise their independence, choice and control. We support them to live healthier lives and where possible, reduce their future needs for care and support. * We work with people to understand what being safe means to them as well as with our partners on the best way to achieve this. We concentrate on improving people’s lives while protecting their right to live in safety, free from bullying, harassment, abuse, discrimination, avoidable harm and neglect. We make sure we share concerns quickly and appropriately. * We work with people to understand and manage risks by thinking holistically so that care meets their needs in a way that is safe and supportive and enables them to do the things that matter to them. | |

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| Relevant Regulations |  |
| <https://www.cqc.org.uk/sites/default/files/20150324_guidance_providers_meeting_regulations_01.pdf>   * Regulation 9: Person-centred Care * Regulation 10: Dignity and Respect * Regulation 11: Need for consent   <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>   * Information Commissioner’s Officer/GDPR information and guidance   <https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>   * General Data Protection Regulation   <https://www.health-ni.gov.uk/articles/common-law-duty-confidentiality>   * Information on the Common Law Duty of Confidentiality | |

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| Key Lines of Enquiry KLOE |  |
| **SAFE:** How are risks to people assessed and their safety monitored and managed so they are supported to stay safe and their freedom is respected?  **Caring:** How are people's privacy, dignity and independence respected and promoted?  **Well-led:** How does the service assure itself that it has robust arrangements (including appropriate internal and external validation) to ensure the security, availability, sharing and integrity of confidential data, and records and data management systems, in line with data security standards? Are lessons learned when there are data security breaches? | |