

## The General Data Protection Regulation

### **PRIVACY NOTICE FOR OLDER PEOPLE'S CARE HOME SERVICES**

CHS is committed to protecting your personal data. This privacy notice sets out how your personal data will be collected and processed in relation to Registered Care Home services. Please note that this privacy notice will be regularly reviewed and may be updated from time to time.

#### **What information do we collect?**

We may collect the following information, from initial application (including Home-Link electronic applications) through to the delivery of services for successful applicants:

- Name, address, contact information including e-mail address and phone number
- Date of birth
- National Health Services number
- Medical history including mental health, medication and health care professional details
- Social care assessment (if appropriate)
- Photograph
- Financial information
- Housing Benefit information
- At Risk/Safeguarding
- Ethnic origin
- Religion
- Marital status
- Family, Power of Attorney and friends' contact details

We collect this information through forms, website, email or postal correspondence, phone and in-person conversations, Medication Charts (MAR) and Care Plans.

The people and organisations we collect this information from include:

- Individual tenants and applicants
- Family members
- Nominated friends
- CHS staff members
- Cambridgeshire County Council, South Cambridgeshire District Council and Cambridge City Council or other relevant local Council
- Other professional agencies including doctors, Social Services, District Nurses, Occupational Health, Mental Health Services, Hospitals, Safeguarding and Police

We store the data obtained on/in our:

- Computer data base
- Lockable filing cabinets
- Secure electronic devices
- Social media (subject to consent)

#### **Why do we process personal data?**

We are a care provider and, as such, require personal data and special categories of data, both sensitive and non-sensitive, in order to assess your application for housing and where appropriate, deliver services that meet your needs. The lawful basis for us processing data are:

- Consent - In relation to the use of photographs which may be used in publications, reports, web pages, social media, exhibitions or displays. (Please refer to separate

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consent form). This will be reviewed periodically.

- Processing is necessary for the performance of a contract from the receipt of the application form to enable us to provide the services you may require from the provision of a tenancy to your care package and any other private services.
- Legal Obligations to comply with the Health & Social Care Act, Care Act 2014, Care Quality Commission (CQC) and RIDDOR requirements (reporting of dangerous incidents). This includes demonstrating that our staff have the skills and competency to comply with industry or legal requirements.
- Vital Interests - In the event of a medical emergency or safeguarding incident; personal data may be processed to ensure you receive the care you require, including informing your next of kin and /or those with relevant power of attorney for health and welfare.

The special conditions (in addition to those listed above) for the lawful processing of special categories of personal data are:

- Healthcare - The processing is necessary for the purposes of the provision of health and social care.
- Explicit consent

#### Who has access to the data?

- CHS group employees, agency and voluntary staff, including those staff working within our finance team and the Quality Assurance Manager.
- Local Authority (funding your accommodation or care)
- Other professional agencies including doctors, Social Services, District Nurses, Occupational Health, Mental Health Services, Hospitals, Safe Guarding and emergency services.
- Pharmacy (prescription requirements)
- Agreed points of contact (e.g. family or friends) or someone with Power of Attorney i.e. finance and/or health and welfare
- Industry compliance/audits (e.g. accreditations, audits) – sharing limited information to demonstrate compliance.

#### How do we protect your data?

We take data security very seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

Your data may be held securely in electronic and/or manual records. All of our staff receive data protection training and are made aware of how data should be handled and stored in accordance with data protection legislation. Where appropriate, IT systems have restricted access arrangements in place to ensure that only authorised employees have access to your data.

#### For how long do we keep your data?

Document	Recommended Retention Period
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Applications for accommodation	6 years after offer accepted – or for the duration of tenancy if longer
Rejected applications for accommodation, and allocation panel & appeal notes	12 months
Current customer's Tenancy Files, care plans - including rent payment records, details of any complaints and harassment cases	Duration of tenancy
Former customer's Tenancy Files, (other than tenancy agreements) care plans including rent payment records, and details of any complaints and harassment cases	7 years
Former customer's Tenancy Agreements or Licence's, and details of their end of tenancy for sheltered schemes	Permanently
Case files and related documents held at Care Homes/extra care/sheltered schemes for Older People	7 years
Health and safety assessments / Risk Assessments (RA)– relating to all staff/residents/tenants	Held electronically for 3 years Tenants/residents RAs – for length of tenancy then archived as above

#### What are your rights?

Even if we already hold your personal data, you still have various rights under data protection legislation. We will seek to deal with your request without undue delay and in accordance with any legislative requirements. We may keep a record of your communication to help us resolve any issues or requests that you raise.

- Right to object – if we are using data because we deem it necessary for our legitimate reasons to do so and you do not agree, you have the right to object. You also have the right to object to being subject to automated decision making, including profiling and direct marketing.
- Right to withdraw consent – where we have obtained your consent to process personal data for certain activities (including marketing), you may withdraw your consent and request that your personal data be deleted at any time.
- Right to access (subject access request) – you have the right to ask us to confirm what information we hold about you at any time and may ask us to modify or update such information. We may ask you to verify your identity, provide more information and/or where legally permitted decline your request and explain why.
- Right to erasure – in the following circumstances, you have the right to request that your personal data be erased: if the data is no longer necessary for the original purposes it was collected or processed, it has been processed unlawfully, it should be deleted due to a legal obligation or you object to processing and there is no overriding legitimate interest for us to continue processing. We may only decline your request if certain limited conditions apply.
- Right to portability – you have the right to ask us to transfer your data to another data

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controller.

- Right to block or restrict processing whilst the organisation considers your requests exercised under data protection legislation.

If you would like to exercise any of these rights, please email the Operations Director, [Stephen.Hills@CHSGroup.org.uk](mailto:Stephen.Hills@CHSGroup.org.uk), or write to him at CHS Group, Endurance House, Chivers Way, Histon, Cambs CB24 9ZR.

**What if you do not provide personal data?**

CHS require certain personal data from you. Without this information, CHS will not be able to determine if we can provide you with a service.

**Automated decision-making:** we do not make automated decisions in Older People's Services.

**Contact details of Care Home Managers:**

- **Alex Wood House:** [Julie.Fuller@chsgroup.org.uk](mailto:Julie.Fuller@chsgroup.org.uk) or at Alex Wood House, 3a Fortescue Rd, Cambridge CB4 2JS
- **Langdon House:** [Clare.Robinson@chsgroup.org.uk](mailto:Clare.Robinson@chsgroup.org.uk) or Langdon House, Union Lane Cambridge CB4 1QE

**Contact details of the Data Protection Officer:**

CHS Group has a Data Protection Officer who can be contacted by e-mailing [data.protection@chsgroup.org.uk](mailto:data.protection@chsgroup.org.uk) or writing to our offices at Endurance House (at the address given above).