



Privacy Notice

Introduction

This is Elmhurst Care Home's Privacy Notice.

We are committed to supporting those we care for at Elmhurst Care Home so that they can continue their lives with dignity and independence, and be participating members of their own communities. Our principles include respecting individual requirements for privacy at all times and treating all information relating to individuals in a confidential manner.

As part of the services we offer, we are required to process personal data about our staff, our residents and, in some instances, the friends or relatives of our residents and staff. "Processing" can mean collecting, recording, organising, storing, sharing or destroying data.

We are committed to being transparent about why we need your personal data and what we do with it. This information is set out in this privacy notice. It also explains your rights when it comes to your data.

Residents

What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may process the following types of data:

- 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.
- Photo of you for your personal file and any other photos that are taken as part of your care.

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 may also record data about your race, ethnic origin, sexual orientation or religion.

Why do we have this data?

We need this data so that we can provide high-quality care and support.

By law, we need to have a lawful basis for processing your personal data.

We process your data because

- We are required to do so in our performance of a public task
- We are required to do so in order to fulfil a contract that we have with you
- We have a legal obligation to do so – generally under the Health and Social Care Act 2012 or Mental Capacity Act 2005.

We process your special category data because

- It is necessary due to social security and social protection law (generally this would be in safeguarding instances);



- It is necessary for us to provide and manage social care services;
- 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 at any time.

Where do we process your data?

So that we can provide you with high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s);
2. Third parties.

We do this face to face, via phone, via email, via post, and through assessments.

Third parties are organisations we might lawfully 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;
- Your family or friends – with your permission;
- 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.

Staff

What data do we have?

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:

- 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.
- Your photo used for your personal file

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 for you to claim statutory maternity/paternity pay;
- We may also, with your permission, record data about your race, ethnic origin, sexual orientation or religion.



Why do we have this 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 law;
- We are required to do so in our performance of a public task;
- We have a legitimate interest in processing your data – for example, we provide data about your training to Skills for Care's National Minimum Data Set, this allows Skills for Care to produce reports about workforce planning.
- We have a legitimate reason to do so in order to prevent and detect crime and for your safety and security

We process your special category data because

- It is necessary due to social security and social protection law – we are required to perform a Disclosure and Barring Service (DBS) check on our staff.
- It is necessary for us to process requests for sick pay or maternity pay.
- It is necessary for efficient payroll processing
- It is necessary due to lawful processing for HMRC
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations

If we request your criminal records data it is because we have a legal obligation to do this due to the type of work you do. This is set out in the Data Protection Act 2018 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. We do not keep a record of your criminal records information (if any).

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.

Where do we process your data?

As your employer we need specific data. This is collected from or shared with:

3. You or your legal representative(s);
4. Third parties.

We do this face to face, via phone, via email, via post, and via paper forms.

Third parties are organisations we have a legal reason to share your data with. These include:

- Her Majesty's Revenue and Customs (HMRC);



- Our pension;
- Our external payroll provider;
- 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.
- The DBS Service

Friends/Relatives of Residents and Staff

What data do we have?

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.

Why do we have this data?

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.

Where do we process your data?

So that we can provide high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s);
2. Third parties

We do this face to face, via phone, via email, via post, and via assessment, application or other paper forms.

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, 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.



Our Website

In order to provide you with the best experience while using our website, we process some data about you.

We have a contact form on this website to allow visitors to the site to contact us, should you submit a contact form with personal data, we will not store that data on the website. It will be emailed Elmhurst, who will process that data in-line with this privacy policy as a whole.

Cookies can allow websites to remember that a user is logged in, what they have added to their shopping basket and the current 'state of a webpage. They are also used to produce targeted advertising based on user's behaviour and assist statistics packages such as Google Analytics.

We use 'cookies' only to deliver a better and more personalised interaction/user experience. They enable us to recognise you when you return to our website by storing information about your preferences, such as display test size. We also use cookies to generate statistics about the number of visitors we have and how they use our website and the internet – this allows us to constantly improve our website and services.

Cookies are one of the building blocks of most websites for enhancing the users experience of the website visitor. These small text files on user's computers allow websites to store information.

Cookies

You can read more about cookies in our [cookies policy](#).

Your rights

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data:

1. You have the right to request a copy of all of the data we keep about you. Generally, we will not charge for this service;
2. You have the right to ask us to correct any data we have which you believe to be inaccurate or incomplete. You can also request that we restrict all processing of your data while we consider your rectification request;
3. You have the right to ask that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for. We retain our data in line with the Information Governance Alliance's guidelines (<https://digital.nhs.uk/data-and-information/looking-after-information/data-security-and-information-governance/codes-of-practice-for-handling-information-in-health-and-care/records-management-code-of-practice-for-health-and-social-care-2016>)



4. You may also request that we restrict processing if we no longer require your personal data for the purpose we originally collected it for, but you do not wish for it to be erased.
5. You can ask for your data to be erased if we have asked for your consent to process your data. You can withdraw consent at any time – please contact us to do so.
6. If we are processing your data as part of our legitimate interests as an organisation or in order to complete a task in the public interest, you have the right to object to that processing. We will restrict all processing of this data while we look into your objection.

You may need to provide adequate information for our staff to be able to identify you, for example, a passport or driver's licence. This is to make sure that data is not shared with the wrong person inappropriately. We will always respond to your request as soon as possible and at the latest within one month.

If you would like to complain about how we have dealt with your request, please contact:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
<https://ico.org.uk/global/contact-us/>