

## Privacy Notice

Abbey Care is registered with the Care Quality Commission (CQC) and fully abides by the principles of the Data Protection Act. We are also bound by the 'General Data Protection Regulations (GDPR)' on confidentiality, which are more restrictive than the Data Protection Act.

Under data protection law, individuals have a right to be informed about how Abbey Care uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals we provide care for.

As part of the services we offer, we are required to process personal data about our Clients and, in some circumstances, the friends or relatives of our Clients. "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.

We, Abbey Care, 38-42a South Road, Haywards Heath, West Sussex, RH16 4LA, are the 'data controller' for the purposes of data protection law. . Abbey Care is a trading name of 3F International Ltd.

Our data protection officer is Mike Nightingale, Director.

### The personal data we hold

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 eg your name, address, date of birth, gender, marital status and next of kin
- Your financial details eg details of how you pay us for your care or your funding arrangements

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 we use 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 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. Every member of staff is bound by strict confidentiality codes of conduct, which includes what information they can access and when. Your data is also collected from or shared with:

- You or your legal representative(s)
- Third parties

We do this face to face, via phone, via email, via our website and via post.

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

The only other circumstances where we may share information about you is where we are required to by law, including:

- Where we believe a crime may have been committed where this would endanger other people (such as child abuse).
- Where it is in the patient's best interests such as where we find a patient to be unconscious or incapacitated

### **Friends/Relatives**

#### **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 eg your name, telephone number 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.

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:

- You or your legal representative(s)
- Third parties

We do this face to face, via phone, via email, via our website or via post.

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

## How we store this data

We create and maintain an electronic and paper file for each Client. The information contained in these files are kept secure and are only used for purposes directly relevant to your care provision. Access to these records is restricted to only those who need to know.

Once your care provision with us has ended, we will retain this file and delete the information in it in accordance with our Records Management Policy and Guidance which sets out how long we keep information about Clients.

We will only retain your information for as long as we need to support the purposes for which it was collected. Records are maintained in line with Abbey Care's retention schedule which determines the length of time records should be kept. At the end of this period the information is destroyed or deleted in line with our confidential destruction procedures.

## Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## 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:

- You have the right to request a copy of all the data we keep about you. Generally we will not charge for this service
- 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
- 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.
- 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
- 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
- If we are processing your data as part of our legitimate interests as an organization 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

## How to access personal information we hold about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the Company holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer.

### **Your other rights regarding your data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### **Complaints**

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer, Mike Nightingale.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

Mike Nightingale  
Director

Abbey Care  
38-42a South Road  
Haywards Heath  
West Sussex  
RH16 4LA

Tel: 01444 455622

e-mail: [mike@abbeycare.com](mailto:mike@abbeycare.com)