

## **INTER-COUNTY NURSING & CARE SERVICES LTD**

### **PRIVACY NOTICE FOR CLIENTS**

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on 'Your rights' for more information.

#### **WHAT IS A PRIVACY NOTICE?**

A 'privacy notice' is a statement issued by an organisation which explains how personal and confidential information about clients is collected, used and shared. This privacy notice is issued by Inter-County Nursing & Care Services Ltd in relation to the information we collect about you as part of our responsibilities as a provider of care services and is part of our commitment to ensure that we process your personal information/data fairly and lawfully.

#### **WHY WE HAVE ISSUED THIS PRIVACY NOTICE TO YOU**

By issuing this privacy notice, we demonstrate our commitment to openness and accountability. We recognise the importance of protecting personal and confidential information in all that we do, and take care to meet our legal and other duties, including compliance with the following:

- General Data Protection Regulations 2018
- Care Quality Commission (Registration) Regulations 2009
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Accessible Information Standards

#### **WHO WE ARE AND WHAT WE DO**

Inter-County Nursing & Care Services Ltd (Inter-County) is a privately owned company providing domiciliary care and support services to people aged 18 and over in West Sussex and Dorset. We also provide staffing support to organisations such as Care Homes, Nursing Homes and NHS hospitals. Our service is managed from three offices, located in the following areas: Chichester, Rustington and Christchurch.

Our staff have a wide range of skills and expertise and provide care services to over 150 people across the three locations. The administration of payroll, invoicing and finance is managed from our Head Office, based in Milton Keynes.

We are registered with and regulated by:

- The Information Commissioner's Office (<https://ico.org.uk/>)
- Care Quality Commission (<http://www.cqc.org.uk/>)

In order to manage regulated services, our managers are also required to be registered with the Care Quality Commission

## **YOUR PERSONAL INFORMATION**

In order that we can provide care and support services to the people we support we collect and use certain personal information about you.

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

As the 'controller' of personal information, we are responsible for how that data is managed. The General Data Protection Regulation ("GDPR"), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the 'controller' of your personal information, we will ensure that the personal information we hold about you is:

1. used lawfully, fairly and in a transparent way.
2. collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. relevant to the purposes we have told you about and limited only to those purposes.
4. accurate and kept up to date.
5. kept only as long as necessary for the purposes we have told you about.
6. kept securely.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please send an email to [info@inter-county.co.uk](mailto:info@inter-county.co.uk), write to Data Control Officer, Inter-County Nursing & Care Services, The Old Court House, 20 Simpson Road, Milton Keynes, MK2 2DD or call 01908 379148.

Please note when we refer to:

- A "public body" we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not

limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm's length bodies and regulators.

- A “social or health care professional” we mean any person who provides direct services, acts as consultant or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.

## **HOW WE COLLECT YOUR INFORMATION**

When you enquire about our care and support services and during the course of providing care and support services to you we collect the following personal information when you provide it to us:

- your name, home address, date of birth and contact details, including your telephone number, email address, and emergency contacts (i.e. name, relationship and home and mobile numbers)
- details of families, advocates, power of attorney and significant others
- your likes, dislikes and lifestyle preferences, including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, health, and sexuality (so far as they relate to providing you with suitable care)
- your allergies and any medical, physical or mental conditions and in particular your care needs including MAR charts and monitoring records (e.g. fluids, pressure areas, skin integrity)
- risk assessments and reviews
- quality assurance, service monitoring and complaints
- communications (e.g. duty rosters, letters, email, text messages)
- invoicing, accounts and debtor records

## **INFORMATION COLLECTED FROM OTHER SOURCES**

We also obtain personal information from other sources such as:

- your allergies and any medical, physical or mental conditions and in particular your care and support needs, from any appropriate external social or health care professionals (including your GP)
- your name, home address, date of birth, contact details, needs assessments and financial assessments from any appropriate external social or health care

professionals (including any relevant public body regardless of whether you are publicly funded)

- your likes, dislikes and lifestyle preferences including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, health, and sexuality (so far as they relate to providing you with suitable care) from your family, friends and any other person you have nominated as your representative
- your Attorney or Deputy (if applicable)
- details of any accidents, incidents, notifiable diseases, safeguarding concerns reported by any of our staff, external social or health care professionals (including any relevant public body)

## HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information to:

- prepare, review and update a suitable care plan, describing the nature and level of care and support services which you have requested we supply to you
- to communicate with you, your representatives and any appropriate external social or health care professionals about your individual needs and personalise the service delivered to you
- make reasonable adjustments, when required, to meet your individual needs and to ensure we have suitable facilities to ensure your safety
- invoice you for the care and support services in accordance with our terms and conditions
- carry out quality assurance procedures, review our service and improve our customer experience (please note that feedback can also be provided anonymously)

## WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We regularly share your medical information with appropriate external social or health care professionals (including your GP and pharmacist) and any individuals you have nominated as your representative. This data sharing enables us to establish the type of care and support you need. It also allows us to design the right care package to suit your individual circumstances, including if (in future) you decide to receive care from an alternative provider.

We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory framework. We are also required to share personal information with external social or health care professionals, including

public bodies and local safeguarding groups (in some circumstances) to ensure your safety.

We use a limited number of external organisations to support the administration of the service, including duty rosters, care planning and IT services. These companies are based within the European Economic Area and all services are provided under specific contractual terms, which are compliant with UK data protection legislation.

We will not share, sell or trade your personal information with any other third party.

We will ask your permission to use personal data on any social media or marketing platforms and will obtain your written consent before doing so.

### **WHETHER INFORMATION HAS TO BE PROVIDED BY YOU, AND IF SO WHY**

The provision of your medical, physical or mental condition is necessary to enable us to create a care plan and to provide you with suitable care and support services. Without this information, we will not be able to assess your care needs or provide any care services to you.

The provision of your name, home address is required so that we can arrange a care worker to attend your home to deliver the services and so that we can invoice you for the fees.

We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

### **HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT**

- we will hold personal information kept within your client file for 8 years as required by law, including communications such as duty rosters, emails, letters, text messages and daily notes
- we will hold personal information kept within our feedback and quality assurance procedures for 12 years so that we can identify trends and patterns in our service
- we will hold personal information kept within our complaints file for 10 years in line with relevant industry guidance
- we will hold personal information kept within our financial records for 6 years as required by law, including invoice details and un-cleared debtor records
- we will hold personal information kept within our statutory notification files for the retention periods listed below:

Serious Incidents: 20 years

Non-serious Incidents: 10 years

Notifiable Diseases: 6 years

Use of restraint or Deprivation of Liberty: 3 years

## **REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION**

We rely on the following grounds within the GDPR:

- Article 6(1)(b) – processing is necessary for the performance of our contracts to provide individuals with care and support services
- Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our regulatory framework and the law
- Article 9(2)(h) – processing is necessary for the provision of social care or the management of social care systems and services

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

## **YOUR RIGHTS**

Under the GDPR you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- require us to correct any mistakes in your information which we hold;
- require the erasure (i.e. deletion) of personal information concerning you, in certain situations. Please note that if you ask us to delete any of your personal information which we believe is necessary for us to comply with our contractual or legal obligations, we may no longer be able to provide care and support services to you;
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;

- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances;
- claim compensation for damages caused by our breach of any data protection laws;

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation.

## **KEEPING YOUR PERSONAL INFORMATION SECURE**

We have appropriate security measures in place, including the use of encryption technologies, to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## **TRANSFER OF INFORMATION OUTSIDE OF THE EEA**

Countries outside of the European Economic Area (EEA) do not have the same data protection laws as the United Kingdom and EEA and as a result, access to our website or social media functions such as Facebook, Twitter or Instagram is not limited to the EEA. Any use of your personal data such as photographs, videos or sound recordings will be subject to appropriate or suitable relevant safeguards that are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal information (as permitted under Article 49 of the GDPR). We will not otherwise transfer your personal data outside of the United Kingdom or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

If you would like further information please contact us (see 'How to contact us' below).

## HOW TO CONTACT US

If you would like to exercise any of your rights, please:

- email us at [info@inter-county.co.uk](mailto:info@inter-county.co.uk), call us on 01908 379148 or write to the Company's Data Protection Officer at Inter-County Nursing & Care Services, The Old Court House, 20 Simpson Road, Milton Keynes, MK2 2DD
- let us have enough information to identify you (eg your name and address),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

You can also find details of our registration with the Information Commissioner online here: [www.ico.org.uk/esdwebpages/search](http://www.ico.org.uk/esdwebpages/search).

**Our ICO registration number is Z6318171**

## HOW TO COMPLAIN

We hope that we can resolve any query or concern you raise about our use of your information.

The GDPR also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

## CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published on 14 May 2018.

We may change this privacy notice from time to time, when we do we will inform you via letter

## DO YOU NEED EXTRA HELP?

**If you would like this notice in another format, for example: audio, large print, braille - please contact us (see 'How to contact us' above).**