

Sutton Court Care Centre

Privacy Notice: Service Users

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

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

If you have any concerns or questions please speak to the Home Manager, or call us on 020886448118 or email us on info@suttoncourtcarecentre.com

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 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 of 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 do we have this data?

We require 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 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.

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:

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

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We do this face to face, via phone, via email, via our website, via post, via online application forms, via apps, via paper care records, and via electronic care records.

Third parties are organisations with whom we have a legal reason to share your data. 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. Social Service Departments for safeguarding, the CQC;
- The police or other law enforcement agencies if we have to by law or court order;
- An electronic care records system provider who is our data processor.
- An administrative systems support provider who is our data processor

Where do we store your data?

Most of the data we have about you is written on paper and stored in locked filing cabinets in the care home. We write care plans in to electronic Word documents and they will be stored in a locked cupboard, the key is held in the Manager's office and is only given to those staff members who have the need and/or authority to use it. The Word documents are stored on the Manager's computer which is only accessible to her/him.

For residents whose care needs cannot be met by us and need to go to hospital, we will be transferring paper-based and electronic information about you to the local hospital. The electronic process is carried out by the electronic care records system provider "MCM" who are data processors contracted by us to provide the service to us. The electronic care records system provider stores your electronic information on servers located within the European Economic Area (EEA) which are fully protected and encrypted. Any third parties that we share your data with are also required to be located within the EEA and compliant with data protection legislation.

As part of our process, we carry out and document risk assessments (called Data Protection Impact Assessments) and implement changes based on their outcomes. We have a Data Protection Impact Assessment for the process of transferring electronic care records from us to the local hospital.

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. We will not charge for this service in respect of data generated or recorded in the 12 months immediately preceding the request but reserve the right to charge for providing copies of older data.
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. However, in certain cases, restricting all processing would mean that the contract for the provision of care services to you may need to be suspended as well.
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>)

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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. . However, in certain cases, restricting all processing would mean that the contract for the provision of care services to you may need to be suspended as well.

You may need to provide adequate information for our staff to be able to positively 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/>