

POLICY

GDPR - PRIVACY STATEMENT FOR HICARE LTD

Hicare Ltd (**03064278**) with registered office at Hicare Ltd, Pannell House, 159 Charles Street, Leicester, LE1 1LD will generally be the controller of your personal data. However, in certain circumstances, one of wholly owned trading subsidiaries or third party will be the controller of your personal data. This policy applies to Hicare Ltd service users / employees / suppliers / customers / visitors in relation to records held and processed by Hicare Ltd in any format, which include but not limited to:

- Residents / employees / suppliers personal and financial information
- Information provided to us in order to deliver our care and support related duties
- Providing services to our enquirers, residents and individuals we support and recording the services we have provided;
- Managing the health, welfare, safety and security of our residents and individuals we support
- Handling enquiries, complaints and investigations
- Monitoring and improving the quality of our services
- Researching and understanding market needs to improve our marketing effectiveness
- Working with our partners to improve the quality of services.

This document is held in accordance with the requirements of The Data Protection Act 2018, the General Data Protection Regulations (EU) 2016/679 and section 250 of the Health and Social Care Act SCCI1605 Accessible Information Standard. This privacy notice explains how Hicare Ltd collects, uses and discloses your personal data, and your rights in relation to the personal data we hold.

Information we may collect about you

We may collect certain information or data about you in various ways. We need to process your personal data when we provide you with information and services that you have requested from us. We do so because it is necessary for our legitimate interests and/or because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request before entering into a contract. The main circumstances we do so are below.

- We collect our Service Users personal information from receipt of referral in order to develop a care and support plan, the range of data held encompasses the regulatory requirements of CQC and that of any contractual partners. These include Personal details, contact information, financial details, relative, or next of kin, and care needs
- We collect Health & Welfare information which includes medical, dietary and mobility details provided to us before, during or after any stay with us in one of our services.
- When you submit enquiries or feedback through one of our website forms, leave a comment or sign up for email newsletters, or request a brochure we may collect your name, email address, telephone number and other information.
- When you use our website, we will collect your IP address, and details of web browser and the version you used. Information on how you use our website, using cookies, that will help us improve the website and details of enquires you carry out throughout our website.
- When you participate in any of our surveys we may collect your name, contact and other details, this can help to monitor and improve the quality of our services.
- When you attend an event, we may collect images of you in films or photographs or, in respect of contributions you may make via audio recording.
- When you contact us directly, we may keep a record of the correspondence.
- When you visit our homes you will be asked to sign in with your name and address, this is for fire safety purposes
- Complainants and other individuals in relation to a data protection or freedom of information complaint or enquiries and investigations
- People who notify under the Data Protection Act
- People who apply for jobs - New applicants and our current and former employees including contact details, CV's and other personal information provided
- Researching and understanding market needs to improve our marketing effectiveness.
- Working with our partners such as recruiting sites and providers to improve the quality of their services.
- We also process personal data about job applicants, current and former employees, service providers
- To notify you of any changes to our services

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- To assist with any contractual obligations between us and the company

Security - Keeping your data safe

We have technical and organisational measures in place to keep your data secure once we receive it. These protective measures may include, firewalls, anti-virus and malware software, holding personal data in secure, confidential storage, and regularly assessing and evaluating the effectiveness of such measures. We only store your information on servers located within the European Economic Area (EEA) and any third parties that we share your data with are also required to be located within the EEA. These servers are fully protected.

Hicare website

While we have made every effort to provide accurate and up to date information on our website, the law is constantly changing and affects each person or business in different ways. The information contained within this website is no substitute for specific advice and we will not accept liability if you rely solely on information from the website. By accessing this website you agree to the terms and conditions set out below:

- This website is published by Hicare Limited and issued in the United Kingdom and is intended for the information and use of United Kingdom residents only.
- This website is for information and promoting our services only. Unless otherwise stated it is not intended to offer advice and is not to be taken as, in any way, offering to sell a product.
- We retain the copyright for the pages of this website and the material and information contained in those pages, with all rights reserved by us.
- The pages of this site may not, in whole or in part, be reproduced, copied stored, transmitted or used by any party, except for the purpose of downloading for private, non-commercial, viewing purposes or where we have given our prior written consent.
- You must not alter anything on this website and no material from this site may be used on any other website.
- No links may be created to this site without our prior written consent.
- We may make changes to the information contained within this site at any time
- We will not be liable for errors, omissions or for information becoming out of date. If you are in any doubt as to the accuracy of any information contained within the pages of this site, or you require any further information, you should contact us.
- Your image may be used for Publication on Hicare's website, brochures, social networks, internal presentations, marketing posters, newsletters, internal company systems, internal bulletins, exhibitions.
- Some of these image may be used for Publication on Hicare's website, brochures, social networks, internal presentations, marketing posters, newsletters, internal company systems, internal bulletins, exhibitions etc...if you wish to remove these images you must email at surinder@hicare.co.uk
- Any software is downloaded at your own risk. We do not warrant the suitability of any software which is downloaded and accept no liability for any problems with your computer that may arise as a result.
- We will not be liable for any claims, penalties, losses, damages, costs or expenses arising from the use of or inability to use, interruption or availability of, this website, its operation or transmission, computer viruses or any unauthorised access to or alteration of the website. We do not warrant that the contents of this website are compatible with all computer systems and browsers
- This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit
- We do not guarantee that any email sent to us will be received or that the contents will remain private during transmission. If you are concerned about this please consider other means of communication. You are responsible for ensuring any electronic message or information you send to us is free from any virus or defect that may harm our systems in any way.

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- This website uses First party cookies that are set by the site itself. The main cookie on is Google Analytics. This tracks the user throughout their site visit. While it doesn't identify the user, it can identify their location, the device your using and the browser details.

Hicare uses a third party service (Kariba) to help maintain the security and performance of the Hicare website. To deliver this service it processes the IP addresses of visitors to the Hicare website.

Social media

We manage our own our social media interactions for Facebook and Twitter. If you send us a private or direct message via social media the message will be stored, it will not be shared with any other organizations.

Personal Information

We will use any personal data you have given to provide product and service information requested and to keep you informed of any changes to that information. Any personal data which we collect, record or use in any way whether it is held on paper, on computer or other media will comply with held in accordance with the requirements of the Data Protection Act 2018 (DPA 2018). These principles are designed so that we undertake to ensure your data is:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Marketing

When we send marketing communications for bed vacancies to you at a business email address, we do so because it is necessary for our legitimate interests. You can request that we stop sending you marketing communications at any time. In respect of personal email addresses, we will only send you marketing with your explicit consent and you can opt out at any time by emailing surinder@hicare.co.uk. We will send out newsletters to keep you up to date with the care homes, consent will be requested if sent out to individuals but not companies however, you can wish to opt out if you do not want us to send you any newsletters.

Survey data

If you participate in surveys, we may need to collect and process your personal information. We do so because it is necessary for our legitimate interests in pursuing feedback into the health and care sector. However, we follow ethical guidelines when conducting surveys and will always keep you informed of your rights. Your information may be converted into statistical or aggregated data in such a way as to ensure that you are not identified or identifiable from its content. Aggregated data cannot be linked back to you as an individual.

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Complaints

When we receive a complaint we produce a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved. We will only use the personal information we collect to process the complaint and to check on the level of service we provide. We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. We respect privacy, therefore, if the complainant has requested information not to be identified then we will try to adhere to this request. However, it may not be possible to handle a complaint on an anonymous basis. We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for seven years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle. It may be necessary to share this information with third parties this could include CQC, police, the local authority, insurers and any other organization that require the relevant information.

Filming and photography

We or a third party sometimes carry out filming (including audio recordings) or photography at events (often within our care home sites) as part of our publicity / marketing output or to show activities and engagement of best practices. We do so because it is necessary for our legitimate interests in promoting our work and making others aware of the services and standards we work to. We make customers, employees, visitors and Service Users aware of this in advance and photo consent forms are given. Some of these image may be used for *Publication on Hicare's website, brochures, social networks, internal presentations, marketing posters, newsletters, internal company systems, internal bulletins, exhibitions etc...* if you wish for Hicare to remove these images then please contact the DPO via email or in writing

Sharing Information with Others

We may share your personal data with certain third parties. We may disclose limited personal data to a variety of recipients including:

- Our employees, agents and contractors where there is a legitimate reason for receiving the information
- Within our wholly owned trading companies through which we manage certain commercial activity
- Our partners, if we hold an event they are supporting (and in respect of which we disclose details of who is attending that particular event)
- Internal and external auditors and our legal advisers
- When Hicare is legally required to do so (e.g. by a court, central & local government body, law enforcement agency or other authority of competent jurisdiction), for example, by HM Revenue and Customs.
- In many circumstances we will not disclose personal data without consent. However when we investigate a complaint, for example, we will need to share personal information with the organisation concerned and with other relevant bodies. Further information is available in our Terms of acceptance about the factors we shall consider when deciding whether information should be disclosed.
- We may need to process your personal data for compliance with our legal obligations notably those of the Care Quality Commission, Local Authority, Health Authority and professionals and NHS, including where it is necessary for the prevention and detection of crime, or for the establishment, exercise or defence of legal claims (for example, to protect and defend our rights or property).
- We often work with third parties to help us provide our services to you. We have contracts in place with all of our third parties to make sure they protect and respect your information with the same commitment as we do.
- A sponsor to organise payment of fees, where you are a resident in one of our services.
- Where you are a resident in one of our services, your next of kin or named family member.
- Any person that you have appointed to act on your behalf pursuant to a valid Power of Attorney, where you are a resident in one of our services.
- Allied professionals / health care providers in the case of an emergency.
- Organisations and consultants providing contracted services to us (for example, information technology service providers who provide and maintain our systems and our website hosting). Where these companies and consultants do provide services to us, will only use your information in compliance with the GDPR (UK Data Protection act 2018).
- A third-party company, for example when providing a reference for a former employee. Or if a resident who transfers to another service provider. This transfer of data would only take place with strict compliancy criteria, and permissions

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- The courts in the United Kingdom or abroad as necessary to comply with a legal requirement, for the administration of justice, to protect vital interests and to protect the security or integrity of our business operations.
- Images will be shared with *Publishers / website visitors / prospective clients / future clients/ general public / visitors / third party internal systems*
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How long we will keep your personal data

We will retain your personal data no longer than is necessary for the purposes for which it is processed. Your rights under data protection legislation these are:

- The right to be informed what personal data we hold about you and/or to obtain access to it (subject to some exemptions)
- The right to rectification of personal data we hold about you if it is inaccurate
- The right to erasure of your personal data (in certain circumstances)
- The right to restrict processing (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal)
- The right to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller
- The right to object on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

The above rights are not absolute, and we may be entitled to refuse requests where exceptions apply: for example, if we have reason to believe the personal data we hold is accurate or we can show our processing is necessary for a lawful purpose set out in this notice.

If service users participate in any pre-admission assessment but do not go on to become a resident within Hicare, we will keep your information for only for as long is necessary to enable us to be compliant with our legal obligations. If you become a resident at Hicare, we keep your information only for as long as you continue to be a resident, then for a maximum of 7 years to meet our legal obligations.

Where our processing of your personal data relies on your consent, and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and/or it may affect the provision of those services. If you have given your consent and you wish to withdraw it, please contact us at surinder@hicare.co.uk

You can find out more about your rights under data protection legislation at www.ico.org.uk. If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner.

Job applicants, current and former Hicare employees

The Hicare Ltd is the data controller for the information you provide during the process unless otherwise stated. If you have any queries about the process or how we handle your information please contact us at recruitment@hicare.co.uk. Information you provide will be held securely by us and/or our data processors whether the information is in electronic or physical format. We will use the contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment. This includes your criminal records declaration, fitness to work, records of any security checks and references. If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for 6 months from the closure of the campaign. Information generated throughout the assessment process, for example interview notes, is retained by us for 6 months following the closure of the campaign. Equal opportunities information is retained for 6 months following the closure of the campaign whether you are successful or not.

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Third party data processors

Data processors are third parties who provide elements of service for us. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for a period or within the legal retention required.

Busy bees

If you are enrolled in the childcare voucher scheme your details will be provided by Hicare. This will include your name, bank details, address, date of birth, National Insurance Number and salary.

Employee Pension Scheme

Your details will be provided to NEST who are the administrators of Pension Scheme, of which Hicare is a member. You will be auto-enrolled into the pension scheme and details provided to Nest will be your name, address, date of birth, National Insurance number, salary, gender, marriage and ID related documents. Your bank details will not be passed to Nest at this time.

Health questionnaires

Employee health questionnaires are required for Hicare to assess your health. On occasions these may be sent to a third party health specialist to help us determine if you are fit to undertake the work that you have been offered. If it is assessed by a third party, you will be able to request to see the report before it is sent to us. If you decline for us to see it, then this could affect your job offer.

CMS

CMS is an internal data management system to record personal details of our staff such as: Name and address, Contact Details, Date of Birth, Next of Kin, Marital Status, Gender, Religion, Nationality and Ethnicity, Email address, Salary and Conditions of employment, Employment details, Performance, Disciplinary and Grievance notes, Qualifications and training records. We also record Resident information which includes resident care needs, personal contact information, financial details, relative, or next of kin, medical, dietary and mobility details provided to us before, during or after any stay with us in one of our services and can shared with relevant organisations

Citation

In order to process our HR, we speak to external consultants that provide us with up to date advice in relation to HR and health and safety in line with current legislations. If an issue arises then we will contact Citation to gain the relevant legal advice. We may need to provide but not limited to: Name and address, email address, salary and conditions of employment, performance, Disciplinary and grievance notes, qualifications and training records, Incidents involving our employees or residents, risk assessments relating to our employees. Citation's systems use a secure cloud solution.

Maxtime

Each time an Employee commences employment, they will be guided by management to enrol on a biometric fingerprint reader which will them to clock in and/or out during their shift. The clock terminal works by storing a model of the fingerprint, not an image of the fingerprint. Therefore, to only verify the person at the clock, the full fingerprint cannot be reconstructed from this. Data held on this system includes payroll number, name and address, date of birth, email address, Contact Details, Date of Birth, Next of Kin, Marital Status, Gender, Religion, Nationality and Ethnicity. This data can help Hicare identify sickness levels, holidays and lateness levels.

Sage

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To be able Hicare process wages for our employees we require using Sage to hold the following data: Payroll number, Name and address, Date of birth, email address, salary details, tax codes, student loans, pensions, NI contributions. We will require to use personal details for our residents and suppliers so that we can issue invoices and also their account information will be held for payments.

Access to personal information

Hicare tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if we hold any personal information by making a 'subject access request' under the Data Protection Act 1998. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information in an intelligible form.

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated on 24 May 2018.

Partnerships

We may need to process your personal data when we partner with an organisation to deliver services (such as within extra care schemes). This is necessary for the performance of a contract to which you are a party or in order to take steps to deliver a new contract, provide information or following a request before entering into a contract. This includes IT software packages that we manage employees and service users data (for example Maxtime, Sage, CMS)

Service providers reporting a breach

Hicare Ltd are required by law to report any security breaches involving personal data to the ICO.

How to contact us

If you want to request information about our privacy policy you can email at surinder@hicare.co.uk or write to:

Surinder Gill
Hicare Ltd
13 Highview Close
Hamilton Office Park
Leicester
LE4 9LJ