



# Victorguard Care

## Data privacy notice

### Overview

**VICTORGUARD CARE PLC** (“we” or “us”) is committed to data protection and data privacy. With the General Data Protection Regulation (GDPR) becoming enforceable from 25 May 2018, we have undertaken a GDPR readiness programme to review our entire business, the way we handle data and the way in which we use it to provide our services and manage business operations.

We hold personal data on all our residents and their next of kin to meet legal obligations and to perform vital internal functions. This notice details the personal data we may retain, process and share with third parties relating to care, residential and vital business operations. We are committed to ensuring that your information is secure, accurate and relevant. To prevent unauthorised access or disclosure, we have implemented suitable physical, electronic, and managerial procedures to safeguard and secure personal data we hold.

### Introduction

We have issued this notice to describe how we handle personal information that we hold about our residents and their next of kin. For the purposes of this notice, the term "resident" includes all service users on the contract basis and “next of kin” – all relatives or friends declared as “next of kin” with or without legal rights (eg. Power of Attorney).

We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law. This notice sets out the personal data that we collect and process about you, the purposes of processing and the rights that you have in connection with it.

If you are in any doubt regarding this notice, please contact The Data Protection Officer.

### Types of personal data we collect

During your residential stay with us, or when making an assessment, we may collect and process personal data about you and your dependents, beneficiaries and other individuals whose personal data has been provided to us.

The types of personal information we may process include, but are not limited to:

- Identification data – such as your name, gender, photograph, date of birth, NHS number.
- Contact details – such as home address, telephone, email addresses, emergency contact details.
- Care records – such as appointments, nutrition, physical and mental health etc.
- Spouse & dependents information, marital status.
- Financial information – such as banking details, expenses.
- If you are a temporary resident (respite), the type of personal information we process is limited to that needed to manage your respite.

Sensitive personal data (‘special categories of personal data’ under the General Data Protection Regulation) includes any information that reveals your racial or ethnic origin, religious, political or philosophical beliefs, genetic data, biometric data for the purposes of unique identification, trade union membership, or information about your health/sex life. We have to collect or process the sensitive personal information about you, where necessary to comply with applicable laws and CQC expectation.

## Purposes for processing personal data

### Care & Residential

#### Legitimate business purposes

We may also collect and use personal information when it is necessary for other legitimate purposes, such as to help us conduct our business more effectively and efficiently – for example, for general IT security management, accounting purposes or financial planning. We may also process your personal information to investigate violations of law or breaches of our own internal policies.



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Our sites are protected by circuit television (CCTV) systems throughout the premises as deemed necessary and residents and visitors should expect all areas (other than those where use would contravene common decency) to be visible on a television monitoring system. Any information obtained from systems will be used with strict adherence to the GDPR. Information will be used for the prevention and detection of crime and to ensure compliance with our policies and procedures and our legal obligations. This may include using recorded images as evidence.

## Legal purposes

We may also use your personal data where we consider it necessary for complying with laws and regulations, including collecting and disclosing resident's personal information as required by law (e.g. for TC Licence, Emergency Evacuation, health and safety, anti-discrimination laws), under judicial authorisation, or to exercise or defend our legal rights.

## Legal basis for processing personal data

Our legal basis for collecting and using the personal data described above will depend on the personal data concerned and the way we collect it. We will normally collect personal data from you only where we need it to perform a contract with you (i.e. to manage the residential) and for care purpose, where we have your freely given consent to do so, or where the processing is in our legitimate interests and only where this interest is not overridden by your own interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

Any processing based on consent will be made clear to you at the time of collection or use – consent can be withdrawn at any time by contacting Data Protection Officer or Manager.

## Who we share your personal data with

We take care to allow access to personal data only to those who require such access to perform their tasks and duties, and to third parties who have a legitimate purpose for accessing it. Whenever we permit a third party to access personal information, we will implement appropriate measures to ensure the data is used in a manner consistent with this notice and that the security and confidentiality of the data is maintained.

For example, some personal data will be available to NHS, GP, District Nurses, CQC, Safeguarding Adults etc.

## Transfer of personal data abroad

We do not transfer any data abroad.

## Data retention

Personal data will be stored in accordance with applicable laws and kept for as long as needed to carry out the purposes described in this notice or as otherwise required by law. Generally, this means your personal information will be retained until the end of your residential plus a reasonable period of time thereafter to respond to care or care-related inquiries or to deal with any legal matters (e.g. judicial).

For more information, please see our Data Retention Policy, which outlines our current document retention schedule.

## Your rights

You may exercise the rights available to you under data protection law as follows:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.



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- The right to data portability.
- The right to object.
- Rights in relation to automated decision making and profiling.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. You can read more about these rights at:

<https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/>

To exercise any of these rights, please contact The Data Protection Officer.

## Issues and complaints

We try to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This notice was drafted with clarity in mind. It does not provide exhaustive detail of all aspects of our collection and use of personal information. However, we are happy to provide any additional information or explanation needed.

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office in their capacity as the statutory body which oversees data protection law – [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns).

## Updates to this notice

This notice may be updated periodically to reflect any necessary changes in our privacy practices. In such cases, we will inform you by letter. We encourage you to check this notice periodically to be aware of the most recent version.

## Contact details

Please address any questions or requests relating to this notice to The Data Protection Officer.