

General Data Protection Regulation (GDPR) Privacy Notice

Introduction

The General Data Protection Regulation (GDPR), which is an EU regulation, came into force in May 2018 and was incorporated into UK data protection laws, so will apply even after the UK leaves the EU. The Data Protection Act 2018 is the UK's implementation of GDPR.

Care providers should already have a raft of policies and procedures that already meet the requirements of the Data Protection Act. A privacy notice based on this template, which follows ICO guidelines, will then help to show that the care service is serious about protecting personal information it collects and processes from its service users, employees and others, and will show how it succeeds in doing this by providing an overview of its various policies and procedures.

The privacy notice should be a public document, available to service users and their families, staff and any third parties who might provide their personal information for any purpose, and in whatever ways, including on the organisation's website and intranet if there is one. The contents should be tailored to meet individual organisations' requirements; some might be more detailed than others.

1. Business details

This is the privacy notice of **Marcus and Marcus Ltd.**

Our registered office is at **142 St. Marks Road, Enfield, EN1 1BJ.**

Marcus and Marcus Ltd. is registered with the Care Quality Commission to provide personal care to people in their own homes/accommodation and personal care with or without nursing.

Marcus and Marcus Ltd. runs 93 services to people in their own homes from 36 locations.

2. Aims of this notice

Marcus and Marcus Ltd. is required by law to tell you about your rights and our obligations regarding our collecting and processing any of your personal information, which you might provide to us. We have a range of policies and procedures to ensure that any personal information you supply is only with your active consent and will always be held securely and treated confidentially in line with the applicable

regulations. We have listed the relevant documents in a later section (6) and can make any available.

3. What personal information we collect about: a) service users b) employees and c) third parties

a. Service users

As a registered care provider, we must collect some personal information on our service users, including financial information, which is essential to our being able to provide effective care and support. The information is contained in individual files (manual and electronic) and other record systems, all of which are subject to strict security and authorised access policies. Personal information that becomes inactive, eg from enquiries or prospective users who do not enter the service is also kept securely for as long as it is needed, before being safely disposed of.

b. Employees

The service operates a safe recruitment policy to comply with the regulations in which all personal information obtained, including CVs and references, is, like service users' information, securely kept, retained and disposed of in line with data protection requirements. All employees are aware of their right to access any information about them.

c. Third parties.

All personal information obtained about others associated with the delivery of the care service, including contractors, visitors, etc will be protected in the same ways as information on service users and employees.

4. How we collect information

The bulk of service users', employees' and thirds parties' personal information is collected directly from them or through form filling, mainly manually, but also electronically for some purposes, eg when contacting the service through its website.

With service users, we might continue to build on the information provided in enquiry and referral forms, and, for example, from needs assessments, which feed into their care and support plans.

With employees, personal information is obtained directly and with consent through such means as references, testimonials and criminal records (DBS) checks. When recruiting staff, we seek applicants explicit consent to obtain all the information needed for us to decide to employ them.

All personal information obtained to meet our regulatory requirements will always be treated in line with our explicit consent, data protection and confidentiality policies.

5. What we do with personal information

All personal information obtained on service users, employees and third parties is used only to ensure that we provide a service, which is consistent with our purpose of providing a person-centred care service, which meets all regulatory standards and requirements. It will not be disclosed or shared for any other purpose.

6. How we keep your information safe

As already stated, the service has a range of policies that enable us to comply with all data protection requirements. Foremost are:

- Access to Employee Data
- Complaints
- Computer Security
- Confidentiality of Service Users' Information
- Consent to Care and Treatment
- Data Protection
- Record Keeping
- Information Governance under the General Data Protection Regulation
- Protecting Personal Data under the General Data Protection Regulation
- Safe Staff Recruitment and Selection
- Service Users' Access to Records
- Sharing Information with Other Providers.

7. With whom we might share information

We only share the personal information of service users, employees and others with their consent on a "need to know" basis, observing strict protocols in doing so. Most information sharing of service users' information is with other professionals and agencies involved with their care and treatment. Likewise, we would not disclose information about our employees without their clear agreement, eg when providing a reference.

The only exceptions to this general rule would be where we are required by law to provide information, eg to help with a criminal investigation. Even when seeking to notify the local authority of a safeguarding matter or the Care Quality Commission of

an incident that requires us to notify it, we would only do so with consent or ensure that the information provided is treated in confidence.

Where we provide information for statistical purposes, the information is aggregated and provided anonymously so that there is no privacy risk involved in its use.

8. How personal information held by the care provider can be accessed

There are procedures in place to enable any staff member, employee or third party whose personal information we possess and might process in some way to have access to that information on request. (See the policies listed in No. 6 above.) The right to access includes both the information and any uses which we might have made of the information.

9. How long we keep information

There are strict protocols in place that determine how long the organisation will keep the information, which are in line with the relevant legislation and regulations.

10. How we keep our privacy policies up to date

The staff appointed to control and process personal information in our organisation are delegated to assess all privacy risks continuously and to carry out comprehensive reviews of our data protection policies, procedures and protocols at least annually.

Notice Reviewed on: 21st February 2020

Next Review date: 21st February 2021