



# Hillcroft Nursing Homes

## Privacy Notice

### Introduction

As part of the services we offer, we are required to process personal data about our service users and, in some instances, the friends or relatives of our service users. “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.

### Who We Are and How To Contact Us

As the data controller, Hillcroft Nursing Homes Ltd are legally responsible for how the information that you provide to us is handled. We will comply with the Data Protection Act 2018 and the GDPR (2016) in the way we use and share your personal data. Among other things, this means that we will only use your personal data:

- Fairly and lawfully
- As set out in the legislation and this policy
- To the extent necessary for these purposes

We will process your personal data ourselves as the data processor. We will take reasonable precautions to safeguard the personal information that you supply.

You can get in touch with us in any of the following ways:

Email: [welcome@hillcrofthome.co.uk](mailto:welcome@hillcrofthome.co.uk)

Phone: 01524 734433

Website: [www.hillcrofthome.co.uk](http://www.hillcrofthome.co.uk)

Post: Hillcroft Nursing Home,  
North Rd,  
Carnforth.  
LA5 9LX

## **What data do we have?**

### ***Service Users***

In order to 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 your funding arrangements and how you pay us

We also record the following data which is classified as “special category”:

- Health and 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

### ***Friends/Relatives***

As part of our work providing high-quality care and support, it might be necessary that we hold the following information on you:

- Your basic details and contact information e.g. your name, address and relationship to our service user

If you are visiting the home, we may also record basic health information for infection control purposes which is classified as “special category” e.g. your temperature and vaccination status.

## **Why do we have this data?**

### ***Service Users***

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 our performance of a public task
- 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
- It is necessary in the vital interests of yourself or other members of the public

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 health and 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.

We will only use your personal data for the purposes for which we collected it. If we need to use your data for an unrelated purpose, we will notify you and we will explain the legal ground for processing.

There is no automated decision-making being applied to your personal data.

### ***Friends/Relatives***

We process your data because we have a legitimate business interest in holding next of kin and lasting power of attorney information about the individuals who use our service.

We process your special category data because it is necessary for us to provide and manage health and social care services and 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.

### **How do we collect/share your data?**

So that we can provide high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s)
2. Third parties

We do this face to face, via phone, via fax, via post, via email, via our website and via secure on-line portals.

Third parties are organisations we have a legal reason to share your data with. These include:

- Other parts of the health and social care system such as hospitals, GPs, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals
- The Local Authority
- Funding bodies
- Organisations we have a legal obligation to share information with i.e. for safeguarding CQC; Health & Safety Executive
- The police or other law enforcement agencies if we have to by law or court order

We require all third parties with whom we share your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions.

### **Retention Periods**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

We will generally retain care records whilst resident at Hillcroft and for eight years after leaving our care.

In some circumstances you can ask us to delete your data as detailed in your rights. We may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

### **Security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a genuine need to know such data. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We do not routinely process any data outside the European Economic Area (EEA), however if this becomes necessary, adequate safeguards will be put in place to ensure the security of your data.

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

We will report any breaches or potential breaches to the appropriate authorities within 24 hours and to anyone affected by a breach within 72 hours.

### **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.
2. You have the right to ask us to correct any data we have which you believe to be inaccurate. You can also request that we restrict all processing of your data while we consider your rectification request.
3. You have the right to request that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for.
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.

### **Subject Access Requests**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

To make a Subject Access Request (SAR), please contact us at the address on page one. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We aim to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **Complaints**

If at any time you are unhappy with the way in which your personal data has been processed you may in the first instance contact us using our contact details on page one.

You also have the right to complain directly to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
<https://ico.org.uk/global/contact-us/>