

ICare Group

Service User (Care) privacy notice

ICare Group is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as a service user of ICare Group. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former service users (Care).

Data controller details

ICare group consists of four separate companies:

1. ICare GB Ltd
2. ICare Land Development Ltd
3. ICare Extra Care Ltd
4. ICare Residential Homes Ltd

ICare Group is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:, ICare, Building 3, Kinncraig Business Park, Kinncraig Road, Blackpool, FY2 0PJ

Data protection principles

In relation to your personal data, we will:

1. process it fairly, lawfully and in a clear, transparent way
2. collect your data only for reasons that we find proper for the course of delivering care to you in ways that have been explained to you
3. only use it in the way that we have told you about
4. ensure it is correct and up to date
5. keep your data for only as long as we need it
6. process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

Types of data we process

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, phone numbers
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- sexual orientation, religion or belief and ethnic origin, this information is used to ensure the care plan is person centred and that the care delivered is in line with the individuals own religious belief.
- bank details

How we collect your data

We collect data about you in a variety of ways and this will usually start when we are commissioned to provide care either direct from the individual or through the local council commissioning team.

Further information will be collected directly from you when before delivering care and is gathered by an ICare employee and integrated into our Care Plan, a copy of which is kept on your property.

Personal data is kept in Service User files or within ICare Group's Local Care Office and IT systems.

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Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carry out the care contract that we have entered into with you and

We also need to collect your data to ensure we are complying with legal or Regulatory requirements such as:

- Where there is a statutory basis underpinning the regulatory regime (Care Quality Commission) and which requires regulated organisations such as ICare Group to comply

We also collect data so that we can carry out activities which are in the legitimate interests of ICare Group. We have set these out below:

- maintaining comprehensive up to date service records personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- ensuring you are receiving the correct level of care
- contacting GPs and/or Pharmacists in regards to medication concerns
- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

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We will use your special category data:

- this information is used to ensure the care plan is person centred and that the care delivered is in line with the individuals own religious belief.
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We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of care. If you do not provide us with the data needed to do this, we will be unable to perform those duties. We may also be prevented from confirming, or continuing with, your care if you do not provide us with this information.

Sharing your data

Your data will be shared with colleagues within ICare Group where it is necessary for them to undertake their duties..

We share your data with third parties in order to

1. Local Commissioning Council – Deliver, Amend and Cease delivery of care
2. Care Quality Commission – To meet reporting requirements, e.g. Safeguarding and in the run up to and during Care Quality Commission Inspections
3. Local Council – Safeguarding – To report any Safeguarding concerns
4. ICT Bureau – Provider of internal Agency Manager Software used for planning care calls on rota
5. SCTS – Provider of internal Client Care Software used for planning care calls on rota
6. Everlylife Technologies – Provider of internal PASS system used for electronic care planning.

We may also share your data with third parties as part of a Company sale, restructure or during any transfer of contracted services to a different care provider or similar care organisations under a sub-contracting arrangement.

We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such, all policies can be located via your local care office.

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration for which we provide care with us though in some cases we will keep your data for a period after care has ended. Retention periods can vary depending on why we need your data, as set out below:

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Records are kept for a minimum of 6 years in line with current Care Quality Commission guidance. At the end of this retention period all physical and electronic records will be deleted.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

1. the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
2. the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our Subject Access Request policy which is available from your manager.
3. the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
4. the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
5. the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
6. the right to portability. You may transfer the data that we hold on you for your own purposes
7. the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
8. the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Manager at your local care office.

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.