

PRIVACY NOTICE FOR PEOPLE WE SUPPORT

In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you, the People we Support, of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

This notice applies to past, current and future People we Support.

A) DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

B) TYPES OF DATA HELD

We keep several categories of personal data on People we Support in order to assist you living *“an ordinary life.”* We keep this data in in paper based files and we also hold much of it within our computer systems.

We hold the following types of data:

- a) “Standing Data” which includes your personal contact details and key information about you which only changes infrequently, this could be where you live, your family and next of kin and a history of how you have been supported over the years.
- b) People we Support will have a “Support Plan” which reflects how we support you. This may include details around your health, how you would like to be supported, how you manage where you live and any courses or training you are doing.
- c) Many People we Support will have a “House File” which holds information about day to day activities. There may be a diary, a communications book, a rota of who supports you and when and then day notes will reflect what happens on any given day.
- d) For some People we Support, where we support you with your money, we will hold information about your finances including benefits and weekly spending.
- e) For people we have supported for some time, or people who we no longer support, the data may be grouped together and held in an “Archive”.

COLLECTING YOUR DATA

You may provide much of this data to us directly as we learn and develop an understanding of how best to support you.

In other cases, we will collect data from other people, including, but not specific to, social services and medical professionals.

Personal data is kept in secure files or within Integrate's IT systems.

C) LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process your data for certain reasons only. In the main, we process your data in order to comply with the Care Act, ensuring that Vulnerable Adults are properly supported - this is called the Public Interest.

Where you pay for your support directly, we will have a contract with you, in that case there will be an additional lawful basis - this is called Performance of a Contract.

You would reasonably expect us to hold information and plans around who, where and when you will be supported. We would hold that information because we have a Legitimate Interest. When we process your personal information for our legitimate interests, we make sure to consider and balance any potential impact on you and your rights under data protection laws. We will always ensure that your personal data will not be used where our interests are overridden by the impact on you, unless we have your consent or are required by law.

Sometimes it may be necessary for carrying out our legal obligations to comply with a common law or statutory obligation - for example Health and Safety records.

Occasionally we will ask your permission, for example if we want to use your photo on Facebook – this is called Consent

D) SPECIAL CATEGORIES OF DATA

Special categories of data include data relating to your:

- a) Health
- b) genetics
- c) race
- d) ethnic origin
- e) sex life or sexual orientation

We carry out processing activities using special category data to support you live ***"an ordinary life."***

Most commonly, we will process special categories of data when processing is necessary for the provision of health or social care or treatment or the management of health or social care systems and services.

E) FAILURE TO PROVIDE DATA

If you are unable and unwilling to provide us with data that we can only get from you then there is a risk that the support plan that we build with you will not deliver ***"an ordinary life."***

F) CRIMINAL CONVICTION DATA

We will only collect criminal conviction data where it is a necessary factor in decisions around how we best support you. We rely on the lawful basis of the provision of health or social care to process this data.

G) WHO WE SHARE YOUR DATA WITH

Staff (including employees, volunteers and students) within Integrate who have direct or indirect responsibility for your support. Staff will only be able to see your data where it is appropriate to the delivery of their individual support to you. All staff with such responsibility have been trained in the confidentiality of your data.

Data is shared with third parties where it is a necessary element of how best we can support you.

- a) These third parties may include the people who have commissioned your support but may also include services who participate in any Multi-Disciplinary Teams that also support you;
- b) Where you are attending training then we will share appropriate information with the college or training provider;
- c) We may also share information with your family if it is appropriate and necessary to do so;
- d) Where we are involved in providing your accommodation then some of your information may be shared with the landlord;
- e) Where we are involved with supporting you with your finances then appropriate information may be shared with your bank, our external client money auditor or benefits agencies.
- f) It may be necessary for compliance with CQC/Local Authorities/ HSE requirements, to share information where it is appropriate and necessary for contractual purposes or for carrying out our legal obligations to comply with a common law or statutory obligation (for example Health and Safety or maintaining public liability and other insurance. Please see our website for further details <http://www.integratepreston.org.uk>)

We have a data processing agreement in place with such third party processors to ensure data is not compromised. Third party processors must implement appropriate technical and organisational measures to ensure the security of your data.

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

H) 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.

I) RETENTION PERIODS

One of the underlying principles of Data Protection is that data is not kept for longer than is necessary for its given purpose. So, we only keep your data for as long as we need it for.

Some data retention periods are set by the law and retention periods can vary depending on why we need your data, as set out below.

The primary reason we have your data is to provide you with support. That support will evolve over time and access to how that has evolved could be key to decisions we make together now and in the future.

It is therefore highly likely that we will retain most of your data, including the history, whilst we support you and for a short period afterwards.

Details of our data retention policy around People we Support can be found on our website: <http://www.integratepreston.org.uk>

J) AUTOMATED DECISION MAKING

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. Integrate will make no decision about you solely on the basis of automated decision making.

K) YOUR RIGHTS AS A PERSON WE SUPPORT

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it;
- b) the right of access to the data we hold on you.
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) the right to restrict the processing of the data;
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) the right to object to the inclusion of any information;
- h) the right to regulate any automated decision-making and profiling of personal data.

L) CONSENT

Occasionally we may ask for your permission to use your data, for instance, this may be around using a photo of you on Facebook. Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.

M) MAKING A COMPLAINT

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

Our appointed compliance officer in respect of our data protection activities is:

Andy Guthrie, Corporate Services Director.

Tel: 01772 730312 email: andy.g@integratepreston.org.uk

Please note: A current copy of this document will be posted on our website and any minor changes will be reflected in that document.

AG Reviewed July 2021 – removed page break