



**Specialist care home for adults
mental health and learning disabilities**
Opening the door to positive living

High Oaks Privacy Statement

At High Oaks we are committed to protecting your personal data and handling it responsibly. As such, we have updated our Privacy Policy to explain how we manage your data.

The changes we have made are in line with new data protection laws, known as the General Data Protection Regulation, which is effective from 25th May 2018. This is part of our on-going commitment to be transparent about how we use your personal data and keep it safe.

Who are we?

- We are High Oaks Farm Limited, a company registered in England and Wales under company number and with our registered office at Goldwins, 75 Maygrove Road, London, NW6 2EG
- High Oaks is a "data controller" for the information, which we hold about you. This means that we are responsible for deciding how we hold and use the personal information, which we hold about you.
- Our Data Security & Protection Lead is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. If you have any concerns or questions about our use of your personal data, you can contact them by writing to High Oaks Farm Ltd, Rectory Road, Gissing, Diss, Norfolk, IP22 5UU.

What is the purpose of this statement?

- Under the General Data Protection Regulation and Data Protection Act 2018, we are required to explain why we collect information about you, how we intend to use that information, and whether we will share this information with anyone else.
- We may update this statement at any time.
- It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information so that the information, which we hold about you is accurate and up to date.

We respect and value the privacy of all of our care partners, employees and residents and will only collect and use personal data in ways described here, and in a way that is consistent with our obligations and your rights under the law.

1 What Does This Notice Cover?

This Privacy Information explains how **we** use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data. There are two sections of this document:

- Generic information for staff and suppliers
- Specific information for Residents and their families

2 What is Personal Data?

Personal data is any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online

identifiers.

3 What Are My Rights?

Under the GDPR, you have the following rights,

- The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact **us** to find out more or to ask any questions using the details in Part 11.
- The right to access the personal data **we** hold about you.
- The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete.
- The right to be forgotten, i.e. the right to ask **us** to delete or otherwise dispose of any of your personal data that we have.
- The right to restrict (i.e. prevent) the processing of your personal data.
- The right to object to us using your personal data for a particular purpose or purposes.
- The right to data portability. This means that you can ask **us** for a copy of your personal data held by us to re-use with another service or business in many cases.

Further information about your rights, can be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

4 Personal Data (generic)

We may collect some or all of the following personal data (this may vary according to your relationship with us):

- [Name;]
- [Date of birth;]
- [Gender;]
- [Address;]
- [Email address;]
- [Telephone number;]
- [Business name;]
- [Job title;]
- [Profession;]
- [Payment information;]

5 Personal Data (Resident)

- **Why we use your data:** We use information about you for the purpose of your residency with High Oaks.
- **We use your sensitive data:** As a resident, we will hold and use information about you concerning your health, racial and ethnic origin, sexual orientation and religion.
- **Sharing data:** There are occasions where your data may be shared with third parties, including other healthcare agencies who contribute to your personal care. **These** include your GP, anyone with power of attorney, statutory bodies concerned with the regulation of your care, and other agencies who may continue your care.
- **Security:** Your data will be respected and secured at High Oaks in accordance with the law.
- **International transfer:** We will not transfer your data outside of the EU.

6 How we store your information, and when we delete it.

We are obliged by care regulators to maintain accurate records of care delivery and other data about those for whom we care. When a resident leaves our service, we will archive that personal data in a secure storage facility (for paper records) and in a secure server (for electronic records). We will maintain it securely for no more than 8 years, unless a complaint or claim has been notified in which case we shall retain relevant data for the purpose of addressing that matter.

From time to time, our insurers may request that data be retained longer than 8 years for the purpose of an individual claim, which concerns the data subject.

7 Why are we collecting your information?

We ask for information about you so that we can make sure we offer you the best care, protection and support. Without this information, we may not be able to offer you a place at our home. We collect information about you which is relevant to your stay with us and the care which we provide to you. This includes:

1. **personal details** (such as name, date of birth, gender, marital status, national insurance number);
2. **contact details** (such as your previous address, personal telephone number and personal email address);
3. **financial information** (such as your bank account details and information about your financial circumstances);
4. **your likes and dislikes** (relating to hobbies, food, routines and other categories of likes and dislikes which help us improve your care);
5. **information about your care preferences** (to ensure that we are providing you with the care that you want);
6. **details of your life history** (to ensure that we help you feel at home with us it is important for us to get to know you as best we can);
7. **information about your family and friends** (for the purpose of visiting, next of kin and emergency contact details);
8. **information about external healthcare providers** (such as your GP and practice details);
9. **photographs of you** (photographs for security purposes, etc);
10. **information about your long-term wishes** (such your desired arrangements in the event that you pass away while staying with us); and because circumstances are variable and change with time, there may some instances where information is required outside the list above.

Special categories of personal data

- Some of the information which we collect about you may be “special categories of personal data”. Special categories of data require a greater level of protection. The special categories of personal data about you which we may collect include:
- information about your **racial or ethnic origin**;
- information about your **religious beliefs**;
- **sexual orientation**;
- **healthcare information**, including:
 - ❖ any disabilities or special requirements which you may have;
 - ❖ medical records applying to the time you have spent with us;
 - ❖ your medical history;

- ❖ records required by care home regulations, like risk assessments, care plans and records of the care we provide to you; and **healthcare information**, including:
 - a. any disabilities or special requirements which you may have;
 - b. medical records applying to the time you have spent with us;
 - c. your medical history;
 - d. records required by care home regulations, like risk assessments, care plans and records of the care we provide to you; and
 - e. details of your support and care needs.

8 Sources of information

The above information, which we collect about you will be obtained through a variety of sources which include:

1. from you directly both prior to your admission and during the course of your stay with us;
2. from your friends and relatives who provide us with information about you;
3. from anyone who has the authority to act on your behalf such as a power of attorney or deputy;
4. from healthcare professionals and officers in the local authority/ social services department.

9 How and why we use your personal data

- In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you for any particular purpose
- We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases on which we will rely.

Why we use your information	Our lawful basis for using your information
Admission assessment: To consider your admission to High Oaks and how we can help your care needs	It is necessary in order to enter into a contract with you It is necessary to meet legal/regulatory obligations It is necessary to consider your care requirements as a potential resident
Provision of care and accommodation: To provide you with safe, appropriate and personalised care as one of our residents and ensure that we meet your individual requirements. This will include us using your personal information for the following reasons: meeting your dietary requirements; making necessary adaptations to your accommodation; delivering the healthcare and personal care you require; and determining your capacity for decision making	It is necessary to perform our contract with you. It is necessary to meet legal / regulatory obligations. It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary for the protection of your vital interests. It is necessary for us to provide you with healthcare as a resident.*
Finance: Administering payments for your stay with us and making necessary checks to ensure that the care and accommodation is affordable.	It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary to perform our contract with you.
Why we use your information	Our lawful basis for using your information

Admin: Administrative matters which are necessary for the day-to-day functioning of our organisation. This may occasionally include the prevention, detection and investigation of fraud and corruption.	It is necessary to perform our contract with you. It is necessary to meet legal / regulatory obligations. It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary for us to provide you with healthcare as a resident.*
Analysis and monitoring: Analysing the well-being of our residents and monitoring diversity within our homes.	It is necessary to perform our contract with you. It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary to meet legal / regulatory obligations. It is necessary for us to provide you with healthcare as a resident.
Complaints: Handling any complaints made, concerns raised.	It is necessary to perform our contract with you. It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary to meet legal / regulatory obligations. It is necessary for us to provide you with healthcare as a resident
Safeguarding and regulation: We use your personal data for the purpose of safeguarding and regulation of care.	It is necessary to perform our contract with you. It is necessary to meet legal / regulatory obligations. It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary for us to provide you with care as a resident.
Communication: We will need to use your personal information to communicate with you before, during and after your stay with us. For example, when you telephone us, we may record those calls for monitoring purposes.	It is necessary to perform our contract with you. It is necessary for our legitimate interests (where they are not overridden by your rights).
Improving our services: We may ask you to voluntarily complete resident surveys to help us improve the services, which we provide to you. When you telephone us, we may record those calls for training purposes.	We rely on your explicit consent for us to use your personal data.
Security: We may need to capture images of you as part of our security processes such as use of CCTV footage	It is necessary for our legitimate interests (where they are not overridden by your rights). It is necessary for us to provide you with care as a resident

10 What may happen if you do not provide your personal information?

- It is important that we are able to provide good care to you and to comply with our regulatory responsibilities when providing that care. We cannot do this without access to your personal data.
- If you refuse to provide us with information which we need to consider your admission, we may not be able to offer you a place at our home.

- During your stay with us, if you refuse to provide us with information which we request from time to time, we may not be able to provide you with continuing care and support.

11 Complying with Data Protection Law

We will comply with data protection law when using your personal information. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about; and kept securely.

12 Sharing your information

We will only share your personal information with the relevant third parties that contribute to your care where we have a lawful basis for doing so. The types of organisations with whom we share your personal data are as follows:

- **Healthcare providers and multi-disciplinary teams:** Where it is lawful and necessary to do so, we will share information about you with other healthcare providers such as your GP, hospital staff, etc.
- **Regulators / Safeguarding authorities / Commissioners:** We also share your personal data with these public bodies where we are required to do so by law.
- **The Police and other law enforcement agencies:** In limited circumstances we may be required to share your personal data with the police if required for the purposes of criminal investigations and law enforcement.
- **IT service providers:** We may use external IT providers who may have access to your personal data from time to time as is necessary to perform their services.
- **Attorneys:** Where it is lawful to do so, we may share your personal information with any individual who has authority to act on your behalf such as those granted power of attorney

13 Can we use your information for any other purpose?

- We typically will only use your personal information for the purposes for which we collect it. It is possible that we will use your information for other purposes as long as those other purposes are compatible with those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.
- We may also use your personal information for other purposes where such use is required or permitted by law.

14 Storing your information and deleting it

- We will only retain your personal information for as long as necessary to fulfil the purposes for which we have collected it or to fulfil another lawful purpose (as described above). When we no longer have a lawful purpose for holding your data, we will securely destroy your personal information in accordance with our data retention policy, the relevant extract of which is:
- 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.

15 Your rights

Under certain circumstances, by law you have the right to:

1. **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
2. **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
3. **Request erasure** of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
4. **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) or public interest as our lawful basis for processing and there is something about your particular situation which leads you to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.
5. **Request the restriction of processing** of your personal information. This also permits you to request the suspension of processing personal information about you if you wanted us to establish its accuracy or the reason for processing it (for example).
6. **Request the transfer** of your personal information to another party in certain circumstances. If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Protection Officer in writing.

16 Right to withdraw consent

In the limited circumstances where we are relying on your consent as our lawful basis to process your data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Registered Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

17 Right to complain to the Information Commissioner's Office (ICO)

You have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

18 Changes to this privacy statement

We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.