

Privacy Notice for Service Users

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1. Introduction

We recognise the privacy and security of personal information is of great importance to our Service Users, their families and friends, and all those involved in promoting their welfare.

We have provided this Privacy Notice to set out why we need to collect personal information relating to our Service Users, their families, friends and representatives. We are committed to being transparent about how we collect and use that data.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulations (GDPR). We encourage you to read this notice carefully so that you are aware of how and why we are using such information. For Service Users that have communication difficulties we will make alternative arrangements to explain the contents of this notice.

We have appointed a Data Protection Officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO. As a data controller, we are responsible for deciding how we hold and use personal information about you. This notice explains to you what decisions we have taken in relation to that information.

Strode Park Foundation is required by the law to tell you all about your rights and our obligations regarding the collecting and processing of any of 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 stored and used with your active consent (or with one of the other legal grounds for processing set out in the GDPR and which include our legal obligations).

2. Our details

Data controller: Strode Park Foundation, Strode Park House, Lower Herne Road, Herne, Herne Bay, Kent, CT6 7NE.

Data protection officer: Kerry Bardsley, HR Director

3. General Data protection principles

In collecting and processing your personal information, we will comply with the data protection law in force at the time. This requires that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

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4. Lawful basis for processing

We use the following lawful basis condition for processing your data as a Strode Park Service User:

- Article 6(1)(b) "...processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract..."
- Article 6(1)(e) "...processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller...."
- Article 9(2)(h) "...processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3..."

5. What personal information does Strode Park collect?

We collect a range of information about you. This includes:

- Name, address, date of birth, next of kin;
- Details and records of your care, including notes and reports about your health;
- Medical Results e.g. blood tests;
- Photos or videos used as part of your care;
- If applicable financial information including bank account information to enable payment of services;
- Information from people who care for you and know you well, such as health professionals and relatives or who are linked to your care;
- Where you are the relative, next of kin, or attorney to one of our Service Users we hold personal details including title, full name, relationship to the Service Users, contact details including address, telephone numbers, email addresses;
- When you visit one of our sites, we will hold your name, the purpose of your visit, car registration, information relating to the prevention and detection of crime and the safety of our Service Users and workers including CCTV recording.

Data will be stored in a range of different places, including on your electronic care record, in our electronic management systems, in your paper service user file and on other IT systems (including email).

6. How your data is used

It is important for us to have this important information as this enables staff involved in your care to deliver and provide care, deliver appropriate treatment and care plans, to meet your needs.

- We process your personal data to manage the services we provide you, to carry out our obligations arising from any contracts entered into between us and you, to provide you with information or services you have requested and, where applicable, to process payments and refunds.

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- Your care record will contain detailed information about your health and well-being including illnesses, medical appointments and treatments. It will also contain details of your attorney, deputies, your close family and next of kin. We will share these with health professionals who have a legal and legitimate need to use the information to support the care provided to you.
- We share information within Strode Park Foundation to provide necessary administrative and managerial support.
- We use data to review the performance of our care services as part of our continuing work to improve our services and meet the needs of our Service Users.
- We may use your details to contact you about any changes to our care services.
- We share information with NHS Clinical Commissioning Groups local and health authorities, medical professionals and regulators regarding Service User's health and care including admission details, care records and medical records.

We are required from time to time to provide specific information about you without you or your representative's consent. This may include:

- Reporting health or safety issues including infectious diseases.
- Where there is a legal or statutory requirement, court order or public authority instructs us to do so.
- Supporting police investigations, professional conduct hearings and safeguarding investigations in the public interest.

In exceptional circumstances, we may be required to share information without your or your representative's consent. Circumstances may include:

- Where a serious crime or fraud has been committed.
- If there is a serious risk to the public, other Service Users or employees.
- Where there is a need to protect children or vulnerable adults who are not able to decide if their personal data should be shared

We may transfer the personal data we collect about you to countries outside the EEA so long as there is a lawful basis for doing so or we have your consent. In certain circumstances we may seek your explicit consent to send your personal data outside of the EEA. When doing so we will inform you in clear terms of the data protection framework in place in the relevant countries in order to enable you to make an informed decision.

Before sending your personal data to countries outside of the EEA data we will ensure that adequate data protection provisions are in place, the processor has provided appropriate safeguards to ensure enforceable rights and legal remedies or other specified conditions are met under data protection law.

7. How does Strode Park keep your information safe?

Information is retained in a secure electronic and paper records access is restricted to only those who need it.

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We ensure we handle your data with the highest level of care by having clear internal policies and procedures, physical security to our premises and IT security technologies to prevent the unauthorised access, damage and loss of your data.

The Data Protection Act 1998 regulates the processing of personal information. Strict principles govern our use of information and our duty to ensure it is kept safe and secure.

8. How long does Strode Park keep your information?

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

- We will only keep your information for as long as necessary to fulfil the purposes we collected it for, including satisfying any legal, contractual or reporting requirements. How long we keep the data for is determined by law and is largely determined by necessity. Once your information is no longer required it will be securely destroyed.
- You can ask us to delete your data where retaining it is no longer necessary.
- Whilst at all times compliant with legislation and acting reasonably, we reserve the right to judge what information we must continue to hold to be able to fulfil our legal and contractual obligations to you.
- We may anonymise your personal data (so that you can no longer be identified) for research and analysis purposes in which case we may use this information indefinitely without further notice to you.
- Where we process data based solely on your consent, you have the right to withdraw that consent at any time.

9. Your rights

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require Strode Park to change incorrect or incomplete data;
- require Strode Park to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing; and
- object to the processing of your data where Strode Park is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact Strode Park's Data Protection Officer (details above) stating you wish to make a **subject access request**. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. If you believe that we have not complied with your data protection rights, you can complain to the Information Commissioner. We would, however, like to have the opportunity to deal with your concerns before you approach the ICO so please contact us in the first instance.

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Version History

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1.0	19 June 2019	Approved by SMT	KB	Approved