

# Privacy Policy

kindly read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on ‘Your rights’ for more information.

## Introduction

We are Eveshel Care at Home Ltd trading as Eveshel Care Ltd. In order that we can provide care and support services to the people we support we collect and use certain personal information about you. Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

As the ‘controller’ of personal information, we are responsible for how that data is managed. The General Data Protection Regulation (“GDPR”), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the ‘controller’ of your personal information, we will ensure that the personal information we hold about you is:

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.

If you have any questions about this privacy notice or would like further explanation as to how your personal information is managed, please see ‘How to contact us’ below.

Please note when we refer to:

- J A “**public body**” we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm’s length bodies and regulators.
- J A “**social or health care professional**” we mean any person who provides direct services, acts as consultant or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.

## **The personal information we collect and use in relation to people who enquire about and use our services**

### **Information collected by us**

When you enquire about our care and support services and during the course of providing care and support services to you we collect the following personal information when you provide it to us:

- J your name, home address, date of birth and contact details (including your telephone number, email address) and emergency contacts (i.e. name, relationship, email address and home and mobile numbers)
- J your allergies and any medical, physical or mental conditions and in particular your care needs
- J your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, politics, genetics, health, sex life, and sexuality (so far as they relate to providing you with suitable care)
- J credit or direct debit details (if you pay for some or all of our services using one of these methods)
- J Your feedback and contributions to questionnaires and surveys about the service we offer
- J Your complaints, compliments or concerns about the service we provide
- J Any accidents and incidents or near misses you may have been involved in whilst on our premises or whilst our employees are delivering a regulated service to you – this may include details of injuries and treatment you may have received.

When using our website, we collect standard internet log information including:

- J IP address
  - J Details of the pages you visit
  - J General details about the type of computer or device that you are using
- This is statistical information only which we collect in order to find out the numbers of visitors to our site and the pages they have visited. This information collected in such a way that it is not used to identify individuals. Where we do collect personal information on the website, this will be made obvious to you through the relevant pages. Further details can be found in our [cookie policy](#).

Please be aware that our website may provide you with links to other websites. If you follow a link to any other website please note they have their own privacy promises. We do not accept any responsibility or liability for the privacy and security practices of such third-party websites and your use as such is at your own risk.

### **Information collected from other sources**

We also obtain personal information from other sources such as:

- J your allergies and any medical, physical or mental conditions and in particular your care and support needs, from any appropriate external social or health care professionals (including your GP)
- J your name, home address, date of birth, contact details, NHS number, needs assessments and financial assessments from any appropriate external social or health care professionals (including any relevant public body regardless of whether you are publicly funded)
- J your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, politics, genetics, health, sex life and sexuality so far as they relate to providing you with suitable care) from your family, friends and any other person you have nominated as your representative
- J your Attorney or Deputy (if applicable)

### **How we use your personal information**

We use your personal information to:

- J prepare, review and update a suitable care plan, describing the nature and level of care and support services which you have requested we supply to you
- J to communicate with you, your representatives and any appropriate external social or health care professionals about your individual needs and personalise the service delivered to you

- J make reasonable adjustments, when required, to meet your individual needs and to ensure we have suitable facilities to ensure your safety
- J invoice you for the care and support services in accordance with our terms and conditions
- J carry out quality assurance procedures, review our service and improve our customer experience (please note that feedback can also be provided anonymously)
- J Send information about our services which we believe you may be interested in. You may unsubscribe from this at any time
- J Notify you about changes to our services which are relevant to you
- J Monitor how effective our services are and to make sure that the services we provide meet your needs
- J Improve your experience of our website and to ensure that the content is presented in the most effective way.

### **Who we share your personal information with**

We regularly share your medical information with appropriate external social or health care professionals (including your GP and pharmacist) and any individuals you have nominated as your representative. This data sharing enables us to establish the type of care and support you need. It also allows us to design the right care package to suit your individual circumstances, including if (in future) you decide to receive care from an alternative provider.

We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory framework. We are also required to share personal information with external social or health care professionals, including public bodies and local safeguarding groups (in some circumstances) to ensure your safety.

We will share your personal information with other Eveshel Care Ltd Group companies in so far as it is necessary to provide our services. We will not share, sell or trade your personal information with any other third party.

In order to deliver our service to you we rely on third parties to provide specialist support to us. To provide this support they will have access to, or a duty of care over your personal information. These providers are:

- J IT and Telecoms Support companies – to ensure the safe, secure and resilient operation of our IT infrastructure including computers, servers, phones and mobile devices
- J Software support companies – to provide specialist support and resolve issues with the software that we run, for example the systems we use to store and manage your customer records
- J Marketing systems providers – to organise marketing communications and for the delivery and analysis of email communications

Data archiving companies – responsible for the secure storage and destruction of records. These providers are under a written contract to ensure the same level of privacy and security that we promise to you.

### **Whether information has to be provided by you, and if so why**

The provision of your medical, physical or mental condition is necessary to enable us to create a care plan and to provide you with suitable care and support services. Without this information, we will not be able to assess your care needs or provide any care services to you.

The provision of your name, home address is required so that we can arrange a care worker to attend your home to deliver the services and so that we can invoice you for the fees.

### **How long your personal information will be kept**

- J We will hold the personal information kept within your electronic customer file for the length of your contract plus 7 years
- J We will hold the personal information kept within your hard copy customer files for 3 years from the date of the last entry
- J We will hold financial records and transactions for 7 years in line with our legal requirements

## **The personal information we hold**

### **Reasons we can collect and use your personal information**

We rely on the following grounds within the GDPR:

- J Article 6(1)(b) – processing is necessary for the performance of our **contracts** to provide individuals with care and support services
- J Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our **regulatory framework** and the law
- J Article 9(2)(h) – processing is necessary for the **provision of social care** or the management of social care systems and services

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

We also rely on Article 6(1)(f) of GDPR to process your personal information in pursuit of our **legitimate interests**, which includes marketing purposes, corporate due diligence and financial modelling, service development and innovation so we can continue to develop and improve our services.

### **International transfers**

All your personal data is stored and processed on systems that are within the European Economic Area (EEA) or offer the same level of legal protection and rights over your data.

In certain situations, we transfer your personal information to the following countries which are located outside the European Economic Area (EEA).

This is done in order to provide our employee or introduced care worker with your name, address, contact details and care needs information which they require to deliver a safe service. This information is only shared once you have accepted the individual as part of the service we provide.

This international transfer is under Article 49(1)(b) – the transfer is necessary for the performance of a contract between the data subject and the controller.

Such countries do not have the same data protection laws as the United Kingdom and EEA. Any transfer of your personal information will be subject to appropriate or suitable relevant safeguards that are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal information.

If you would like further information please contact us (see [How to contact us](#) below).

## **Your rights**

Under the GDPR you have a number of important rights free of charge. In summary, those include rights to:

- ) fair processing of information and transparency over how we use your use personal information;

- J access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- J require us to correct any mistakes in your information which we hold;
- J require the erasure (i.e. deletion) of personal information concerning you, in certain situations. **Please note that if you ask us to delete any of your personal information which we believe is necessary for us to comply with our contractual or legal obligations, we may no longer be able to provide care and support services to you;**
- J receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- J object at any time to processing of personal information concerning you for direct marketing;
- J object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- J object in certain other situations to our continued processing of your personal information;
- J otherwise restrict our processing of your personal information in certain circumstances;
- J claim compensation for damages caused by our breach of any data protection laws;

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation.](#)

## How to contact us

You can contact us by:

- J Email – [dataprotection@eveshelcare.co.uk](mailto:dataprotection@eveshelcare.co.uk)
- J Post – Data Protection Lead, Eveshel Care Ltd, Queens Court, 9.17 Eastern Road, Romford, RM7 3NH
- J Telephone – 01708 388 213

If you would like to exercise any of those rights, please:

- J Contact us using the details above – making clear that you wish to exercise one of your privacy rights
- J let us have enough information to identify you (eg your name and address),
- J let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- J let us know the information to which your request relates, including any account or reference numbers, if you have them

If you would like to unsubscribe from any email newsletter you can also click on the 'unsubscribe' button at the bottom of the email newsletter. It may take up to 3 days for this to take place.

### **Keeping your personal information secure**

The confidentiality and security of your information is of paramount importance to us. We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

### **How to complain**

We hope that we can resolve any query or concern you raise about our use of your information.

The GDPR also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

### **Changes to this privacy notice**

This privacy notice was published on 23<sup>rd</sup> May 2018 and last updated on 25th June 2018.

If we decide to change our privacy policy, we will update all relevant documentation and post any changes on our websites so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it.



**Do you need extra help?**

If you would like this notice in another format (for example: audio, large print, braille) please contact us (see 'How to contact us' above).