

## **General Privacy Policy**

### **Kinross Care Home Limited**

Kinross Care Home Ltd. understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of everyone we have the pleasure of supporting and will only collect and use personal data in ways that are described here or in our Policies & Procedures, and in a way that is consistent with our obligations and your rights under legislation.

### **What Does This Privacy Notice Cover?**

This Privacy Notice 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.

### **What is Personal Data?**

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, 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.

The personal data that we use is set out below.

### **What Are My Rights?**

Under the GDPR, you have the following rights, which we will always work to uphold:

- a) the right to be informed about our collection and use of your personal data. This Privacy Notice tells you everything you need to know, but you can always contact us if you have further queries;
- b) the right to access the personal data we hold about you;
- c) the right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. This does not mean that your data can be changed to represent something untruthful at your request;
- d) the right to be forgotten, that is, the right to ask us to delete or otherwise dispose of any of your personal data that we have;

- e) the right to restrict (that is, prevent) the processing of your personal data;
- f) the right to object to us using your personal data for a particular purpose or purposes;
- g) the right to data portability. This means that if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases;
- h) rights relating to automated decision-making and profiling however, we do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in this Notice.

In some instances, if you refuse to provide us with certain information when requested, we may not be able to:

- Perform the contract we have entered into with you
- Comply with our legal or regulatory obligations

#### **What Personal Data Do You Collect?**

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

- basic personal information, including name and address, date of birth and contact details;
- financial information, including account and transactional information and history;
- information about you and your family (such as dependents, marital status, next of kin and contact details);
- information about your preferences and interests;
- visual images (such as copies of passports);
- details of any services you have received from us;
- information we receive from other sources, such as government departments and healthcare providers;
- our correspondence and communications with you.

**Residents** - as a care provider, we must collect some personal information on our Residents, including personal health information, which is essential to our being able to provide effective care and support. The information is contained in individual files (manual and electronic) and other record systems, all of which are subject to strict security and authorised access policies.

**Employees and volunteers** - we operate a recruitment policy to comply with the regulations in which all personal information obtained, including CVs and references, is, as with Residents' information, securely kept, retained and disposed of in line with the GDPR. All employees are aware of their right to access any information about them.

**Third parties** - all personal information obtained about others associated with the delivery of the care service, including contractors and suppliers will be protected in the same way as information on Residents and employees.

Sometimes your personal data is obtained from the following third parties (depending on your relationship with us):

- Her Majesty's Revenue and Customs (HMRC), Department of Work and Pensions (DWP) and other government departments;
- National Health Service (NHS), Care & Quality Commission (CQC) and other healthcare providers;
- Clinical Commissioning Groups (CCGs) and Local Authorities (LA);
- Emergency services (police, fire and ambulance);
- Suppliers.

We may also process certain sensitive categories of information for specific and limited purposes, such as making our services accessible to Residents. We will only process special categories of information where we've obtained your explicit consent or are otherwise lawfully permitted to do so. This may include:

- Information about racial or ethnic origin, religious, political or philosophical beliefs;
- Physical or psychological health details or medical conditions;

#### **How we collect information**

The majority of Residents, employees and third parties personal information is collected directly from them or through form filling, mainly manually. No personal data is collected through our website.

With Residents, we might continue to build on the information provided through consultations and

in the process of agreeing care.

With employees, personal information is obtained directly and with consent through such means as references, testimonials and criminal records checks (Disclosure and Barring Service – DBS). The government has different managing departments depending on the county in which you reside:

- England and Wales: Disclosure and Barring Service (<https://www.gov.uk/government/organisations/disclosure-and-barring-service>)
- Scotland: Disclosure Scotland (<https://www.mygov.scot/organisations/disclosure-scotland/>)

When recruiting staff, we seek applicants' explicit consent to obtain all the information needed for us to decide to employ them.

All personal information obtained to meet our regulatory requirements will always be treated in line with our explicit consent, legitimate interests, data protection and confidentiality policies.

#### **How Do You Use My Personal Data?**

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for any of the following purposes:

- providing and managing your account;
- supplying our services to you. Your personal details are required in order for us to enter into a contract with you;
- personalising and tailoring our services for you;
- communicating with you. This may include responding to emails or calls from you;
- supplying you with information by email AND/OR post that you have opted-in to (you may unsubscribe or opt-out at any time by contacting us).

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email/telephone/text message and post with information, news, and offers on our products and services. These activities are within our Legitimate Interests as a business with whom you have communicated or shown an interest in the services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

**Will You Keep My Personal Data?**

Personal information that becomes inactive for any reason is kept securely only for as long as it is needed, before being safely disposed of.

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected.

**How and Where Do You Store or Transfer My Personal Data?**

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- necessary technical measures to ensure personal data is protected;
- all data transferred through our systems is encrypted;
- data is not processed for any purpose other than as agreed upon in our terms and conditions;
- protect your data from loss.

Our systems are checked regularly by experts to ensure they meet all privacy standards, are protected through strong passwords and encryption and comply with our general data protection security and protection policies.

**Do You Share My Personal Data?**

We only share the personal information of Residents, employees and others with their consent on a “need to know” basis, whilst observing strict protocols. Most information sharing of Residents’ information is with other professionals and agencies involved with their care and treatment. Likewise, we would not disclose information about our employees without their clear agreement, for example, when providing a reference.

In some limited circumstances, we may be required legally to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

Where we provide information for statistical purposes, the information is aggregated and provided anonymously so that there is no privacy risk involved in its use.

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party’s obligations under the law.

We do not transfer any personal data outside of the UK but should it be necessary in the future, this Notice will be updated and we will take suitable steps in order to ensure that your personal data is

treated  
and securely as it would be within the UK and under the GDPR.

just as safely

### **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request” or a “data subject access request” (DSAR).

All subject access requests should be made in writing and sent to the email or postal addresses shown herein.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding and in addition, we reserve the right also to refuse further requests under these circumstances and this is permissible with the GDPR.

We will acknowledge your DSAR within 72 hours of receipt and will respond to your subject access request within 30 days. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.