

# Wawcare Support Privacy Statement – Client’s

Please read this privacy statement carefully. It contains important information you need to know on who we are, how and why we collect, store, use and share your personal information, your rights in relation to your personal information and how to contact us and other organisations in the event you have a complaint.

## Introduction

We are Wawcare Support . You can access full details of who we are such as our full company name, registered number and registered office address on our Contact Us page.

As part of the services we offer, we are required to collect, store and use personal data about our staff, our service users and in some instances, collect, store and use the personal data of the friends or relatives of our service users and staff.

Personal information means any information about you from which you can be identified.

As the ‘data controller’ of personal information, we are committed to protecting the privacy and security of your personal information. 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 ‘data 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.

Please note when we refer to:

- 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.

- 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.

### **Information collected by us:**

By using our website or communicating with the Group using any form of media or communication, for whatever reason, you agree that we may collect information about you and you agree to the use of this data in accordance with this Privacy Statement.

The personal information we collect is used in relation to people who enquire about and/or use our service.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, but we will only do so where this is required or permitted by law.

### **Clients & Clients' families:**

When you enquire about our care and support services and for the duration of providing care and support services to you, we collect the following personal information including special category information, which is either provided by you, obtained by third parties or compiled by us during the course of the provision of your care:

- Your name, home address, date of birth and contact details (including your telephone number (s) & email address) and emergency contacts (i.e. name, relationship and home and mobile numbers)
- 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
- Your allergies and any medical, physical or mental conditions and in particular, your care and support needs. This information may also be

obtained from any appropriate external social of healthcare professional, including your GP.

- Your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature in so far as they relate to providing you with suitable care).
- 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.
- Any other relevant information provided by an Attorney or Deputy if applicable
- Any other relevant information necessary for the provision of a safe service that meets your care and support needs

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

We collect and use your personal information for the purposes of the performance of a contract, for the provision of social care services and to demonstrate compliance with our regulatory framework and the law as follows:

- To 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.
- To communicate with you, your representatives and any appropriate external social or health care professional about your individual needs and personalise the service delivered to you
- To make reasonable adjustments, when required, to meet your individual needs
- To invoice you for the care and support services in accordance with our Terms and Conditions

We also use your information to carry out quality assurance procedures, review our service and improve our customer service. Please note that feedback can also be provided anonymously.

### **Who we share your personal information with and why we share this**

We will only share your information in the following circumstances:

1. Where required to do so by law
2. Where it is necessary to administer the working relationship with you
3. Where we have another legitimate interest to do so

We may share your personal information with law enforcement or other authorities for the purposes of compliance with our legal obligations. This includes:

- Information required by public bodies to evidence our compliance with the applicable regulatory framework.
- Sharing personal information with external social or health care professionals, including public bodies, competent authorities, the courts, local safeguarding groups (in some circumstances) to ensure your safety.
- Sharing personal information as otherwise required by law

We may 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 may also share your information with:

- The relevant members of our staff including field-based staff (Carers/Nurses) who need to know this information in order to provide our services to you or your family. We will only share such of your information as our staff need to know in order to carry out their job.
- Our office personnel involved in the management and administration of the care services which you or your family are receiving
- Other health and/or social care professionals and emergency services where appropriate.

### **Third parties**

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:

- IT and Telecoms Support companies – to ensure the safe, secure and resilient operation of our IT infrastructure including computers, servers, phones and mobile devices
- 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

We will **not** share, sell or trade your personal information with any other third party.

Please note that without collecting and processing certain personal data including any data required from you, your family or next of kin, we will be unable 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.

## Reasons we can collect and use your personal information

We rely on the following grounds within the GDPR:

1. Article 6(1)(a) – processing is conducted with your **consent** to process personal data for specified purposes
2. Article 6(1)(b) – processing is necessary for the performance of our **contracts** to provide individuals with care and support services
3. Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our **regulatory framework** and the law
4. Article 6(1)(f) – to process your personal data in pursuit of **legitimate interests**, which include;
  - Corporate due diligence and financial modelling, service development and innovation – the privacy impact on you is expected to be minimal. We will process your data internally to ensure our business is stable, trusted and innovating to provide the best possible service to you

GDPR recognises that additional care is required when processing special category (sensitive) data such as your health. We process this under the following grounds within GDPR;

1. Article 9(2)(h) – processing is necessary for the provision of social care or the management of social care systems and services

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

We will hold your personal information and records for as long as required in line with the Information Governance Alliance recommendations and/or the Companies regulatory requirements.

### Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, 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.

Please note that upon commencement of our service, a copy of your Care Plan/Assessment will be placed in your home for the carer/nurse to access for information and for purposes of record keeping.

### **Transfer of Information out of the EEA:**

We do **not**, as a matter of course, transfer your data outside of the European Economic Area.

### **Your rights:**

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

1. Fair processing of information and transparency over how we use your use personal information
2. Access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
3. Require us to correct any mistakes in your information which we hold
4. 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**
5. 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
6. Object at any time to processing of personal information concerning you for direct marketing – **we do not process your personal information for marketing purposes**
7. Object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
8. Object in certain other situations to our continued processing of your personal information
9. Otherwise restrict our processing of your personal information in certain circumstances
10. 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**

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

- Email, call or write to us
- Let us have enough information to identify you (eg: your name and address)
- 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)
- Let us know the information to which your request relates, including any account or reference numbers, if you have them

### **How to complain**

We hope that we can resolve any query or concern you raise about our use of your information. However, if you do have any concerns about our handling of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office (ICO) who may be contacted at [info@wawcaresupport.co.uk](mailto:info@wawcaresupport.co.uk) or telephone:02036893318

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

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. All other changes will be updated on our website.

Questions and comments regarding this privacy statement are welcomed and should be addressed to [info@wawcaresupport.co.uk](mailto:info@wawcaresupport.co.uk)