



Privacy Policy
V1 March 2021

MAKING MOMENTS MATTER

Privacy Policy

At CCSL 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 have been made in line with data protection laws, known as General data Protection Regulation (GDPR), which came into effect from 26 May 2018. This is part of our ongoing commitment to be transparent about how we use your personal data and keep it safe.

Privacy Statement for Residents and Prospective Residents

March 2021

Key Points:

- **Why do we use your data?** We use information about you for the purpose of your residency with Cornwallis Care Services.
- **We use your sensitive data:** As a resident, we will use information about your health, racial and ethnic origin, sexual orientation and religion.
- **Sharing data:** We may share your data with third parties, including other agencies who may contribute to your care, 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:** We respect the security of your data and treat it in accordance with the law.
- **International transfer:** We will not transfer your data outside of the UK.

WHAT IS THE PURPOSE OF THE PRIVACY STATEMENT?

- Under the GDPR and Data Protection Act 2018, we are required to explain to our residents why we collect information about you, how we intend to use that information and whether we will share this information with anyone else.
- This statement applies to all our residents and also prospective residents.
- 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 during your stay with us so that the information which we hold about you is accurate and up to date.

WHO ARE WE?

- We are Cornwallis Care Services Limited (CCSL), a company registered in England and Wales under company number 3143947 and our registered office

at Godrevy House, Trewidden Road, St Ives, Cornwall, United Kingdom, TR26 2BX.

- CCLS 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 PROTECTION OFFICER

- Our Data Protection Officer is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws.
- Our Data Protection Officer is Stuart Clarkson, who is assisted by our Communications Manager, Nicola Hemsley. If you have any concerns or questions about our use of your personal data, you can contact them by writing to enquiries@cornwalliscare.com.

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 homes.

TYPES OF PERSONAL INFORMATION WE USE

We collect information about you which is relevant to your stay with us and the care which we provide to you. This includes:

- Personal details (such as name, date of birth, gender, marital status, national insurance number);
- Contact details (such as your previous address, personal telephone number and personal email address);
- Financial information (such as bank account details and information about your financial circumstances);
- Your likes and dislikes (relating to hobbies, food, routines and other categories of likes and dislikes which help us improve your care);
- Information about your care preferences (to enable us to ensure that we are providing you with the care that you want);
- Details of your life history (in order 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);
- Information about your family and friends (for the purpose of visiting, next of kin and emergency contact details);
- Information about your long term wishes (such as desired arrangements in the event that you pass away while staying with us);
- And because circumstances are variable and change with time, there may in some instances be situations outside the list above.

SPECIAL CATEGORIES OF PERSONAL DATA

Some information which we collect about you may be “special categories of personal data”. Special categories of personal 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;
- Information about your sex life and sexual orientation;
- Healthcare information, including:
 - a. Any disabilities or special requirement 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.

SOURCE OF YOUR PERSONAL INFORMATION

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

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

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 rely:

Why we use your information	Our lawful basis for using your information
Admission Assessment: To consider your admission to one of our homes and how we can help your care needs	<ul style="list-style-type: none"> • 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 healthcare requirements as a potential resident.
Provision of care and accommodation and related services: To provide you with safe, appropriate and personalized	<ul style="list-style-type: none"> • It is necessary to perform our contract with you.

<p>care and accommodation 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:</p> <ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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.
<p>Finance: Administering payments for your stay with us and making necessary checks to ensure that the care and accommodation is affordable.</p>	<ul style="list-style-type: none"> • It is necessary for our legitimate interests (where not overridden by your rights) • It is necessary to perform our contract with you.
<p>Admin: Administration matters which are necessary for the day to day functioning of our organization. This may occasionally include the prevention, detection and investigation of fraud and corruption.</p>	<ul style="list-style-type: none"> • 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 that are not overridden by your rights). • It is necessary for us to provide you with healthcare as a resident.
<p>Analysis and monitoring: Analysing the well-being of our residents and monitoring diversity within our homes.</p>	<ul style="list-style-type: none"> • 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 that are not overridden by your rights). • It is necessary for us to provide you with healthcare as a resident.
<p>Complaints: Handling any complaints made or where concerns are raised.</p>	<ul style="list-style-type: none"> • It is necessary to perform our contract with you. • It is necessary to meet legal/regulatory obligations.

	<ul style="list-style-type: none"> • It is necessary for our legitimate interests (where that are not overridden by your rights). • It is necessary for us to provide you with healthcare as a resident.
<p>Safeguarding and regulation: We use your personal data for the purpose of safeguarding and regulation of care.</p>	<ul style="list-style-type: none"> • 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 that are not overridden by your rights). • It is necessary for us to provide you with healthcare as a resident.
<p>Communication: We will need to use your personal information to communicate with you before, during and after your stay with us.</p>	<ul style="list-style-type: none"> • It is necessary to perform our contract with you. • It is necessary for our legitimate interests (where that are not overridden by your rights).
<p>Improving our services: We may ask you to voluntarily complete resident surveys to help us improve the services which we provide to you.</p>	<ul style="list-style-type: none"> • We rely on your explicit consent for us to use your personal data.
<p>Security: We may need to capture images of you as part of our security processes.</p>	<ul style="list-style-type: none"> • It is necessary for our legitimate interests (where that are not overridden by your rights). • It is necessary for us to provide you with healthcare as a resident and for the management of health and social care services.

WHAT MAY HAPPEN IF YOU DO NOT PROVIDE YOUR PERSONAL INFORMATION?

- 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 one of our homes.
- 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.

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.

SHARING YOUR INFORMATION

- We will share your personal information with third parties where we have a lawful basis for doing so.
- The types of organisations with whom we share your personal data are as follows:
 1. **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.
 2. **Regulators / Safeguarding authorities / Commissioners:** We also share your personal data with these public bodies where we are required to do so by law.
 3. **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. There are other occasions where we may be required by law to disclose data (for example, if there is a Court Order).
 4. **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.
 5. **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.

TRANSFERRING INFORMATION OUTSIDE THE EU

- We will not transfer your data outside of the EU.

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.

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:

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 or patient 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 held longer than 8 years for the purpose of an individual claim which concerns the data subject.

- 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.

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 enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
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.

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 Data Protection Officer. 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.

AUTOMATED DECISION MAKING

- You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

RIGHT TO COMPLAIN TO THE 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.

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.

Policy Created: 16 March 2021

Policy Review Date: March 2023

Signed: Nicola Hemsley

Position: Operations Director

Date: 16 March 2021