




Privacy Notice for Service Users

Kindcare (UK) Ltd, trading as Bendigo Nursing Home, in accordance with the General Data Protection regulation (GDPR) we have implemented this Privacy Notice to inform you, our residents, of the types of data we hold on you and process. This Privacy Notice also explains how we use any personal information we collect about you, during the information gathering process known as an Assessment of Need. Topics covered are:







-  *What information do we collect about you?*
-  *How do we use such information?*
-  *Access to your information and correction*

- 1. What information do we collect about you, the lawful basis of the information gathered, who provided the data and retention period?:** The nature of our service means that very personal and sensitive information is discussed, in order to ensure we can meet your health and social care needs in ways that are unique to your individual circumstances. The specific type of information is required in order for us to meet our legal and regulatory obligations as a registered provider. The Lawful Bases which we use are contained within the Data Protection Act 2018 and are:

Data / Information we hold on You	Lawful Basis	Who Provided the Information / Data	Retention Period
Name, Date of Birth	Legal Obligation	You or your LPA / POA / NOK, or Local Authority	Records are archived and kept for 3 years after the date of last entry, after which hard / paper copies are cross shredded and digital copies are deleted
Next of Kin / Relevant, Involved Family Members, LPA (Lasting Power of Attorney) / POA) contact details	Legal obligation (<i>involvement and decision-making</i>)	You or your LPA / POA / NOK, or Local Authority	
Records and contact details on relevant professionals involved in your care, treatment and support such as GP, Social Worker, Community Dietician, Optician,	Legal Obligation (<i>co-ordinated care</i>)	You or your LPA / POA / NOK, or Local Authority or requested by the home	
Medical History	Legal Obligation	Your GP	
Health and Monitoring Records (including past and current weight, blood pressure, nutrition, hydration, BMI, vision, hearing, etc.)	Legal Obligation (<i>in meeting needs</i>)	Your GP or as per our assessment	
Medicines	Legal Obligation	Your GP	
Well-being (including mental, social and spiritual needs, life history and family tree, your preferences and wishes as well as end of life care wishes)	Legal Obligation (<i>in meeting needs in a person-centred way</i>)	You, your family / representative, psychiatrist / GP, our assessment	
Special Categories Data (race, ethnic origin, religion, disability, sex, sexual orientation)	Legal obligation (<i>to ensure equality and necessary adjustment</i>)	You / your representative	
Letters and documents such as hospital appointments, funeral arrangements, advance decisions, correspondence with your representative, copies of LPA / POA, signed Terms of Business and Contract, NHS letter related to Nursing needs and contribution)	Legal Obligation (<i>co-ordinated care</i>) as well as Contractual (<i>payments</i>)	You, your family / representative, LPA / POA, GP, hospital, NHS	

Photographs (such as your photograph, photographs of any pressure wounds or skin damage)	Legal Obligation (i.e. the right medication is administered to the right person)	Our staff	
Accidents / incidents reports	Legal Obligation	Our staff	
Complaints, issues raised and investigations	Legal Obligation	You / other complainant, manager, deputy manager	
Care Planning (current and archived)	Legal Obligation	You and our staff	
Risks and needs assessments	Legal Obligation	Our staff	
Notifications to CQC (Care Quality Commission) and other regulatory organisations	Legal Obligation	Our staff	
Feedback of our service	Legal Obligation	You	For about 12 months
Financial records (such as invoices and payments made by you / your representative / Local Authority (LA) / NHS) as well as any additional expenses	Legal Obligation (HMRC) as well as Performance of a Contractual (payments)	Our accounts department, you / LPA / POA, LA, NHS	6 years

2. **How information about you will be used:** We may share information regarding your care with those who have a need to know, namely Health Professionals, such as GP's, Ambulance Paramedics, Hospitals etc., Local Authorities, include departments such as Social Services, etc. and any relevant person identified by you, such as an L.P.A., and our staff. We will not share your information with anyone except those indicated above, unless required by law. Personal information supplied to us is used in a number of ways, for example.

-  To agree a Care Plan
-  To review your care needs
-  To monitor your medication
-  Share information about you with relevant professionals involved in your care, treatment and support such as GP, Hospital, Dietician, Optician, etc. in order to provide well-managed and co-ordinated care, treatment and support. For this purpose, the lawful basis are legal obligation, however, in cases where there is a lack of capacity the lawful basis changes to vital interests.
-  To help us improve our services
-  Photographs are:
 - i. Used for your MAR sheets where medicines administration is recorded. We are required to administer the right medicine to the right person and having a photograph available ensure that there are no errors, and hence this is a legal obligation.
 - ii. Also used to display on your room door for identification purposes and this is our legitimate interests
 - iii. Used for display around the home, our TV monitors and brochure as part of you daily activities in which case we ask for your consent

3. **How will we use this information?:** Upon completion of your Assessment of Need, we compile a Care Plan with your involvement and the involvement of people you have chosen, which sets out tasks, aspirations and outcomes in order to meet all your identified needs and this is regularly reviewed and updated. This includes liaison with all those involved in your care such as family, your representative relevant health and social care colleagues and other professionals.

4. **Access to your information and corrections:** All files held in your name are available for your perusal and you can ask us to remove or amend information which is inaccurate.




5. **Protecting your Data:** We are aware of the requirement to ensure your data is protected against

accidental loss or inappropriate disclosure, destruction and abuse. We have implemented processes to guard against such.

6. **Your Rights:** You have the following rights in relation to the personal data we hold on you:
 - a) the right to be informed about the data we hold on you and what we do with it;
 - b) the right of access to the data we hold on you.
 - c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected.
 - d) the right to have data deleted in certain circumstances. This is also known as ‘erasure’; however, that may mean that we are unable to ensure appropriate care, treatment and support
 - e) the right to restrict the processing of the data;
 - f) the right to transfer the data we hold on you to another party. This is also known as ‘portability’;
 - g) the right to object to the inclusion of any information;
 - h) the right to regulate any automated decision-making and profiling of personal data.
7. **Consent:** Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.
8. **Making a Complaint:** If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.
9. **Data Protection Compliance:** alternatively, you can inform the manager either verbally or in writing to Mariana, Bendigo Nursing Home, 22 Arundel Road, Eastbourne, BN21 2EL; mariana@bendigonursinghome.co.uk

Privacy Notice for Service User’s Relevant Persons Involved (LPA / POA, NOK, Family Members)

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-  *How do we use such information?*
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1. **What information do we collect about you, the lawful basis of the information gathered, who provided the data and retention period?:** The Lawful Bases which we use are contained within the Data Protection Act 2018 and are:

Data / Information we hold on You	Lawful Basis	Who Provided the Information / Data	Retention Period
Contact Details (full name, address, telephone number(s), e-mail address, business / law firm name, fax number)	Legal Obligation <i>(involve representatives in the residents’ care, treatment and support under the Health and Social Care Act)</i>	You	Records are archived and kept safe for 3 years after the date of last entry, after which hard / paper copies are cross shredded and

Letters and correspondence (hard / paper copies and e-mails), copies of LPA / POA, signed Terms of Business and Contract on behalf of the resident	Performance of a contract	You	digital copies are deleted
Care Planning (involvement, including Best Interest Decision records, DNACPR)	Legal Obligation	You	
Records of verbal communication (either in person or on the phone)	Legal Obligation	You	
Complaints, issues raised and investigations	Legal Obligation	You / other relevant complainant(s), manager, deputy	
Feedback of our service	Legal Obligation	You	For about 12 months
Financial records (such as invoices and payments as well as any additional expenses)	Legal obligation (HMRC)	You and our accounts department	6 years

2. **How information about you will be used:** We will only share your contact details that you have provided willingly with Health Professionals, such as GP's, Hospitals, other professionals involved such as optician, etc., Local Authorities, include departments such as Social Services, our staff to keep you informed of the condition of the person whose care, treatment and support you are involved in, as well as our accounts department. We will not share your information with anyone except those indicated above, unless required by law.
3. **Access to your information and corrections:** Any information held on you is available to you and you can ask us to remove or amend information which is inaccurate.
4. **Protecting your Data:** We are aware of the requirement to ensure your data is protected against accidental loss or inappropriate disclosure, destruction and abuse. We have implemented processes to guard against such.
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 - b) the right of access to the data we hold on you.
 - c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected.
 - d) the right to have data deleted in certain circumstances. This is also known as 'erasure', however, that may mean that we are unable to ensure appropriate care, treatment and support
 - e) the right to restrict the processing of the data;
 - f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
 - g) the right to object to the inclusion of any information;
 - h) the right to regulate any automated decision-making and profiling of personal data.
6. **Consent:** Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.
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