

1. Purpose of this Document

This Policy applies to Agincare’s Customers; it concerns records held and processed by Agincare in any format.

This policy covers all aspects of information within the organisation, including (but not limited to):

- Client/Customer information
- Personal information
- Information provided to us in order to deliver our care and support related duties

This document is held in accordance with the requirements of The Data Protection Act 1998, the General Data Protection Regulations(*EU*) 2016/679) and section 250 of the Health and Social Care Act SCCI1605 Accessible Information Standard.

This privacy notice explains how Agincare (‘we’, ‘us’, ‘our’) collects, uses and discloses your personal data, and your rights in relation to the personal data we hold.

Agincare Group Ltd (6182736) and Agincare Homes Holdings Ltd (7199693) with registered office at Agincare House, Admiralty Buildings, Portland, DT5 1BB will generally be the controller of your personal data. However, in certain circumstances, one of Agincare’s wholly owned trading subsidiaries will be the controller of your personal data – please see the relevant section below for more information

Information we may collect about you:

We may collect certain information or data about you in various ways. The main circumstances we do so are below.

- We collect our Service Users personal information from receipt of referral in order to develop a care and support plan, the range of data held encompasses the regulatory requirements of CQC and that of any contractual partners.
- When you submit enquiries or feedback through one of our website forms, leave a comment or sign up for email newsletters, or book a place at a Agincare event. we may collect your name, email address, telephone number and other information.
- When you use our website we will collect:
 - your IP address, and details of web browser and which version of it you used
 - information on how you use our website, using cookies, that will help us improve the website
 - details of transactions you carry out through our website and of the enquiries you made
- When you participate in any of our surveys or projects we may collect your name, contact and other details.

- When you attend a course, conference or award ceremony we may collect images of you in films or photographs or, in respect of contributions you may make, audio recording.
- When you contact us directly, we may keep a record of that correspondence.

Keeping your data safe:

We have technical and organisational measures in place to keep your data secure once we receive it. These protective measures may include pseudonymising and encrypting personal data, firewalls, anti-virus and malware software, holding personal data in secure, confidential storage, and regularly assessing and evaluating the effectiveness of such measures.

Online payment transactions are always encrypted. AES-128 bit compliant.

How do we use your information:

We may use your personal information:

- to provide you with information, products or services that you request from us, or to process your booking in relation to an event or course we are organising
- to make you aware of related products and services (but only with your consent where required)
- to notify you of any changes to our services or products
- to assist with any contractual obligations between us
- to administer a survey, project or programme you participate in
- to administer any courses or awards that you participate in
- to provide a record of, or to promote and market a course, conference or award using images and film taken on the day.

The basis for processing your information:

Service delivery and Information

We need to process your personal data when we provide you with information and services that you have requested from us. We do so because it is necessary for our legitimate interests and/or because it is necessary for the performance of a contract to which you are a party or in order to take steps at your request before entering into a contract.

Marketing

When we send marketing communications to you at a business email address, we do so because it is necessary for our legitimate interests. Our legitimate interests include highlighting relevant courses and conferences and services in order to fulfil our vision to improve and deliver health and social care in the United Kingdom. You can request that we stop sending you marketing communications at any time (see 'your rights' below).

In respect of personal email addresses, we will only send you marketing with your explicit consent and you can opt out at any time.

Partnership

We may need to process your personal data when we partner with an organisation to deliver services (such as within extra care schemes). This is necessary for the performance of a contract to which you are a party or in order to take steps to deliver a new contract, provide information or following a request before entering into a contract.

Survey's, Comments, Compliments and Complaints

If you participate in the above, we may need to collect and process your personal information. We do so because it is necessary for our legitimate interests in pursuing feedback into the health and care sector. However, we follow ethical guidelines when conducting surveys and will always keep you informed of your rights.

Filming and photography at events

We (or a third party) sometimes carry out filming (including audio recordings) or photography at events (often within our care home sites) as part of our publicity/marketing output or to show activities and engagement of best practices. We do so because it is necessary for our legitimate interests in promoting our work and making others aware of the services and standards we work to. We make Customers, Visitors and Service Users aware of this in advance.

Other bases for processing

We may need to process your personal data for compliance with our legal obligations notably those of the Care Quality Commission, OFSTED, ESFA, Local Authority and NHS, including where it is necessary for the prevention and detection of crime, or for the establishment, exercise or defence of legal claims (for example, to protect and defend our rights or property).

Sharing Information with Others:

For the purposes referred to in this privacy notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties. We may disclose limited personal data to a variety of recipients including:

- our employees, agents and contractors where there is a legitimate reason for their receiving the information
- Within our wholly owned trading companies through which we manage certain commercial activity
- our partners if we hold an event they are supporting (and in respect of which we disclose details of who is attending that particular event)
- internal and external auditors and our legal advisers
- when Agincare is legally required to do so (eg, by a court, government body, law enforcement agency or other authority of competent jurisdiction), for example, by HM Revenue and Customs.

We often work with third parties to help us provide our services and products to you. For example, if you wanted to attend one of our events we may use a third party to manage the booking on our behalf.

We have contracts in place with all our third parties to make sure they protect and respect your information with the same commitment as we do. For further information please contact us at dataprotection@agincare.com

How long will we keep your personal data?

We will retain your personal data no longer than is necessary for the purposes for which it is processed. This purpose is set out in the 'How do we use your personal information?' section above. For example, it may be kept for the duration of a service or product you receive from us or as part of our legal obligations. A full list of Data retention timeframes is included within our Confidentiality, Data Protection/GDPR and Disclosure Policy which can be requested at dataprotection@agincare.com

Your Rights:

Under data protection legislation you have several rights concerning your personal data. These are:

- the right to be informed what personal data we hold about you and/or to obtain access to it
- the right to rectification of personal data we hold about you if it is inaccurate
- the right to erasure of your personal data (in certain circumstances)
- the right to restrict processing (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal)
- the right to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller
- the right to object on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

The above rights are not absolute, and we may be entitled to refuse requests where exceptions apply: for example, if we have reason to believe the personal data we hold is accurate or we can show our processing is necessary for a lawful purpose set out in this notice.

Where our processing of your personal data relies on your consent, and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and/or it may affect the provision of those services. If you have given your consent and you wish to withdraw it, please contact us at dataprotection@agincare.com

You can find out more about your rights under data protection legislation at www.ico.org.uk. If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner.

REVIEW OF THIS STATEMENT

Review of this document is recorded on the controlled index and reviewed annually as part of the management review process.

Policy Review Group

Issue no: 14

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