



hummingbird care

Data Protection Privacy Notice

This policy provides details of how we use your personal information, and your rights in relation to that information. **The Data Protection Act, 1998** contains principles affecting employee and other personal records. Information protected by the Act includes not only personal data held on the computer but can also ascertain manual records containing personal data, for example employee personal files that form part of a structured filing system. The purpose of the policy is to ensure that the Act is not breached. If in any doubt about the protection of your data, see Hummingbird's Registered Data Protection Officer, Tiffany Cutler. The registration details on our certificate are displayed at the bottom of this policy.

Application for copies of the information that Hummingbird Care holds on you by complying with the Data Protection Act, 1998 which includes paying a fee of £10.

1. Why we process your personal information contractual obligation

The information we initially require for employees includes your name, address, telephone number(s) and (subject to your consent) your email address. We will also require you to fill out a medical questionnaire prior to employment. Your criminal history will need to be provided to us by completing a mandatory in-house Disclosure Barring Service certificate.

Without this information we would not be able to carefully for you.

2. Legitimate interest

If you provide us with personal information when you initially contact us, we will keep this information in order to contact you in the future unless you instruct us not to. However, we will have to store the information for regulatory purposes, for example for CQC reviews.

3. Legal obligation

We will ask you to produce documents and photographic evidence that proves you are who you say you are to enable us to confirm that the care we provide and for issue of medication which we need to carry out relates to you and we will record details of these documents on your care file including the holding of photographic images.

4. Consent

Some information we hold requires you to give your consent to the information being used for specific purposes and by authorised third parties. Details of this can be found in our Terms and Conditions. If you decide to withdraw consent for this use, we will amend our records immediately upon receipt of your instructions. You can do this by contacting us at any time during or following our work for you.

5. Sensitive data

We will require as part of our Care needs assessment, you to provide us with detailed medical or health information to enable us to prepare our care plan and medication documents for you and, in some circumstances, to prepare them within certain time limits. The medical or health information will be recorded on your file and will need to remain there for future reference. The information we record is strictly limited to information we require to care for you in accordance with the regulations.

6. How we store your personal information

We record and store information both in electronic files on our computer system and handwritten in your Care Plan folder. Some information originates as “hard copy” and this is stored in a separate paper folder in your care plan document folder held securely in the Care Hub office which requires electronic key fob access.

Copy identification documents, medical details and copies of your contract papers are all stored on an offline hard drive which is backed up and stored in a fireproof strongbox.

Our electronic files are password protected and only accessible to authorised staff. We keep all care files for a period of 7 years after a resident has moved or died and these are stored in a locked office offsite by the Care Manager.

7. Who we share your personal information with

Your personal information will not be shared with any third parties unless:

1. We are required by law to provide information to law enforcement organisations, medical practitioners treating you and the Care Regulators; if this applies, we may not be able to inform you if, by then, you lack capacity to understand or give consent;
2. You provide us with written consent to share specific data with another care provider, business or organisation; or
3. We need to send your data to government bodies e.g. NHS or CQC as part of the care you have contracted us to carry out on your behalf.

A limited amount of your personal data will be contained in our business accounts which we submit to our Accountant who has signed a Confidentiality Agreement.

All external contractors who carry out work for us who may have access to our Computer or filing systems or the Care Managers office are required to sign Confidentiality Agreements before commencing that work. Any external assessors, including CQC inspectors, who may need to have access to our Computer or filing systems or the Care Managers office to complete their reports are required to sign Confidentiality Agreements before commencing their inspection.

8. What images are stored of me and how are they used?

The Home has a full CCTV security system for the protection and safety of all residents and staff. Camera's monitor all communal areas and the external areas at the building 24 hours per day. The system holds 7 days' worth of recordings before it automatically overwrites these images. There are no CCTV camera's in individual residents' rooms, but images of residents will be captured by the system as they move around the building.

Digital Photographs of residents are taken for their Care File profiles to help new staff identify residents, especially for the issue of any medication. Other photographic images may be taken of activities around the home or on outings for internal home use. If you do not want any photographs of you to be used other than for the required Care Plan identification, then please inform the Care Manager in writing. Images may also be used in social media posts on the Home's Facebook page or other similar Social Media accounts. We need your specific permission to use these images and a consent form will be sent to all residents to sign; consent can be withdrawn at any time in writing by notification to the Care Manager

9. Your data information right

Right of access;

If you would like a copy of all the information, we hold about you, please contact us. Please be aware that most if not all the information we hold about you has been provided by you. We will provide a copy of your information free of charge provided the request is made in good faith and is not excessive. If we are acting for you jointly, we will require written authority from all or both of you before any data or information contained in your file is released to one named party.

Right to rectification;

You have the right to have your information corrected if you believe we have not recorded it accurately. Please contact us as soon as you become aware of any mistakes.

Right to erasure;

You can ask us to delete all information we hold about you at any time but if you do we will be unable to continue to provide your care for you and it will effectively mean that you will terminate your contract with us. We can only delete that information after you have left our care and even then are required by law to retain certain information for regulatory inspection by the CQC. However, after your residency at the home ceases or upon your death your file will be archived in accordance with our File Retention policy and deleted only after the appropriate period of time.

10. Automated decisions

We do not use your personal information to make automated decisions which affect you.

11. Jurisdiction

We will not send your data to another business situated outside the EU without your specific consent and only then if we are satisfied that appropriate safeguards are in place.

12. Complaints

If you are not satisfied with the way we have dealt with your personal information, then you can complain to the Information Commissioner's Office Tel: 0303 123 1113 (local rate – calls to this number cost the same as calls to 01 or 02 numbers).

For more information on your data protection rights please visit the Information Commissioner's website: www.ico.gov.uk

You can contact us by:

Post: Hummingbird Care, Royston Road, Churchinford, Somerset TA3 7RE

Email: hello@hummingbirdcare.co.uk

Tel: 01823 602776

13. Data protection registration

Hummingbird Care is registered as a Data Controller with the Information Commissioner's Office. The registered Data Controller is Miss Tiffany Cutler under Register number ZA519639.

If documents are required in a different format, i.e. larger print – Please ask.

This policy will be reviewed annually by the Care Manager.

Last review: March 2022