
LHCC Privacy Notice Policy

1. This legal document was produced and published by LHCC LIMITED and Care London Ltd.
2. We control the copyright in this document, and this document is subject to change without any prior notice but you will be informed of the changes we have made. You reserve the right to either accept or reject our new Privacy Policy
3. The current version of our terms and conditions is available at:
<https://lhccgroup.co.uk/privacypolicynotice>.

1. Introduction

- 1.1 We are committed to safeguarding the privacy of our service users, staff members, MDT and other external associates.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our service users, staff members and other associates. In other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 We do not use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and services, if we however need to use cookie, we will ask you to consent to our use of cookies when you first visit our website.
- 1.4 Our website incorporates privacy controls which affect how we will process your personal data. By using the privacy controls, you can specify whether you would like to us to electronically store and process your personal data. You can access the privacy controls via our intranet (Carex.lhcc.co)
- 1.5 In this policy, "we", "us" and "our" refer to *LHCC LIMITED and/or Care London Ltd*. For more information about us, see Section **.]

2. How we use your personal data

- 2.1 In this Section 3 we have set out:
 - (a) the general categories of personal data that we may process.
 - (b) in the case of personal data that we did not obtain directly from you, the source and specific categories of that data.
 - (c) the purposes for which we may process personal data; and

(d) the legal bases of the processing.

2.2 We may process data about your use of our website and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, timestamp of your visits. **We do not use any analytics tracking system.** This usage data may be processed for the purposes of analyzing errors and access management. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and tracking access to our intranet.

2.3 We may process your account data ("**lhcc.co/carex**"). The account data may include your name and email address. The source of the account data is you or LHCC Limited/Care London Ltd. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business.

2.4 **Service Users**

What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may process the following types of data:

- Your basic details and contact information e.g., your name, address, date of birth and next of kin.
- Your financial details e.g., details of how you pay us for your care or your funding arrangements.

We also record the following data which is classified as "special category":

- Health and social care data about you, which might include both your physical and mental health data.
- We may also record data about your race, ethnic origin, sexual orientation or religion.

Why do we have this data?

We need this data so that we can provide high-quality care and support. By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We have a legal obligation to do so – generally under the Health and Social Care Act 2012 or Mental Capacity Act 2005.

We process your special category data because

- It is necessary due to social security and social protection law (generally this would be in safeguarding instances).
- It is necessary for us to provide and manage social care services.
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent at any time.

Where do we process your data?

So that we can provide you with high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s).
2. Third parties.

We do this face to face, via phone, via email, via our website, via post, via application forms and via our web applications including carex.

Third parties are organisations we might lawfully share your data with. These include:

- Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other health and care professionals.
- The Local Authority.
- Your family or friends – with your permission.
- Organisations we have a legal obligation to share information with i.e., for safeguarding, the CQC.
- The police or other law enforcement agencies if we have to by law or court order.

Staff

What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may record the following types of data:

- Your basic details and contact information e.g., your name, address, date of birth, National Insurance number and next of kin.
- Your financial details e.g., details so that we can pay you, insurance, pension and tax details.
- Your training records.

We also record the following data which is classified as “special category”:

- Health and social care data about you, which might include both your physical and mental health data – we will only collect this if it is necessary for us to know as your employer, e.g., fit notes or in order for you to claim statutory maternity/paternity pay.
- We may also, with your permission, record data about your race, ethnic origin, sexual orientation or religion.

As part of your application, you may – depending on your job role – be required to undergo an enhanced Disclosure and Barring Service (DBS) check (Criminal Record Check). We will retain a copy of the DBS with your consent.

Why do we have this data?

We require this data so that we can contact you, pay you and make sure you receive the training and support you need to perform your job. By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We have a legal obligation under UK employment law.
- We are required to do so in our performance of a public task.
- We have a legitimate interest in processing your data – for example, we provide data about your training to Skills for Care’s Adult Workforce Data Set, this allows Skills for Care to produce reports about workforce planning.
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We process your special category data because:

- It is necessary for us to process requests for sick pay or maternity pay.

If we request your criminal records data, it is because we have a legal obligation to do this due to the type of work you do. This is set out in the Data Protection Act 2018 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. We will only keep a copy of your DBS check with your full consent. We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

Where do we process your data?

As your employer we need specific data. This is collected from or shared with:

1. You or your legal representative(s).
2. Third parties.

We do this face to face, via phone, via email, via our website, via post, via application forms, via our web applications including carex.

Third parties are organisations we have a legal reason to share your data with. These include:

- Her Majesty's Revenue and Customs (HMRC).
- Our pension scheme namely NEST Pension
- Our external payroll provider John Lennard's Accountants
- Organisations we have a legal obligation to share information with i.e., for safeguarding, the CQC.
- The police or other law enforcement agencies if we have to by law or court order.
- The DBS Service

Friends/Relatives

What data do we have?

As part of our work providing high-quality care and support, it might be necessary that we hold the following information on you:

Your basic details and contact information e.g., your name, telephone contact, email address and address.

Why do we have this data?

By law, we need to have a lawful basis for processing your personal data.

We process your data because we have a legitimate business interest in holding next of kin and lasting power of attorney information about the individuals who use our service and keeping emergency contact details for our staff.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

Where do we process your data?

So that we can provide high quality care and support we need specific data. This is collected from or shared with:

1. You or your legal representative(s).

2. Third parties.

We do this face to face, via phone, via email, via our website, via post, via application forms, web applications.

Third parties are organisations we have a legal reason to share your data with. These may include:

- Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, and other health and care professionals.
- The Local Authority.
- The Police or other law enforcement agencies if we have to by law or court order.

Our Website

In order to provide you with the best experience while using our website, we may display some information about service users, staff, families, friends and other professionals.

We may also publish blogs or vlogs with consent from stakeholders with consent.

2.5 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication mostly emails and contact forms on our website. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.

2.6 We may process information that are sent/handed over to us in hard copies, pamphlets or any other documents. Information received by professionals regarding service users may be archived or processed and uploaded on our online platform.

3. Providing your personal data to others

- 3.1 We may disclose your personal data to our branch and various projects within LHCC Group. Insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.
- 3.2 In addition to the specific disclosures of personal data set out in this Section 3, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 3.3 We will not disclose any other information without your authorization to members of the public or if you have instructed us not to share your data with specific individual(s). You can use the “**contact us**” form in order to send in your instructions.

4. Retaining and deleting personal data

- 4.1 This Section 4 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 4.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 4.3 We will retain your personal data as follows:
- (a) *Your account data (First name, Middle name, Last name and email address) will be retained for a minimum period of [5 years] following [your contract start date], and for a maximum period of [10 years] following [termination of your contract].*
- Your profile data and all other subsidiary information we hold on you shall be completely erased upon request from you*
- 4.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:
- (a) the period of retention of *[your personal data]* will be determined based on *[GDPR compliance]*.
- 4.5 Notwithstanding the other provisions of this Section 5, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital

interests or the vital interests of another natural person and integrity of our online system.

5. Amendments

- 5.1 We may update this policy from time to time by publishing a new version on our website.
- 5.2 You will be notified of any changes we make and you can ensure you are happy with any changes to this policy before you accept the policy
- 5.3 We may OR will notify you of changes OR significant changes to this policy by email or through the private messaging system on our website.

6. Your rights

- 6.1 In this Section 6, we have summarised the rights that you have under UK/EU GDPR 2018. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 6.2 Your principal rights under data protection law are:
 - (a) the right to be informed.
 - (b) the right to access.
 - (c) the right to rectification.
 - (c) the right to erasure.
 - (d) the right to restrict processing.
 - (e) the right to object to processing.
 - (f) the right to data portability.
 - (g) the right to complain to a supervisory authority; and
 - (h) the right to withdraw consent.
 - (i) the right not to be subject to automated decision-making including profiling.
- 6.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes

details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. You can access your personal data by visiting *carex.lhcc.co* and select your profile page

- 6.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 6.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 6.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 6.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which

override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

- 6.8 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 6.9 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
 - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,
- and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 6.10 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 6.11 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 6.12 You may exercise any of your rights in relation to your personal data by written notice to us OR directly from our intranet (Care –MS). in addition to the other methods specified in this Section 6].

7. Data breaches

- 7.1 In case of any Data breach, we are required to notify the ICO (and possibly some other bodies) and in some cases, to individuals.
- 7.2 The ICO will be notified of a breach where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

If you would like to complain about how we have dealt with your request, please contact:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
<https://ico.org.uk/global/contact-us/>

8. Data Protection Officers

8.1 We have 2 DPOs who are responsible for data protection compliance across the organization.

- Mr Ismaeel Abdool
- Mr Sugith Maniyappan

9. Our details

9.1 This website is owned and operated by *LHCC LIMITED*.

9.2 We are registered in England and Wales under registration number [04199578], and our registered office is at **4 Gainsborough Rd, Leytonstone, London. E11 1HT**

9.3 Our principal place of business is at the address above.

9.4 You can contact us:

- (a) by post, to HR
- (b) using our website contact form.
- (c) by telephone, on the contact number published on our website from time to time; or
- (d) by email, using the email address published on our website from time to time [hr@lhccgroup.co.uk].