



## Our Privacy Policy

Last update: 01/06/2022

Current update: 09/09/2022

We are Enabling Care for You Ltd, a care organisation incorporated in England.

Our company number is: 08618714

Registered Address: Unit 1B, Mereworth Business Centre, Darns Lane, Maidstone, Kent, ME18 5LW

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and other organisations in the event you have a complaint. Please see the section on [Your Rights](#) for more information.

### Introduction about our Privacy Notice

Enabling Care for You Ltd is a well-established, family-owned care company, who have been providing care services for over 35 years. 10 years as a community company, with provisions of healthcare services encompassing, palliative care, NHS Continuing Healthcare (including NHS Fast Track Continuing Care), dementia care, transitional care, orthopaedic care, and bridging care in healthcare for individuals in the West Kent area. The core focus of Enabling Care for You Ltd is specialising in palliative care support.

When Enabling Care for You processes your personal data, it is required to comply with the Data Protection Act 2018 ("DPA") and the UK GDPR (the DPA and UK GDPR are together referred to as the "Data Protection Legislation"). This sets out our obligations to you and your rights in respect of how we manage your personal information. Personal information means that any information about you which can be identified but does not include information where your identity has been removed (anonymised information).

As the controllers of your personal information, we will ensure that the information we hold about you is:

- 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.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

If you have any questions about this Privacy Notice or would like further explanations how your information is managed, please see [How to Contact Us](#) section below.

Please note that when we refer to:

- **Public Body** we mean any organisation in the United Kingdom which delivers, commissions, or reviews a public service and includes the Ombudsman, Local Authorities, Clinical Commissioning Groups, Health and Social Care Trusts, Acute / Community Hospital Trusts and other bodies and regulators.
- **Health or Social Care Professional** we mean any person who provides direct services or is involved in the commission of your health and/or social care needs, including your General Practitioner (GP), dental staff, pharmacists, nurses, health visitors, clinical psychologists, physiotherapists, occupational therapists, speech and language therapists, chiropractors, hospital staff, social workers and other care and support related professionals.

### Information that we collect

When you enquire about our services during the process of us providing care and support services; we collect the following personal information when you provide it to us:

- Your name, home address, date of birth and contact details (including your telephone number, email address) and emergency contacts (i.e., name, relationship, email address and home and mobile numbers).



- Your allergies and any medical, physical, or mental conditions and in particular your care needs.
- Your likes, dislikes, and lifestyle (including religious beliefs, racial or ethnic origin, genetics, health, sex life, sexuality (so far as they relate to providing you with suitable care).
- Your complaints, compliments, or concerns about the services we provide
- Any accidents and incidents or near misses you may have been involved in whilst our employees are delivering a regulated service to you – this may include details of injuries and treatment you may have received.

Please be aware that our website and this Privacy Notice may provide you with links to other websites. If you follow a link to any other website, please note they have their own privacy promises. We do not accept any responsibility or liability for the privacy and security practices of such third-party websites and your use as such is at your own risk.

### **Information collected from other parties**

We also obtain personal information from other sources such as Pathway 3, Kent Social Services, Clinical Commissioning Groups etc:

- Your allergies and any medical, physical, or mental health conditions and in particular your care and support needs, from any appropriate 3rd party, health care professional etc.
- Your name, home address, date of birth, contact details, NHS number, needs assessments from any external health or social care professional (including any relevant public body regardless of whether you are publicly funded).
- Your likes, dislikes, and lifestyle (including religious beliefs, racial or ethnic origin, genetics, health, sex life, sexuality (so far as they relate to providing you with suitable care).
- Your Attorney or Deputy details (including Independent Mental Capacity Advocate (IMCA) if appropriate).

### **How do we use your personal information?**

We use your personal information to:

- Prepare, review, and update appropriate care plans which describe the nature and level of care and support that you have requested that we will / do supply to you.
- To communicate with you, your representatives and any appropriate external health or social care professionals about your individual needs and personalise the service delivered to you.
- Make reasonable adjustments, when required, to meet your individual needs and to ensure that we have suitable facilities to ensure your safety.
- Invoice you for the care and support services in accordance with our terms and conditions.
- Carry out quality assurance procedures such as reviews of our service and reviews of care plans and risk assessments if appropriate (please note that upon request this information can be provided anonymously).
- Monitor how effective our services are and to make sure that the services we provide meet your needs.
- Improve your experience of our website to ensure that the content is presented in the most effective way.

### **Who do we share your personal information with?**

We regularly share your medication information with appropriate external health or social care professionals (including your GP and pharmacist) and any individuals that you have nominated as your representative. This data sharing enables us to establish the type of care and support you need. It allows us to design the right care package to suit your circumstances.

We will share personal information with law enforcement or other authorities if required by law. This includes information required by public bodies to evidence our compliance with the applicable regulatory frameworks. We are also required to share personal information with external health or social care professionals such as the Local Safeguarding Team to ensure your safety.

We will not share, sell, or trade your personal information with any other third party.



In order to deliver our services to you we rely on third parties to provide specialist support to us. To provide this support they will have access to:

- IT and Telecoms Support Companies – to ensure a secure and resilient operation of our infrastructure.
- Marketing system providers – to organise marketing communications for the delivery and analysis of communications.
- Software support companies – to ensure the software that we run are fully supported and any issues resolved to enable us to better store and manage your records.

### **Whether information has to be provided by you, and if so why**

The provision of your medical, physical, or mental conditions is necessary to enable us to create a robust care plan and to provide you with suitable care and support needs.

### **How long your personal information will be kept**

We will hold the personal information kept within your electronic customer file for the length of your contract plus 7 years.

We will hold the personal information kept within your hard copy customer file (if created) for 3 years from the date of last entry before it will be confidentially destroyed.

We will hold your financial records and transactions for 7 years in line with our legal requirements.

### **The personal information we hold**

Reasons we can collect and use your personal information

- Article 6(1)(b) – processing is necessary for the performance of our contracts to provide individuals with care and support services
- Article 6(1)(c) – processing is necessary for us to demonstrate compliance with our regulatory framework and the law
- Article 9(2)(h) – processing is necessary for the provision of social care or the management of social care systems and services

As the lawful basis on which we collect and use your personal data and special category data (such as your health).

We also rely on Article 6(1)(f) of GDPR to process your personal information in pursuit of our legitimate interests, which includes marketing purposes, corporate due diligence and financial modelling, service development and innovation so we can continue to develop and improve our services.

### **International Transfers**

- The UK GDPR primarily applies to controllers and processors located in the United Kingdom, with some exceptions.
- Individuals risk losing the protection of the UK data protection laws if their personal data is transferred outside of the UK.
- On that basis, the UK GDPR restricts transfers of personal data to a separate organisation located outside of the UK, unless the rights of the individuals in respect of their personal data is protected in another way, or one of a limited number of exceptions applies.
- We refer to a transfer of personal data to a separate organisation located outside of the UK as a “restricted transfer”.

### **Your Rights**

Under the GDPR you have a number of important rights free of charge, in summary those included rights to:

- Fairly process information and transparency over how we use your personal information.
- Access to your personal information and to certain other information that this Privacy Notice is designed to address.
- Require us to correct any mistakes in your information that we hold.
- Require the deletion of personal information concerning you, in certain situations. Please note



that if you ask us to delete any of your personal information which we believe is crucial for us to comply with our legal obligations, we may no longer be able to provide support to you.

- Receive the personal information concerning you which you have provided us, in a structured format and have the right to transmit that data to a third party in certain situations if required.
- Object at any time to processing of personal information for marketing purposes.
- Object to decisions being taken which produce legal effects or significantly affecting you.
- Otherwise restrict our processing of your personal information.
- Claim compensation for damages caused by our breach of any data protection legislations.

For further information on each of those rights, including the circumstances in which they apply, see the: [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation.](#)

### **Data portability**

You have the right to ask us to provide your personal data in a structured, commonly used and machine-readable format so that you are able to transmit the personal data to another data controller. This right only applies to personal data you provide to us:

- Where processing is based on your consent or for performance of a contract (i.e. the right does not apply if we process your personal data on the grounds of legitimate interests); and
- Where we carry out the processing by automated means

We will respond to your request as soon as possible and in any event within one month from the date we receive it. If we need more time, we will let you know.

### **Right to object**

You are entitled to object to us processing your personal data:

- If the processing is based on legitimate interests or performance of a task in the public interest or exercise of official authority
- For direct marketing purposes (including profiling); and/or
- For the purposes of scientific or historical research and statistics

In order to object, you must have grounds for doing so based on your particular situation. We will stop processing your data unless we can demonstrate that there are compelling, legitimate grounds which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

### **How to Contact Us**

You can contact us by:

E-mail: [Philippa.potter1@nhs.net](mailto:Philippa.potter1@nhs.net)

Post: Philippa Potter, Enabling Care for You Ltd, Unit 1B Mereworth Business Centre, Danns Lane, Watlington, Kent, ME18 5LW

Telephone: 01732 240794

### **Keeping your personal information secure**

The confidentiality and security of your information is of paramount to us at Enabling Care for You Ltd and we have appropriate security measures in place to prevent personal information from being lost or used (accessed) in an unauthorised way. We limit access to your personal information to those who have a genuine need to know. Those processing your information will do so only in an authorised manner and are subject to the duty of confidentiality.

### **How to Complain**

Enabling Care for You Ltd understands that complaints to be an expression of dissatisfaction require a response, communicated verbally, electronically, or in writing. Complaints may be made by any individual, their family or representative acting on their behalf with valid consent or in their best interests.



We take complaints seriously and aim to put things right that have gone wrong and learn lessons to avoid reoccurring instances.

Enabling Care for You Ltd will comply with all legislations and national guidelines / best practices when managing complaints and a systematic approach will be taken with all aspects of complaints and or suggestions.

The GDPR also gives you the right to lodge a complaint with a supervisory authority who for the UK is the Information Commissioners Office who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

## **Quality Policies**

### **Quality Review Policy and Procedure**

Ensuring that individuals, their family, and those who care for them are involved in the planning and delivery of their care and support.

Ensuring that the needs, wishes and expectations of the individual are met as far as possible, maximising their independence, and enabling the individual to achieve their agreed outcomes.

### **Quality Assurance Policy and Procedure**

This is to create a framework to identify and ensure quality and Enabling Care for You that staff, individuals, and other stakeholders understand.

To confirm the commitment of Enabling Care for You to quality and ensuring that robust governance processes exist, which meet the needs of its individuals, its employees, the Care Quality Commission (CQC) and other key stakeholders.

To have the tools to measure the progress and development of our organisation and its staff in meeting quality in every aspect of the service.

To ensure continuous quality improvement at Enabling Care for You, emphasise that the provision of evidence-based best practice underpins all activity within Enabling Care for You and its processes are benchmarked against NICE & KLOE guidelines and other best practice guidance.

To ensure that employees at Enabling Care for You understand the quality assurance process and roles and responsibilities to achieve consistently good service outcomes against quality markers.

### **Data Quality Policy and Procedure**

To ensure that staff are aware of the need to assess the quality of the data collected and used by Enabling Care for You.

To ensure that staff are aware of the structure of data quality management at our organisation, and what to do if there are concerns.

These quality policies provide a framework for setting, monitoring, reviewing, and achieving our objectives.

Customer service is an integral part of our quality processes.

We strive to ensure that our company maintains its awareness for continuous improvement, and systems are regularly reviewed by management to ensure it remains appropriate and suitable to our business. Our systems and processes are subject to both internal and external audits.

Should you require copies of our Quality Policies; these can be requested in writing please see [How to Contact Us](#) section above.



**Do you need any extra help?**

Enabling Care for You is committed to equal rights and the promotion of choice, person-centred care and independence per the Accessible Information Standards legislations.

If you would like this notice in any other format (for example: audio, large print, braille) please contact us (see How to Contact Us above).