



LIFE STYLE CARE PLC

Privacy Statement for Residents

August 2018

Key Points

- **Why do we use your data?** We use information about you for the purpose of your residency with Life Style Care.
- **We use your sensitive data:** As a resident, we will use information about your health, racial and ethnic origin, sexual orientation and religion.
- **Sharing data:** We may share your data with third parties, including other agencies who may contribute to your care, your GP, anyone with power of attorney, statutory bodies concerned with the regulation of your care, and other agencies who may continue your care.
- **Security:** We respect the security of your data and treat it in accordance with the law.
- **International transfer:** We will not transfer your data outside of the EU.

1 WHAT IS THE PURPOSE OF THIS PRIVACY STATEMENT?

- 1.1 Under data protection legislation we are required to explain to our residents why we collect information about you, how we intend to use that information and whether we will share this information with anyone else.
- 1.2 This statement applies to all our residents, former residents and prospective residents.
- 1.3 We may update this statement at any time.
- 1.4 It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information during your stay with us so that the information which we hold about you is accurate and up to date.

2 WHO ARE WE?

- 2.1 We are Life Style Care Plc (**Life Style Care**), a company registered in England and Wales under company number 05437501 and with our registered office at Regent House, Allum Gate, Theobald Street, Elstree Borehamwood, Hertfordshire, WD6 4RS.
- 2.2 Life Style Care is a "data controller" for the information which we hold about you. This means that we are responsible for deciding how we use that personal information about you.

3 OUR DATA PROTECTION OFFICER

- 3.1 Our Data Protection Officer is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws.
- 3.2 If you have any concerns or questions about our use of your personal information, you can contact our Data Protection Officer by writing to DPO@lifestylecare.co.uk or DPO, Life Style Care, Regent House, Theobald Street, Borehamwood, Hertfordshire WD6 4RS.

4 WHY ARE WE COLLECTING YOUR INFORMATION?

- 4.1 We ask for information about you so that we can make sure we offer you the best care, protection and support. Without this information, we may not be able to offer you a place at our homes.

5 TYPES OF PERSONAL INFORMATION WE USE

- 5.1 We are collecting information about you which is relevant to your stay with us and the care which we provide to you. This includes:

- 5.1.1 **personal details** (such as name, date of birth, gender, marital status, national insurance number);
- 5.1.2 **contact details** (such as your previous address, personal telephone number and personal email address);
- 5.1.3 **financial information** (such as your bank account details and information about your financial circumstances);
- 5.1.4 **your likes and dislikes** (relating to hobbies, food, routines and other categories of likes and dislikes which help us improve your care);
- 5.1.5 **information about your care preferences** (to enable us to ensure that we are providing you with the care that you want);
- 5.1.6 **details of your life history** (in order to ensure that we make you feel at home with us it is important for us to get to know you as best we can);
- 5.1.7 **information about your family and friends** (for the purpose of visiting, next of kin and emergency contact details);
- 5.1.8 **information about external healthcare providers** (such as your GP and practice details);
- 5.1.9 **video and photographs of you** (such as CCTV footage, photographs for security purposes, etc);
- 5.1.10 **information about your long term wishes** (such your desired arrangements in the event that you pass away while staying with us);
- 5.1.11 **details of anyone with authority to act on your behalf**, such as a power of attorney or deputy; and

Special categories of personal data

- 5.2 Some of the information which we collect about you may be “special categories of personal data”. Special categories of data require a greater level of protection. The special categories of personal data about you which we may collect include:

- 5.2.1 information about your **racial or ethnic origin**;

- 5.2.2 information about your **religious beliefs**;
- 5.2.3 information about your **sex life** and **sexual orientation**;
- 5.2.4 **healthcare information**, including:
 - (a) any disabilities or special requirements which you may have;
 - (b) medical records applying to the time you have spent with us;
 - (c) your medical history;
 - (d) records required by care home regulations, like risk assessments, care plans and records of the care we provide to you; and
 - (e) details of your support and care needs.

6 SOURCE OF YOUR PERSONAL INFORMATION

- 6.1 The above information which we collect about you will be obtained through a variety of sources which include:
 - 6.1.1 from you directly both prior to your admission and during the course of your stay with us;
 - 6.1.2 from your friends and relatives who provide us with information about you;
 - 6.1.3 from anyone who has the authority to act on your behalf such as a power of attorney or deputy; and
 - 6.1.4 from healthcare professionals and officers in the local authority/ social services department.

7 HOW AND WHY WE USE YOUR PERSONAL DATA

- 7.1 In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you for any particular purpose.
- 7.2 We have set out below the different purposes for which we collect and use your personal data, along with the lawful bases on which we will rely.

| Why we use your information | Our lawful basis for using your information |
|---|--|
| <p>Admission assessments: To consider your admission to one of our homes and how we can meet your care needs.</p> | <p>Contract: It is necessary in order to enter into a contract with you.</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Health: It is necessary to consider your healthcare requirements as a potential resident*</p> |
| <p>Provision of care and accommodation and related services: To provide you with safe, appropriate and personalised care and accommodation as one of our residents and ensure that we meet your individual requirements. This will include us using your personal information for the following reasons:</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by</p> |

| Why we use your information | Our lawful basis for using your information |
|---|---|
| <ul style="list-style-type: none"> meeting your dietary requirements; making necessary adaptations to your accommodation; delivering the healthcare and personal care you require; and determining your capacity for decision making. | <p>your rights (ensuring resident safety and satisfaction).</p> <p>Vital interests: It is necessary for the protection of your vital interests.</p> <p>Health: It is necessary for us to provide you with healthcare as a resident.*</p> |
| <p>Finance: Administering payments for your stay with us and making necessary checks to ensure that the care and accommodation is affordable.</p> | <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the proper operation of our business).</p> <p>Contract: It is necessary to perform our contract with you.</p> |
| <p>Admin: Administrative matters which are necessary for the day-to-day functioning of our organisation. This may occasionally include the prevention, detection and investigation of fraud and corruption.</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the proper operation of our business).</p> <p>Health: It is necessary for us to provide you with healthcare as a resident.*</p> |
| <p>Analysis and monitoring: Analysing the well-being of our residents and monitoring diversity within our homes.</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the proper operation of our business).</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Health: It is necessary for us to provide you with healthcare as a resident.*</p> |
| <p>Complaints: Handling any complaints made and concerns raised.</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the safety and satisfaction of our residents).</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Health: It is necessary for us to provide you with</p> |

| Why we use your information | Our lawful basis for using your information |
|---|---|
| | healthcare as a resident.* |
| <p>Safeguarding and regulation: We use your personal data for the purpose of safeguarding and regulation of care.</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the safety and satisfaction of our residents).</p> <p>Health: It is necessary for us to provide you with healthcare as a resident.*</p> |
| <p>Communication: We will need to use your personal information to communicate with you before, during and after your stay with us.</p> <p>For example, when you telephone us, we may record those calls for monitoring and training purposes.</p> | <p>Contract: It is necessary to perform our contract with you.</p> <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the proper operation of our business).</p> |
| <p>Improving our services: We may ask you to voluntarily complete resident surveys to help us improve the services which we provide to you.</p> | <p>Legal obligation: It is necessary to meet legal / regulatory obligations.</p> |
| <p>Security: We may need to capture images of you as part of our security processes such as use of CCTV footage.</p> | <p>Legitimate interests: It is necessary for our legitimate interests, where they are not overridden by your rights (ensuring the safety of our residents, staff and visitors).</p> <p>Health: It is necessary for us to provide you with healthcare as a resident and for the management of health and social care services.*</p> |
| <p>* This is an additional lawful basis which we need to rely on in order to use special categories of data such as information about your health</p> | |

8 WHAT MAY HAPPEN IF YOU DO NOT PROVIDE YOUR PERSONAL INFORMATION?

- 8.1 If you refuse to provide information which we need to consider your admission, we may not be able to offer you a place at one of our homes.
- 8.2 During your stay with us, if you refuse to provide us with information which we request from time to time, this might impact on our ability to provide you with care and support.

9 COMPLYING WITH DATA PROTECTION LAW

- 9.1 We will comply with data protection law when using your personal information. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:

- 9.1.1 used lawfully, fairly and in a transparent way;

- 9.1.2 collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- 9.1.3 relevant to the purposes we have told you about and limited only to those purposes;
- 9.1.4 accurate and kept up to date;
- 9.1.5 kept only as long as necessary for the purposes we have told you about; and
- 9.1.6 kept securely.

10 SHARING YOUR INFORMATION

- 10.1 We will share your personal information with third parties where we have a lawful basis for doing so.
- 10.2 The types of organisations with whom we share your personal data are as follows:
 - 10.2.1 **Healthcare providers and multi-disciplinary teams:** Where it is lawful and necessary to do so, we will share information about you with other healthcare providers such as your GP, hospital staff, specialist care providers (such as continence services) etc.
 - 10.2.2 **Regulators / Safeguarding authorities / Commissioners:** We also share your personal data with these public bodies where we are required to do so by law.
 - 10.2.3 **The Police and other law enforcement agencies:** In limited circumstances we may be required to share your personal data with the police if required for the purposes of criminal investigations and law enforcement.
 - 10.2.4 **IT service providers:** We may use external IT providers who may have access to your personal data from time to time as is necessary to perform their services.
 - 10.2.5 **Other service providers:** We may use other service providers who may have access to your personal data from time to time, such as person centred software solutions, to help with care monitoring and planning and telecommunications providers, to assist in the safe and effective sharing of data with other healthcare providers.
 - 10.2.6 **Attorneys:** Where it is lawful to do so, we may share your personal information with any individual who has authority to act on your behalf such as those granted power of attorney.

11 TRANSFERRING INFORMATION OUTSIDE THE EU

- 11.1 We will not transfer your data outside of the EU.

12 CAN WE USE YOUR INFORMATION FOR ANY OTHER PURPOSE?

- 12.1 We typically will only use your personal information for the purposes for which we collect it. It is possible that we will use your information for other purposes as long as those other purposes are compatible with those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.
- 12.2 We may also use your personal information for other purposes where such use is required or permitted by law.

13 STORING YOUR INFORMATION AND DELETING IT

- 13.1 We will only retain your personal information for as long as necessary to fulfil the purposes for which we have collected it or to fulfil another lawful purpose (as described above). When we no longer have a lawful purpose for holding your data, we will securely destroy your personal information in

accordance with our data retention policy. A copy of our data retention policy is available on our website at www.lifestylecare.co.uk

- 13.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

14 SECURITY OF YOUR INFORMATION

- 14.1 The information that you provide will be stored securely on our systems. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those authorised to access it.
- 14.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

15 YOUR RIGHTS

- 15.1 Under certain circumstances, by law you have the right to:
- 15.1.1 **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - 15.1.2 **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - 15.1.3 **Request erasure** of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
 - 15.1.4 **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) or public interest as our lawful basis for processing and there is something about your particular situation which leads you to object to processing on this ground. You also have the right to object if we are processing your personal information for direct marketing purposes.
 - 15.1.5 **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
 - 15.1.6 **Request the transfer** of your personal information to another party in certain circumstances.
- 15.2 If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Protection Officer by writing to DPO@lifestylecare.co.uk or DPO, Life Style Care plc, Regent House, Theobald Street, Borehamwood, Hertfordshire WD6 4RS.

16 RIGHT TO WITHDRAW CONSENT

- 16.1 In the limited circumstances where we are relying on your consent as our lawful basis to process your data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Officer by writing to DPO@lifestylecare.co.uk or DPO, Life Style Care plc, Regent House, Theobald Street, Borehamwood, Hertfordshire WD6 4RS. Once we have received notification that you have

withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

17 AUTOMATED DECISION MAKING

- 17.1 You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

18 RIGHT TO COMPLAIN TO THE ICO

- 18.1 You have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

19 CHANGES TO THIS PRIVACY STATEMENT

- 19.1 We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.