



10 Hatherley Road, Cheltenham, Gloucestershire, GL51 6DZ
01242 898262

PRIVACY NOTICE

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

We are CheltCare Limited. In order that we can provide care and support/introduction services to the people we support we collect and use certain personal information about you.

Personal information means any information about you from which you can be identified, but it does not include information where your identity has been removed (anonymous data).

We process personal data (including sensitive personal data), so that we can provide care and support/introduction services to you. In doing so, we act as a Data Controller and Data Processor. The [General Data Protection Regulation](#) ("GDPR"), which applies in the United Kingdom and across the European Union, sets out our obligations to you and your rights in respect of how we manage your personal information.

As the Data Controller and Data Processor of your personal information, we will ensure that the personal 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.

- relevant to the purposes we have told you about and limited only to 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 explanation as to how your personal information is managed, please send an email to samantha@cheltcare.co.uk, or write to Samantha Mermagen at 10 Hatherley Road, Cheltenham, Gloucestershire GL51 6DZ or call 01242 898262.

Please note when we refer to:

- A **"public body"** we mean any organisation in the United Kingdom which delivers, commissions or reviews a public service and includes (but is not limited to) the Ombudsman, local authorities, councils, unitary authorities, clinical commissioning groups, health and social care trusts, the National Health Service as well as their arm's length bodies and regulators.
- A **"social or health care professional"** we mean any person who provides direct services, acts as consultant, or is involved in the commission of your healthcare or social care services, including (but not limited to) your General Practitioner (GP), dental staff, pharmacists, nurses



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and health visitors, clinical psychologists, dieticians, physiotherapists, occupational therapists, hospital staff, social workers and other care and support related professionals.

The personal information we collect and use in relation to people who enquire about and use our services

Information collected by us

When you enquire about our care and support/introduction services and during the course of providing care and support/introduction services to you 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, mobile number, email address and client Representative or Power of Attorney contact details (i.e. name, relationship and Address, Email address and your home landline and mobile numbers)
- your medical history including your gender, NHS number, NI number, GP and District Nurse information and any medical, physical or mental conditions and in particular your care needs. We ask for consent to access your GP medical records in case of Emergency situations. i.e for Paramedics and Emergency service responders, however we will respect your decision and privacy should you not give us consent for this.
- your property and car details for information purposes for the Carer/PA's we introduce to you.
- your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, genetics, health, sexuality (so far as they relate to providing you with suitable care).
- your preferences in regards to the Carers/PA's we introduce to you. (so far as they relate to providing you with suitable care)
- credit or direct debit details (if you pay for some or all of our services using one of these methods)
- transaction Data includes details about payments to and from us and other details of services you have purchased from us.

☐ technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone settings and locations, operating system and platform and other technology on the devices you use to access our website.

Information collected from other sources

We also obtain personal information from other sources such as:

- your allergies and any medical, physical or mental conditions and in particular your care and support needs, from any appropriate external social or health care professionals (including your GP)
- your name, home address, date of birth, contact details, needs assessments and financial assessments from any appropriate external social or health care professionals (including any relevant public body regardless of whether you are publicly funded)
- your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin, politics, genetics, health, and sexuality so far as they



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relate to providing you with suitable care) from your family, friends and any other person you have nominated as your representative

- your Attorney or Deputy (if applicable)
- your Carers that we have introduced to you.

How we use your personal information

We use your personal information to:

- prepare, review and update a suitable Guide to the Client document, describing the nature and level of care and support services which you have requested we supply to you.
- to communicate with you, your representatives and any appropriate external social or health care professionals about your individual needs and to personalise the service and Carers we introduce to you
- make reasonable adjustments, when required, to meet your individual needs and to ensure 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 reassessments and, review our services to improve our customer experience

(please note that feedback can also be provided anonymously)

Who we share your personal information with

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

individual circumstances, including if (in future) you decide to receive care from an alternative provider.

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 framework. We are also required to share personal information with external social or health care professionals, including public bodies and local safeguarding groups (in some circumstances) to ensure your safety.

We will only share your personal and sensitive personal data with service providers such as carers chosen to care for you. Only that information that is strictly necessary for the provision of care will be given to that service provider or Carer.

We may have to share your personal data with certain third parties such as:

- Service Providers acting as processors based in the United Kingdom who provide IT and systems administration services



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- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We do not transfer your personal data outside the European Economic Area (EEA).

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

The provision of your medical, physical or mental condition is necessary to enable us to create a Guide to the Client document and to introduce to you suitable Carers to deliver the care and support services you need at home. Without this information, we will not be able to assess your care needs or provide any care services to you.

The provision of your name, home address is required so that we can arrange a Carer to attend your home to deliver the services and so that we can invoice you for the fees.

We will inform you or your representative at the point of collecting information from you, whether you are required to provide the information to us.

How long your personal information will be kept

- we will hold the personal information kept within your client file for the period that is stipulated by our Insurers.
- we will hold the personal information kept within our feedback procedure for the duration that the client has care services from ourselves so that we can identify trends and patterns in our service

☐ We will hold credit or debit card information for the duration that the client has care services from ourselves so that we can process your payments.

The personal information we hold

Reasons we can collect and use your personal information

We rely on the following grounds within the GDPR:

- Article 6(1)(b) – processing is necessary for the performance of our **contracts** to provide individuals with care and support/introduction services



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- 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
- Article 6 (1) (f) – processing your personal information to improve the care and support/introduction services we supply to you.

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 the following grounds within the GDPR to process your personal information in pursuit of our **legitimate interests**:

☐ Article 6 (1) (f) – processing your personal information to improve the care and support/introduction services we supply to you.

Your rights

Under the [GDPR](#) you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information;
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address;
- require us to correct any mistakes in your information which we hold;
- require the erasure (i.e. 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 necessary for us to comply with our contractual or legal obligations, we may no longer be able to provide care and support/introduction services to you;**
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations;
- object at any time to processing of personal information concerning you for direct marketing;
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you;
- object in certain other situations to our continued processing of your personal information;
- otherwise restrict our processing of your personal information in certain circumstances;
- claim compensation for damages caused by our breach of any data protection laws;

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](#).

Keeping your personal information secure



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We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

How to contact us and complain

We hope that we can resolve any query or concern you raise about our use of your information.

How to contact us:

If you would like to exercise any of your rights, please:

- email, call or write to Samantha Mermagen, our Data Protection Officer.
- let us have enough information to identify you (eg your name and address),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

The [GDPR](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

The ICO's Address:
Information Commissioners Office Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Changes to this privacy notice

This privacy notice was created on 22nd May 2018 and last updated on 14th June 2019.



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We may change this privacy notice from time to time, when we do we will inform you via letter or email.

Do you need extra help?

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