

OC157

Privacy Notice

1 Purpose

Your Information: what we hold, how we use it, how long we keep it for and how we keep it confidential and secure.

2 Policy Statement

Outlook Care is required by law to tell you about your rights and our obligations in collecting and processing your personal information. We have a range of policies and procedures to ensure that any personal information you supply has a legal basis for holding this information, is held securely and treated confidentially in line with Data Protection law and GDPR regulations applicable regulations.

This policy is also available in easy read version for our customers and both versions will be made available on our website.

3 Legislation

- Data Protection Act 2018
- The **General Data Protection Regulation (EU) 2016/679 ("GDPR")**
Regulation in EU **law** on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA).

4 Governance

The purpose of the Board is to direct the affairs of Outlook Care, set the long-term vision and protect the reputation and values of the organisation, adopting the principles of good governance as outlined in "Good Governance – a Code for the Voluntary and Community Sector (Second Edition 2010)".

The Board have responsibility for setting the Policy and delegate implementing and following the procedure to the Organisation/Chief Executive/Executive Management Team.

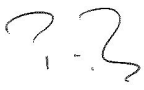

5 Customer Impact Statement

All our customers will be confident that access and use of their information is managed with integrity and adheres to legal requirements.

Outlook Care wants to make sure that all our customers are happy with the service they receive. Outlook Care defines its customers as people we support, their families, the public sector commissioners and the local communities in which we work. If unhappy about anything, they are able to talk to someone to help put things right. This policy and its subsequent procedure, is drafted in line with our values, giving guidance to our staff to ensure that our customers are able to speak freely about concerns, be listened to by staff, who will then put things right. The impact of this policy is to empower our customers to let us know when something has gone wrong and be confident that we will put it right.

6 Adoption

The Board of Trustees makes adoption of this policy.

Chief Executive	Chair
Name: Piotr Rejek	Name: Renaud Huck
Signature: 	Signature: 
Date: 9 February 2023	Date: 9 February 2023

This policy is reviewed annually.

OC157

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7 Your data: what we hold, how we use it and how we keep it confidential and secure

This privacy notice tells you about the personal data we collect and hold about you, what we do with it, how we will look after it and whom we might share your data with. It covers information we collect directly from you or receive from other individuals or organisations.

This privacy notice is also available in Easy Read and on our website. You can request the linked documents listed below by emailing GDPR@outlookcare.org.uk

Outlook Care is registered with the Information Commissioner, Registration Number Z6625190 and the registered Data Protection Officer is Katie Lay, Director of Technology & Corporate Administration.

8 Who this privacy policy applies to

For the purpose of this privacy notice, Outlook Care have categorised the personal data we hold into the following groups. Each section of this privacy notice details how your information in each category of personal data is managed:

- **Customers;** includes the people we provide care and support to, including prospective customers.
- **Workers;** includes employees, OCB workers, board members, agency workers, volunteers and contractors.
- **Others;** includes suppliers, funders, friends and relatives and any other categories not listed. Also included are visiting professionals and contractors.

8 Linked Documents/Forms/Websites

- OC5 Personal Data Policy
- OC128 Technology Access & Security Policy
- OC168 Social Media Policy
- FM671 Privacy Notice Easy Read

9 What the legal basis is for holding your personal data

<p>Customers</p>	<p>Legal Obligation as set out in Regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) 2010 to ensure that all care and support records are accurate and correct.</p> <p>Contractual obligation to assess your suitability to be supported at our services and hold records to provide information to our funders on the care and support service we are contracted to provide on their behalf</p> <p>Consent: For us to process your data for publication in the media (print and electronic) you need to give us your consent to do so. When consent cannot be given the Mental Capacity Act framework is followed by staff and external people to ensure it is in the best interest of the person we support.</p> <p>For us to manage health and safety of our services, we may need to carry out Covid-19 testing and will seek your consent to do so and process any related data accordingly.</p>
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<p>Workers</p>	<p><i>Contractual obligation to</i></p> <ul style="list-style-type: none"> • enter into an employment contract with you and to meet our obligations under your employment contract. For example, we need to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements. • ascertain suitability of prospective and current board members to ensure good governance of Outlook Care. <p><i>Legal Obligation to</i> process data to ensure that we are complying with our legal obligations. These include your entitlement to work in the UK; to deduct tax; to comply with health and safety laws; to enable you to take periods of leave to which you are entitled, and to consult with employee representatives if redundancies are proposed or a business transfer is to take place.</p> <p>Health and Social Care Act 2008, where undertaking “regulated activities” we are required to carry out enhanced criminal records checks to ensure that individuals are permitted to undertake the role in question a record of whether we have checked your Covid-19 vaccination or exemption status or the reason why you might be exempt. This was effective from 11 November 2021 and applies to those staff working in Registered Care services. From 1 April 2022 this will apply to all CQC registered services.</p> <p>Companies Act 2006 to ensure we carry out due diligence on prospective members and ongoing to ensure current board members are fit for office.</p> <p><i>Legitimate Interest</i> in processing personal data before, during and after the end of the employment relationship.</p> <p><i>Consent:</i> For us to process your data for publication in the media (print and electronic) you need to give us your consent to do so. For us to manage health and safety of our services, we may need to carry out Covid-19 testing and will seek your consent to do so and process any related data accordingly.</p>
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Others	<p>Legal Obligation To hold a record of whether we have checked your Covid-19 vaccination or exemption status or the reason why you might be exempt (this applies to visiting professionals and contractors and does not refer to visitors of residents). This was effective from 11 November 2021 and applies to those staff working in Registered Care services. From 1 April 2022 this will apply to all CQC registered services.</p> <p>Contractual obligation to:</p> <ul style="list-style-type: none"> • ensure we manage the property we hold in line with our agreements with the landlords • fulfilment of the contract with supplier company, for the payment of goods and services received and ongoing business relationship. • ensure that we can respond effectively to complaints received to improve the care and support we deliver. <p>We have a lawful obligation to hold data where potential legal action is taken against customers</p> <p>Consent: For us to process your data for marketing activities or to process your data for publication in the media (print and electronic) you need to give us your consent to do so. We operate a double-opt out consent process. This means after you request to receive information you will be sent an opt-in confirmation email to confirm you consent to be included in our database. Any emails sent to you include an unsubscribe option on the emails we send to you. You can stop receiving emails from us at any time by clicking unsubscribe from the email.</p> <p>For us to manage health and safety of our services, we may need to carry out Covid-19 testing and will seek your consent to do so and process any related data accordingly.</p>
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10 What personal data do we collect and hold

Customers	<p>Name, address, date of birth and National Insurance number. We also hold information on:</p> <ul style="list-style-type: none"> • Care & Support plans and supporting documentation which details how you wish us to care and support you. • Daily records of care and support provided which includes physical, mental and emotional. • Deprivation of Liberty Authorisations • Your racial/ethnic origin, sexuality and what religion you are to ensure your well-being. • Your health records, both physical and mental health which includes diagnoses and conditions you have now or have had in the past. This includes any health records relating to Covid-19 including testing and vaccination records. • Medications you are taking and your previous medical history • Allergies and reactions to medication you have taken • Appointments, letters and reports from other Health Professionals involved in your care and support which includes results of investigations such as blood tests and X-rays • Your arrangements for next of kin contact
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Workers	<p>Name, address, date of birth and National Insurance number. We also hold information on:</p> <ul style="list-style-type: none"> • Bank details to enable your pay to be paid to you each month. • The terms and conditions of your employment including details of your qualifications, skills, experience and employment history including start and end dates with previous employers and with Outlook Care as well as relevant references • Details about your next of kin and emergency contacts • Information about your nationality and entitlement to work in the UK • Details about your schedule and attendance at work • Details of periods of leave taken by you including annual leave, sickness absence and the reasons for the leave. • Details of any OCB Worker procedures in which you have been involved including any warnings or notices issued to you and related correspondence • Assessments of your performance, including supervisions, appraisals and training you have participated in and any relevant correspondence. • Pension schemes and contributions. • Information about medical or health conditions, including whether or not you have a disability for which the organisation needs to make reasonable adjustments • Details of trade union membership • Information about your criminal record (if applicable) • Equal opportunities monitoring information including information about your ethnic origin sexual orientation, health and religion or belief. • Emergency contact details, it is the responsibility of the worker to ensure personal details provided are with permission of those • Emergency contacts. • Covid-19 vaccination or exemption status and if exempt the reason why you might be exempt.
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Others	<p>As a representative of our supplier, personal data including your name, date of birth, email address, position within the supplier company and contract numbers.</p> <p>Where properties have surveillance system in place (CCTV) signage is clearly displayed in line with privacy legislation.</p> <p>For direct marketing we hold personal data such as your name, address, job title, telephone numbers, email addresses, phone numbers and your relationship to the people we support. We also hold demographic location such as postcode, preferences and interests and other information related to customer surveys and/or offers.</p> <p>For visiting professionals or contractors we hold data on your Covid-19 vaccination or exemption status.</p> <p>We do not hold any sensitive personal data.</p>
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11 What we do with your personal data

Customers	<p>Staff involved in providing your care and support access your information to enable them to provide you with the care and support you need. This will include support staff at your service, care service managers, senior managers and key administrative staff. All our staff are required to abide by a strict code of conduct on confidentiality and information sharing.</p>
Workers	<ul style="list-style-type: none"> • Run recruitment and promotion processes; • maintain accurate and up-to-date worker records and contact details (including details of who to contact in the event of an emergency), and records of worker contractual and statutory rights; • operate and keep a record of any warnings or notices, to ensure acceptable conduct within the workplace; • operate and keep a record of worker performance for workforce management purposes; • operate and keep a record of absence, to allow effective workforce management and ensure that workers are receiving benefits to which they are entitled; • obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that workers

	<p>are receiving the pay or other benefits to which they are entitled;</p> <ul style="list-style-type: none"> operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled; provide references on request for current or former workers; respond to and defend against legal claims; and maintain and promote equality in the workplace. we are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations. This includes a record that we have checked or that you are either vaccinated with or exempt from a full course of Covid-19 vaccinations. <p>Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to employees with disabilities and for health and safety purposes). In some cases information about trade union membership is processed to allow the organisation to operate check-off for union subscriptions.</p> <p>Where the organisation processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring as required by the Equal Opportunities Act.</p>
Others	<p>We hold your personal data as necessary for the administration of our supplier relationship and to manage and monitor tenancy agreements with our tenants.</p> <p>Data collected via our website includes personal data so we may periodically send promotional emails about new products, special offers or other information which we think you may find interesting using the contact details you have provided and may include:-</p> <ul style="list-style-type: none"> To keep you updated on what we are doing at our services and any other information we think would be of interest to you. This will include newsletters, emails, events and meeting dates.

	<ul style="list-style-type: none"> To obtain feedback from you on how we are performing so that we can improve the services provided to the people we support. To update you on any vacant bed-spaces we have at our services. <p>We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations. This includes a record that we have checked or that any visiting professional or contractor is either vaccinated with or exempt from a full course of Covid-19 vaccinations.</p>
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12 Who we share your personal data with

Customers	<p>To ensure you receive the care and support required, we may need to share some of your information with other staff who do not work for us but are involved in providing support to you such as social workers, occupational therapists, mental health workers, your doctors, and the local authority who funds the service. Before we share your information with others we would first consider</p> <ul style="list-style-type: none"> asking for your consent at the outset, and recognizing when consent cannot be given the Mental Capacity Act framework is followed by staff and external people only sharing information with those who need to know in order to provide you with good quality care and support. sharing the minimum information necessary to ensure good quality care and support. sharing information for legal or contractual reasons or if in the public interest or to reduce risk of significant harm <p>We will not share your information with any family members or friends unless you give us permission to do so, and you can withdraw your consent at any time by letting us know you no longer wish for us to discuss your health with the nominated person. If you do not have capacity a best interest decision is made on your behalf to identify who we can share information with on your behalf and ensure these decisions are documented with your information.</p>
Workers	<p>Your information will be shared internally, including with members of the HR and recruitment team (including payroll), your line manager, managers in the business area in which you work and IT staff if access to the data is necessary for performance of their roles.</p>

	<p>We share your data with third parties in order to obtain pre-employment references from other employers, obtain background check information from third-party providers and obtain necessary criminal records checks from the Disclosure and Barring Service. We may also share your data with third parties in the context of a sale or transfer of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.</p> <p>We also share your data with third parties that process data on its behalf in connection with payroll, the provision of pensions and the provision of occupational health services.</p> <p>We may also share your data with organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC</p>
Others	<p>Outlook Care is committed to ensuring that your privacy is protected. We will not sell, distribute or lease your personal information to third parties unless we have your consent to do so or we are required by law to do so. For example, we may need to share tenancy personal data with others where potential legal action is to be taken.</p> <p>CCTV images/recordings are only viewed when potential internal investigation or criminal activity needs to be investigated and is shared externally with the police only on request.</p> <p>We may also share your data with organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC</p>

13 How long we keep your personal data.

Customers	<p>We will hold your personal data for the duration of your care and support contract. After you have left our service, we will continue to hold your data for seven years. This is so we are able to respond to any future questions or concerns raised with regards to the delivery of care and support whilst you were with us. Your data is archived to reputable suppliers and securely held for the time period, after which the data will be confidentially destroyed.</p>
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Workers	We will hold your personal data for the duration of your engagement and up to seven years following end of engagement to meet HMRC requirements. However, if we need to hold personal data for legal reasons data may need to be held for longer periods but is done on an exceptional case basis.
Others	<p>Your personal data is held for the administration of our supplier relationship and is held for a minimum of seven years to meet HMRC requirements. If you cease to represent the supplier company, we can remove your personal data on request.</p> <p>Personal data for direct marketing is held whilst we operate care and support services that we believe you may be interested in hearing about. At any time, you can withdraw your consent for receiving this communication.</p>

13.1 How your personal data is kept safe and secure.



Outlook Care are committed to providing Technology systems which guard against common threats of cybercrime and reduce vulnerabilities of businesses to an accredited government standard, Cyber Essentials.

Data contractual agreements are held with all data processors to ensure our suppliers meet legal and contractual requirements.

All our staff are required to abide by a strict code of conduct on confidentiality and information sharing for all personal data held.

14 Outlook Care Website

14.1 How we use cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual.

- The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.
- We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes.
- Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.
- You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

14.2 Links to other websites

The Outlook Care website contains links to other websites. Our Privacy Policy applies only to our website, so if you click on a link to another website, you should read their Privacy Policy.

15 Internet & Social Media Usage

We provide Internet and access to social media for customers, workers and visitors to our services. Only nominated individuals are permitted to post onto social media sites in Outlook Care's name and on our behalf. They will always get consent before any reference or images of current or former employees, customers, tenants or suppliers is published. Any breach of this restriction may be considered to amount to gross misconduct. When posting onto social media sites in a personal capacity, workers are not permitted to post materials of any description that refer to our customers or Outlook Care work activities. Workers should be aware that Outlook Care may observe content and information made available by their employees through social media.

15.1 Internet System Monitoring

Outlook Care uses Internet monitoring software and records all Internet activity on OC ICT systems. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for business purposes. Categories of inappropriate sites such as pornography and gambling are blocked from use.

15.2 The following Internet activity is prohibited for all people using our Internet services:

- Visiting any sites which are illegal or encourage criminal activity.
- Visiting, distributing or downloading of pornographic or sexually orientated websites/images.
- Visiting, distributing or downloading of sexually related, derogatory or racially intolerant websites/images.
- Visiting, distributing or downloading of the promotion of violence or hatred websites/images.
- Visiting sites that use abusive, vulgar or objectionable language.
- Using the Internet for the intentional harassment or harm of an individual or organisation.
- Use of the Internet for soliciting money.
- To spread any political or threatening views or content that could cause unrest.
- Use of the Internet for gambling.
- Downloading entertainment software or games or to play games against opponents over the Internet.
- Attempt to conceal your identity when using the Internet.
- Deliberately propagate any virus, worm or Trojan horse.

16 Your data protection rights

Outlook Care would like to make sure you are fully aware of all of your data protection rights. Each person is entitled to the following:

- **The right to access** - You have the right to request Outlook Care for copies of your personal data. We may charge a small fee for this service.
- **The right to rectification** - You have the right to request that Outlook Care correct any information you believe is inaccurate. You also have the right to request Outlook Care to complete information you believe is incomplete.
- **The right to erasure** - You have the right to request that Outlook Care erases your personal data, under certain conditions.
- **The right to restrict processing** - You have the right to request that Outlook Care restrict the processing of your personal data, under certain conditions.
- **The right to object to processing** - You have the right to object to Outlook Care processing your personal data, under certain conditions.
- **The right to data portability** - You have the right to request that Outlook Care transfer the data that we have collected to another organisation, or directly to you, under certain circumstances.
- **Your right to be forgotten** – You have the right to request that Outlook Care forget your data.

If you make a request, we have one month to respond to you, if you would like to exercise any of these rights, please contact us by:-

- Email at GDPR@outlookcare.org.uk

Write to us at Outlook Care, Foxburrow Grange, Ypres Road, Colchester CO2 7NL
Should you wish to report a complaint or if you feel that Outlook Care has not addressed your concern in a satisfactory manner, you may contact the Information Commissioner's Office on <https://ico.org.uk/>

17 How do we keep our privacy policies up to date

We review our data protection policies and privacy notices every three years or unless a review is identified as part of an audit or is required more frequently as directed by author, dictated by legislation or contractual requirements.