

# The Southend - on - Sea Darby & Joan Organisation Ltd

## Privacy Notice

### **How we use your personal information:**

This Privacy Notice explains why The Darby & Joan Organisation collects information about you and your nominated representative and how that information may be used.

Records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure. Records which D&J hold about you may include the following information;

Details about you, such as your address, nominated representative, legal representative, emergency contact details and medical history.

To ensure you receive the best possible care, your records are used to facilitate the service you receive. Information may also be used within D&J for audit purposes to monitor the quality of the service that you receive from us.

Our legal basis for processing your data is that you or your nominated representative, guardian or attorney have given consent for it to be used in the provision of advice or care.

Some of this information may necessarily be shared with other care and support services in order for us to provide the required services for you.

We often take photographs of residents taking part in activities and may at times use these images in a range of ways such as promotional literature, on our website and displays within the homes. We will make every effort to ensure images used are only of those residents who have given consent

You and your nominated representative will have been given an information consent form at entry to the service and this must be completed for us to provide you with the necessary level of service

You or your nominated representative, guardian or attorney may withdraw consent to use your personal data at any time but this may affect our ability to provide you with the necessary level of service or care.

### **How we maintain the confidentiality of your records:**

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- General Data Protection Regulations
- Human Rights Act 1998
- Health and Social Care Act 2012

Every member of staff who works for D&J has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations)

### **Who are 'Other Care and support organisations'**

We may also share your information, subject to strict agreements and your consent on how it will be used, with the following organisations:

- NHS Trusts / Foundation Trusts
- GP's
- Private Sector Providers
- Voluntary Sector Providers
- Clinical Commissioning Groups
- Social Care Services

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- Local Authorities
- Other 'data processors' which you will be informed of if we do this.

You, or where appropriate your nominated representative, guardian or attorney, will be informed who your data will be shared with and in some cases asked for explicit consent for this to happen when this is required.

## How long we keep your information:

We keep your personal information for the duration of your stay with us and for 3 years post final entry. This is a requirement of our regulators. We also keep your nominated representatives information for 3 years post final entry. The justification for keeping your nominated individuals information for this period of time is that it will appear throughout your records. After the 3 year period all physical and electronic files will be erased. After this date we will only hold your name and the dates pertaining to your stay with us. Information relating to your financial agreements and transactions with us will be held for a period of 7 years from the end of the last company financial year they relate to.

## Access to personal information:

You have a right under the General Data Protection Regulations to request to obtain copies of what information D&J holds about you and your representatives and to have it amended should it be inaccurate. In order to request this, you need to do the following:

Your request must be made in writing to The Darby & Joan Organisation Ltd – for information from a hospital or other health care providers you should write directly to them.

We are required to respond to your request within 30 days and will not charge for such requests unless, it is an unfounded or excessive request

You will need to give adequate information (for example full name, address, date of birth, and details of your request) so that your identity can be verified and your records located.

## Objections/Complaints

Should you have any concerns about how your information is managed by D&J, please contact:

The Chief Executive at Head Office 59 Imperial Avenue, Westcliff on Sea, Essex, SS08NQ

If you are still unhappy following a review by D&J, you can then complain to the Information Commissioners Office (ICO) here <https://ico.org.uk/concerns/> or telephone: 0303 123 1113 (local rate) or 01625 545 745.

## Change of details:

It is important that you tell D&J if any of your details such as your name or address have changed or if any of your details such as date of birth is incorrect in order for this to be amended. You have a responsibility to inform us of any changes so our records are accurate and up to date for you.

Who is the data controller for D&J

The Data Controller, responsible for keeping your information secure and confidential is:

The Chief Executive Head Office, 59 Imperial Avenue, Westcliff on Sea, Essex, SS08NQ