

Privacy notice for enquirers of our services and prospective clients

PENDINE IS COMMITTED TO PROTECTING THE PRIVACY AND SECURITY OF YOUR PERSONAL INFORMATION. THIS PRIVACY NOTICE DESCRIBES HOW WE COLLECT AND USE PERSONAL INFORMATION OF THOSE ENQUIRING ABOUT OUR SERVICES, IN ACCORDANCE WITH THE GENERAL DATA PROTECTION REGULATION (GDPR), SO YOU CAN BE CONFIDENT IN GIVING US YOUR INFORMATION.

In this notice, whenever you see the words ‘we’, ‘us’, ‘our’ and ‘Pendine’, it refers to Pendine Park Care Organisation Ltd (our ICO registration number is Z2840886). Whenever you see the words ‘you’ and ‘your’, it refers to a prospective client. We will also refer to the enquirer’s details (if this is different).

[This notice only refers to the enquiry and pre-admission process – if you take up services with Pendine, please then refer to the ‘Privacy Notice for Clients’.]

This and all current Pendine Privacy Notices are available on our website, at
www.pendinepark.com/privacy.html

1. Our Responsibilities and Data Protection Principles

Pendine is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
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.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

2. The kind of information we hold on you...

Personal data, or personal information, means any information about an individual that can identify that individual. It does not include data where the identity has been removed (anonymous data). There are “special categories” of more sensitive personal data which require a higher level of protection.

In connection with your enquiry of services with Pendine, we will collect, store, and use the following categories of personal information about you:

CATEGORY	DATA TYPES
Personal Details	Name, title, preferred name, date of birth, gender
Contact Details	Address/location
Representative / Next of Kin Details	Name of any representative and/or next of kin, their relationship to you and contact details
Enquirer’s Details (if different to the prospective client or next of kin)	Name, title, telephone, address and email contact details and relationship to the prospective client
Related Professionals Details	Name and contact details of Social Worker/Care Manager
Funding Details authorities	Funded status, name, and contact details of funding
Services Required	Preferred home, category of care and service type required and why they have chosen to contact Pendine

If you then wish to take up services with us, we will carry out a “Pre-Admission Assessment” whereby we will conduct a more in-depth assessment of your requirements to enable us to decide if we are able to provide such services and if so, to prepare for the start of your services with us. Only those enquiries that are very likely to lead to the provision of services will include the Pre-Admission Assessment process.

This pre-admission assessment includes the processing of further personal information, as follows:

CATEGORY	DATA TYPES
Personal Preference Details (‘Enrichment’ Details)	Your life history, your hobbies and interests, your likes and dislikes and any other information you wish to tell us about yourself
Power of Attorney Details	Power of Attorney names and contact details
Related Professionals Details	Name and contact details of GP, CPN, Medical Consultants and other related health and social care professionals

It also includes the processing of the following “special categories” of more sensitive personal information:

Ethnicity	Ethnicity and preferred language
Health	Information about your health including medical, physical and mental health conditions (previous and current), medication, treatments, mental capacity status
Sensitive Information	Your religious and spiritual beliefs and preferred/followed rituals

3. How we collect your data

We collect your personal information through our enquiry and pre-admission process. This includes information gained by:

- Directly from you
- Directly from those supporting you (relatives or representatives)
- Other health and social care professionals currently or previously involved in any health or social care treatments or services you are/were in receipt of (during the Pre-Admission Assessment)
- Our staff on assessing your health and social care requirements and determining your contract (during the Pre-Admission Assessment)

4. How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information, as listed above in point 2, in the following circumstances:

1. To determine the services you require and if we are able to carry out those services
2. Where we need to comply with a legal and regulatory obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below:

- Taking your initial enquiry
- Providing you and/or the enquirer with further information about the services we offer (such as a brochure)
- Contacting you or the enquirer to find out more about the services you require
- Contacting you or the enquirer to progress the enquiry
- To assess your health and social care needs and determine the services you require
- Making a decision about whether we are able to provide services to you
- Liaising with other health and social care professionals and organisations currently involved in your care and support to add to our assessment your needs
- Liaising and working with other related professionals and organisations involved in your care and support to agree the required contract terms

- Determining the terms on which we provide these services
- Complying with health and safety obligations
- Complying with our legal and regulatory obligations as a health and social care provider
- To conduct data analytics studies to review and better understand how we provide our services

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you don't provide personal information

If you don't provide certain information when requested, we may not be able to determine whether we can provide you with your required services.

5. How we will use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. To determine whether we are able to provide you with health and social care treatment and services in line with our Data Protection Policies
2. Where we need to carry out our legal obligations or exercise rights in relation to determining if we are able to provide services to you and in line with our data protection policy.

We will use your particularly sensitive personal information in the following ways:

SENSITIVE INFORMATION REQUESTED	HOW WE USE IT
Physical and mental health conditions and needs, medication, and treatments (past and current), mental capacity status	To assess your requirements and determine if we are able to provide appropriate health and social care services and treatments and to prepare for the start of such services
Your ethnicity and preferred language, religious and spiritual beliefs, and preferred/ followed rituals	To prepare for your admission/start of services to enable us to provide tailored social care services, including enrichment activities to support your welfare and wellbeing.

6. Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

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7. Sharing your data with others

We may have to share your data with third parties, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU (although we do not envisage we will do so). If we do, you can expect a similar degree of protection in respect of your personal information.

We will share your personal information with third parties where required by law and in relation to determining if we are able to provide you with the necessary health and social care services you require. For example, we may share your personal information with the NHS, other health and social care providers and local health board.

We may also need to share your personal information with third parties to determine the contract with you to provide services for your needs. For example, we may share your personal information with a funding authority.

We may need to share your personal information with a regulator or to otherwise comply with law, such as with the Care Inspectorate Wales, local health board and local authorities.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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8. Data security

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 employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator (i.e., the ICO) of a suspected breach where we are legally required to do so.

9. Data retention – how long will we use your information for

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

We will retain your information whilst you are still interested in our services. This may include waiting for us to be able to provide appropriate services (i.e., waiting for a vacant room), waiting for a change in circumstances (i.e., waiting to be discharged from hospital) or waiting for the appropriate funding to be in place.

If you decide to not take up services with us, or you take up services elsewhere, or you are unable to take up our services or we are not able to provide the services you require, we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

If you do take up services with us, the personal information we have processed as part of the enquiry and pre-admission process will become part of your client record. Please see our Privacy Notice for Clients for further information on how we process your information as a client.

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10. Rights of access, correction, erasure, and restriction

Under certain circumstances, by law you have the right to:

- **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 check that we are lawfully processing it.
- **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.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us to continue 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).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **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.
- **Request the transfer** of your personal information to another party.

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 the Registered Manager in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

11. Your right to withdraw consent

When you enquired about services with Pendine, you provided consent on that date to us to process your personal information for the purposes of the enquiry and pre-admission exercise. You have the right to withdraw your consent for that specific processing at any time. 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.

If you have any questions about this Privacy Notice, please ask to speak with a Registered Manager or contact the Administration Department at

Bromfield House, Ellice Way, Wrexham LL13 7YW

or telephone: 01978 720242

or email: clients@pendinepark.com