

## **PRIVACY NOTICE**

Morrison Community Care Group Ltd is committed to protecting the privacy and security of your personal information. We are a data controller. This means we are responsible for deciding how we hold and use personal information about you. This notice explains to you what decisions we have taken in relation to that information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR). We encourage you to read this notice carefully, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. It applies to all service users, relatives, employees, volunteers, and contractors.

We have appointed a Data Protection Officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact Elaine Hamilton, our DPO, at [clinical@mccl.group](mailto:clinical@mccl.group), or by calling 0141 471 1180 / 0141 942 9636.

As a data controller, we are responsible for deciding how we hold and use personal information about you. This notice explains to you what decisions we have taken in relation to that information.

### **General Data protection principles**

In collecting and processing your personal information, we will comply with the data protection law in force at the time. This requires 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.

### **The kind of information we hold about you**

We will collect, store, and use a variety of categories of personal information about you. Those categories are detailed in the Schedule to this notice. We may also collect, store and use "special categories" of more sensitive personal information, which are also detailed in the Schedule to this notice.

### **How is your personal information collected?**

We collect personal information about our service users (please see attached appendix) our employees through the application and recruitment process, either directly from candidates

or from an employment agency or background check provider. We also collect additional information from third parties including former employers. We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

#### **How we will use information about you**

We will only use your personal information when the law allows us to and as detailed in the Schedule to this notice.

#### **Situations in which we will use your personal information**

There are a variety of situations in which we will use the information we collect about service users or employees and these are detailed in the Schedule to this notice. The information in the Schedule includes the use we make of particularly sensitive personal information, such as information about your physical or mental health and for employees such information as criminal records information, and biometric information. Where we use your personal information to pursue the legitimate interests of the business, we will only do so provided your interests and fundamental rights do not override those interests. 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 fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you .

#### **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal information without your knowledge or consent, in compliance with registration bodies, local authority or police , where this is required or permitted by law.

#### **Do we need your consent to use particularly sensitive information?**

For employees we do not need your consent if we use your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can

carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. For Service users please see attached appendix 1. We will ask to choose how you would like us to communicate with you and consent for photographs/video recordings

**Why might we share your personal information with third parties**

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 will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. 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.

Any third parties with whom we might share your personal information and the basis on which we do so are detailed in the Schedule to this notice.

Please see appendix 2 for a list of registered bodies that we may share your information with.

Please see appendix 3 for HR Data Audit (employee data audit)

**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. Details of these measures may be obtained from the DPO.

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

**Data retention**

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. Details of retention periods for different aspects of your personal information are set out in the Schedule to this notice. 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.

**Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

**Your rights in connection with personal information**

Under certain circumstances, the law grants you specific rights. These are summarised below. Please note that your rights may be limited and subject to restrictions in certain situations:

- 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.
- 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 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).
- 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 DPO.

#### **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 unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

#### **What we may need from you**

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.

#### **Right to withdraw consent**

In any circumstances where you may have provided your consent to the collection, processing and transfer of your personal information 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 the DPO. 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.

**Complaints to the ICO**

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. They can be contacted on 0303 123 1113.

**Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice 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.

If you have any questions about this privacy notice, please contact:

**Data Protection Officer (DPO)**

Elaine Hamilton

Clinical Director

[clinical@mccl.group](mailto:clinical@mccl.group)

*At:*

**Abbotsford House Luxury Suites**

**Craigton Road**

**Milngavie**

**Glasgow**

**G62 7JG**

**Tel: 0141 471 1180**

**Abbotsford House Care Home**

**41 Drymen Road**

**Bearsden**

**Glasgow**

**G61 2RL**

**Tel: 0141 942 9636**

Service user Data Audit	Appendix 1					
What is it?	Where is it?	Why do we need it?	How do we use it?	How long do we keep it?( retention schedule document)	Who is it shared with	Safety controls
Service users name DOB, gender, religion and marital status	I Care (electronic care plan)	To ensure the best possible and most appropriate care is delivered  Comply with regulatory bodies	To ensure the best possible and most appropriate care is delivered  An impact assessment is completed as this information is classified as sensitive information	For the duration that we care for you and the subsequent 3 years  Paper files are archived by the Company Clockwork and I care . Their GDPR policies attached	Relevant staff members Registered regulatory bodies	Designated personnel only Password protected Encrypted computer protection. Electronic files are protected externally by the Laptop Dr GDPR Policy (please see attached)
Relatives, N.O.K or POA details	I Care (electronic care plan)	To ensure effective communication	To ensure the best possible methods of communication	For the duration that we care for you and the subsequent 3 years Paper files are archived by the Company Clockwork and I care. Their GDPR policies are attached	Relevant staff members Registered regulatory bodies	Designated personnel only (specific key staff that deal directly with the delivery of care) Password protected Encrypted computer protection

<b>What is it?</b>	<b>Where is it?</b>	<b>Why do we need it?</b>	<b>How do we use it?</b>	<b>How long do we keep it? (retention schedule document)</b>	<b>Who is it shared with</b>	<b>Safety controls</b>
Medication details	MARS/T- MARS charts medication charts)	To ensure the safe delivery of medications	To administer medications	For the duration of your care and the subsequent 3 years Paper files are archived by the Company Clockwork and I care Their GDPR policies are attached	Relevant staff members Registered regulatory bodies	Designated personnel only ( specific key staff that deal directly with the delivery of care) Stored in a locked Pod in each room which is always locked
Hospital admission and discharge information	I care ( electronic care plan)	To ensure the most up to date information is available	To keep up to date records of changes for service users after they have been discharged from hospital	For the duration of your care and the subsequent 3 years Paper files are archived by the Company Clockwork and I care. Their GDPR policies are attached	Relevant staff members Registered regulatory bodies	Designated personnel only ( specific key staff that deal directly with the delivery of care)

<b>What is it?</b>	<b>Where is it?</b>	<b>Why do we need it?</b>	<b>How do we use it?</b>	<b>How long do we keep it? (retention schedule document)</b>	<b>Who is it shared with</b>	<b>Safety controls</b>
Lifestyle information	I care (electronic care plan)  Storricare	To ensure the most up to date information is available	To ensure you receive the best and most appropriate care that compliments your lifestyle choices and hobbies	For the duration of your care and the subsequent 3 years Paper files are archived by the Company Clockwork and I care. Their GDPR policies are attached	Relevant staff members Registered regulatory bodies	Designated personnel only (specific key staff that deal directly with the delivery of care)
Health Details and allergy information	I Care (electronic care plan)	To ensure the most up to date information is available	To ensure you receive the most appropriate and safe care. An impact assessment is completed as this information is classified as sensitive information	For the duration of your care and the subsequent 3 years Paper files are archived by the Company Clockwork and I care. Their GDPR policies are attached	Relevant staff members Registered regulatory bodies	Designated personnel only (specific key staff that deal directly with the delivery of care) As this information is classified as sensitive information an impact assessment has been completed
Photographs	Icare (electronic care plan)	To ensure you can be correctly identified by all staff delivering care	Photographs are used to ensure you can be correctly identified by all staff delivering care	For the duration of your care and the subsequent 3 years Paper files are	Relevant staff members Registered	Designated personnel only (specific key staff that deal directly with the delivery of care)



	and Storri care ( electronic activity planner)			archived by the Company Clockwork and I care. Their GDPR policies are attached	regulatory bodies	Specific consent will be requested for use of your photograph for any other purpose
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## Appendix 2

### REGULATORY BODIES

REGULATORY BODY	LINK TO POLICY
NURSING MIDWIFERY COUNCIL (NMC)	<a href="https://www.nmc.org.uk/globalassets/sitedocuments/other-publications/nmc-data-protection-policy.pdf">https://www.nmc.org.uk/globalassets/sitedocuments/other-publications/nmc-data-protection-policy.pdf</a>
SCOTTISH SOCIAL SERVICES COUNCIL (SSSC)	<a href="http://www.sssc.uk.com/about-the-sssc/access-to-information/data-protection">http://www.sssc.uk.com/about-the-sssc/access-to-information/data-protection</a>
CARE INSPECTORATE	<a href="http://www.careinspectorate.com/images/documents/4217/Item%2017%20-%20Appendix%202%20-%20Summary%20of%20GDPR%20themes%20and%20implementation%20progress.pdf">http://www.careinspectorate.com/images/documents/4217/Item%2017%20-%20Appendix%202%20-%20Summary%20of%20GDPR%20themes%20and%20implementation%20progress.pdf</a>

HR DATA AUDIT      appendix 3

What Is It	Where Is It	Why do we need it	How do we use it	How long do we keep it	Who is it shared with	Safety controls
Your name, address and contact details, including email address and telephone number, date of birth, NI Number	Application Form; Evolve; I-care; PVG Certificate; Personnel File	Safer Recruitment Correspondance HMRC Reporting	Legitimate Interest - Contract performance; Comply with legal and regulatory body requirements	6 months following interview if not employed, duration of employment, 6 years following employment end date; 6 months following interview if not employed.	HR; Managers; Directors; Externally - Evolve (HR System); I-care; SSSC; Accountant; Disclosure Scotland; Clockwork Archiving Facility (storage purposes only)	Password protected computers and programs, with passwords changed 3 monthly; Encrypted computer backups; personnel and PVG information kept securely; password protected attachments; Secure disposal of documents by <i>Clockwork</i> (additional info below)
Details of your bank account	Personnel File	Pay purposes	Legitimate Interest - Payroll purposes	Duration of Employment and 6 years following employment end date	HR, Managers, Directors, Finance & Admin; Externally - Accountant	Password protected computers, emails and attachments; Personnel files securely stored - both on and off site; secure disposal of documents

The terms and conditions of your employment	Personnel File	Legal Requirement Performance of Contract	Legitimate Interest - Performance of Contract	Duration of Employment and 6 years following employment end date	HR, Managers, Directors, Finance & Admin	Personnel file securely stored - both on and off site; secure disposal of documents
Information about your next of kin and emergency contacts	Evolve and I -Care	Employees own welfare	Legitimate Interest - Vital interest to employees	Duration of Employment	HR, Managers, Directors, Finance & Admin	Password protected computers and programs
Information about your nationality and entitlement to work in the UK	Application Form Personnel File	Comply with legal requirements; Identity verification purposes	Legitimate Interest - Comply with legal requirement to evidence right to work in UK	Duration of Employment and 6 years following employment end date	HR, Managers, Directors, Finance & Admin, Disclosure Scotland	Personnel files securely stored in locked filing cabinets on site; secure disposal of documents
Information about your criminal record;	Personnel File PVG Certificate	Comply with legal and regulatory requirements	Legitimate Interest - Carry out criminal checks as legally required	Duration of Employment and 6 years following employment end date	HR, Managers, Directors, Finance & Admin, Disclosure Scotland, SSSC	Personnel files and PVG Information securely stored both on and off site; password protected computers and programs;
Staff identification photographs and biometric information;	Staff Photo Board	To ensure adequate staffing levels; Fire Safety & Health and Safety purposes; to check monthly payroll	To ensure adequate staffing levels; for Fire Safety purposes; to check monthly Payroll	Duration of Employment; Biometric information kept on the computer system database until removed.	Photo board visible in foyer of Care Home; Biometric available to Managers, Directors, HR, Admin	Password protected computers and programs

Details of your days of work and working hours and attendance at work;	Off-duty records Personnel File Evolve Payroll Summary	Pay purposes; Statutory Payments Operational purposes	Legitimate Interest; Payroll purposes; Statutory payments	Duration of Employment, Evolve - 6 months on site then to the storage facility (6 years); On the computer system database until removed	HR, Managers; Directors; Finance & Admin; Accountant; HMRC; Evolve	Password protected computers and programs; Personnel files securely stored onsite and off.
Details of periods of leave taken by you, including holiday, sickness absence, family leave, and the reasons for the leave;	Off Duty Records Annual Leave Records Evolve	Statutory pay purposes. Monitor sickness for adjustments necessary. Annual Leave entitlements.	Legitimate Interest; Legal requirements; Vital interest to employees - Statutory Payments; Annual Leave	Duration of Employment	HR, Managers; Directors; Finance & Admin; Accountant; HMRC; Evolve	Password protected computers, programs and file attachments. Personnel file stored securely.
Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence;	Personnel File	Legal reporting requirements; Company operational purposes; Performance of Contract; Employee Recourse	Legitimate Interest; Legal requirements; To ensure employees have access to effective recourse if they have any concerns about their employment	Duration of Employment and 6 years following employment end date	HR, Managers; Directors; Personnel File; SSC Care Inspectorate NMC	Password protected computers, programs and file attachments. Personnel file stored securely.
Details of your Support and Development meetings, including feedback, objectives, and training you have participated in;	Evolve Personnel Files	Performance of supervision contract; To identify training needs;	Legitimate Interest; Vital Interest to Employees - professional training and development.	Duration of Employment and 6 years following employment end date	HR, Managers; Directors; Finance & Admin; Evolve	Password protected computers and programs. Personnel file stored securely.

Information about medical or health conditions, including whether or not you have a disability for which the Company needs to make reasonable adjustments;	Application form; Personnel File; Accountant	To ensure adjustments can be made where necessary.	Legitimate Interest; Vital interest to employees - allows reasonable adjustments to be made.	Duration of Employment and 6 years following employment end date	HR; Managers; Directors; Finance & Admin; Accountant	Password protected computers, programs and file attachments. Personnel file stored securely. DPIA carried out for Health Declaration.
Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Company	Application Form Personnel File Evolve SSSC	To comply with regulatory requirements; To comply with Safer Recruitment Policy; Continued Professional Development	Legitimate Interest; Regulatory Requirements with SSSC; Vital interest to employee	Duration of Employment and 6 years following employment end date	Managers; Directors; Admin; HR;	Password protected computers, programs and files. Personnel file stored in locked filing cabinet.
Information about your remuneration, including entitlement to benefits such as pension	Contract of Employment; Accountant	Legitimate Interest; for employees own benefit; performance of contract	Legitimate Interest; to enable company and statutory payments to be made to employees	Duration of Employment and 6 years following employment end date	HR; Managers; Directors; Finance & Admin; Accountant	Password protected computers, programs and file attachments. Personnel file stored securely.

**Clockwork Archiving and Storage Company:** The Company have a system in place where requested files/boxes to be destroyed get picked out and placed in the destroy hold area. These are there for a week at most where they get palletised/shrink wrapped and taken to the off-site shredding company who complete the confidential destruction and provide a certificate which is sent to us. The only people who would have access to archive boxes would be employees who might assist on palletising and delivering to the off-site shredding company.