**FIRSTPOINT HOMECARE LTD**

**PRIVACY NOTICE – CLIENTS, SERVICE USERS, CUSTOMERS**

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 Firstpoint Homecare. In order that we can provide care and support 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).

As the 'controller' of personal information, we are responsible for how that data is managed. 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 'controller' of your personal information, we will ensure that the personal information we hold about you is:

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.

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 GDPR@firstpointhomecare.com , write to Firstpoint Homecare C/O Servoca Plc, Kingston House, The Towers, Wilmslow Road, Didsbury, Manchester, M20 2LD or call 0161 362 6870.

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 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 services and during the course of providing care and support 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, email address) and emergency contacts (i.e. name, relationship and home and mobile numbers)
- your allergies and any medical, physical or mental conditions and in particular your care needs
- your likes, dislikes and lifestyle preferences (including your religious beliefs or other beliefs of a similar nature, racial or ethnic origin and health in 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)

### 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 and health only in so far as they 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)

### How we use your personal information

We use your personal information to:

- prepare, review and update a suitable care plan, 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 personalise the service delivered 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 audits and quality assurance procedures, review our service and 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 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 (i.e. Care Quality Commission CQC) 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 utilise the PASS System which is a digital care management platform that provides a single view of care records from enquiry, medication and task changes, to reviews, and automates the process of assessments. We do not share your personal data with PASS but the data is stored on their data centres in the UK & Ireland. The PASS System is NICE compliant, referenced in CQC and Care Inspectorate reports, and recommended by NHS England. For more information on their security measures, please refer to:

https://www.everylifetechnologies.com/compliance/security-information/

We will not share, sell or trade your personal information with any other third party.

**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 care plan and to provide you with suitable care and support services. 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 care worker to attend your home to deliver the services and so that we can invoice you for the fees.

We will inform you 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**

- All Adult records must be kept as a minimum for the period of eight (8) years after the last entry or end of service.
- In respect of Services provided to Children and Young People, the Provider must ensure that all records are kept until the service users 25th birthday, or twenty-six (26) if treated at seventeen (17), or eight (8) years after death if sooner
- we will hold the personal information kept within our feedback procedure for 8 years as required by CQC Regulations so that we can identify trends and patterns in our service.

## 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 services
- 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
- We also rely on Article 6(1)(f) of GDPR to process your personal information in pursuit of our **legitimate interests**, which include providing care and support services, corporate due diligence and financial modelling, service development and innovation.

as the lawful basis on which we collect and use your personal data and special category data (such as your health).

## Transfer of your information out of the EEA

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

## 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 use 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 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.

**How to contact us**

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

- email, call or write to
    - GDPR@firstpointhomecare.com
      Firstpoint Homecare C/O Servoca Plc
      Kingston House
      The Towers
      Wilmslow Road
      Didsbury
      Manchester
      M20 2LD
      0161 362 6870
- 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

## Keeping your personal information secure

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. All data is held on secure servers housed in a private suite within a Level(3) data centre. Access to the suite requires RFID access to the building, biometric fingerprint access to the floor the suite is on, and then a key code combination to access the private suite.

Practices employed to help secure company data include (but are not limited to):

Access to all data restricted to only authorised users.

- Endpoint encryption in place for portable media ( including laptops)
- USB write blocking to prevent data being copied to personal drives
- Blocking of all web based email and data storage websites
- All users are required to change their password every 30 days
- All user passwords must meet minimum security requirements
- All machines auto lock after 10 minutes of inactivity to prevent unauthorised access to unattended machines

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.

Use of Artificial Intelligence Tools

We may occasionally use artificial intelligence (AI) tools to assist with drafting, summarising or analysing information in the course of providing our services. These tools are used only as an aid to human decision-making and oversight.

Where AI tools are used:

- Data sharing or model-training features are disabled, meaning the information entered is not used to train or improve the AI system.
- Temporary chat functionality is enabled, so conversations are not stored in persistent chat histories.
- AI tools are not used to make automated decision about individuals. All outputs are reviewed and used only to support human judgement.
- Any information entered into AI tools is limited to what is necessary for the task and where possible, anonymised or minimised.

To further protect personal data, chats and associated account data used for AI interactions are deleted and scheduled for removal within 30 days.

We do not rely on AI systems to make decisions on individuals.

## How to complain

Please email gdpr@firstpointhomecare.com We hope that we can resolve any query or concern you raise about our use of your information.

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.

## Changes to this privacy notice

This privacy notice was reviewed on 14 November 2024.

We may change this privacy notice from time to time.

## 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).