



GDPR: DATA PRIVACY NOTICE FOR CLIENTS AND SUPPLIERS

Introduction

Appletree Support Ltd are committed to protecting and respecting your privacy.

This policy (together with our terms of use <http://www.appletree-support.co.uk/about-appletree-support-limited/privacy-policy/> and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on the processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

1. Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

2. Who are we?

Appletree Support Ltd is the data controller. This means we decide how your personal data is processed and for what purposes. Our contact details are: Pelham House, 13 The Pallant, Havant, Hampshire, PO9 1BE. For all data matters contact our Data Representative Jo Stephens on 02392 455888.



3. The purpose(s) of processing your personal data

We use your personal data for the following purposes:

- To manage our employees;
- To maintain our own accounts and records;
- To inform individuals of news, events or activities;
- The purpose of processing payment for services and as such will be held on our accountancy system;
- The purpose of scheduling your package of Care and as such will be held on our scheduling system;
- The purpose of electronic monitoring and record keeping and as such will be held on our electronic monitoring system;
- To link your or your child's needs with our staff with the skill sets to meet these;
- To establish an effective outcomes plan for you or your child;
- To carry out safe risk assessments for you or your child;
- To ensure we can respond correctly to individual needs in an emergency;
- To ensure we can contact you or a next of kin in an emergency whilst you or your child is in our care;
- To maintain links with relevant referring parties, i.e. social care or CCG's;
- To keep you updated with service provision and any changes in service.

4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

1. Personal data:

- Name, Address, E-mail ,Phone Number
- Professionals involved such as GP, social worker, community Nurse , OT

2. Special categories of data:

- Health and medical needs including prescribed medications
- Religion

We have obtained your personal data directly from you or a commissioning authority such as the social services, parent voice or the care commissioning group (CCG). It did not come from publically accessible sources.

5. What is our legal basis for processing your personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	It is deemed necessary to hold in order to deliver you the best services under our contracts with local authorities.
Processing necessary for compliance with a legal obligation	It is deemed necessary to have access to some personal data under our CQC compliance in order to run an effective health and social care service
Processing necessary to protect the vital interests of a data subject or another person	The client's safety is paramount.



b) Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your special categories of data:

Processing necessary to protect the vital interests of a data subject or another person	The client's health and safety is paramount.
Processing necessary for compliance with a legal obligation	It is deemed necessary to have access to some personal data under our CQC compliance in order to run an effective health and social care service
Processing necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional	For the provision of health and social care we need to hold medical and health data. Data subjects whom wish to share religious beliefs may do so in order for their direct care providers to adhere to these in the provision of their care service.

6. Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with relevant parties in your or your child's network of professionals whom you have given us consent to share with

- Social workers
- Teachers
- Community Nurses
- School Nurses
- GP's
- OT's
- Physiotherapists
- Dieticians
- Commissioners of your contract

A safeguarding matter would overrule any non - consent to share.

7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary and we only retain your data for the following purposes and use the following criteria to determine how long to retain your personal data

Item	Retained for	Reason	Where is it stored?
Care Plans, Health Care Plans, Outcome Logs notes and recordings	6 years or until the client's 21 st birthday whichever is the greater	Legal and Health and Safety	Lockable Secure place at head office or electronically

Risk Assessments	6 years or until the client's 21 st birthday whichever is the greater	Legal and Health and Safety	password protected
Incident reports, accident reports	6 years or until the client's 21 st birthday whichever is the greater	Legal and Health and Safety	
Personal Data	6 years or until the client's 21 st birthday whichever is the greater	Legal	
Sensitive Personal Data	6 years or until the client's 21 st birthday whichever is the greater	Legal	
Safeguarding documentation, involving data subject to safeguarding investigation	6 years or until the client's 21 st birthday whichever is the greater	Legal and Safeguarding	
Complaints	6 years or until the client's 21 st birthday whichever is the greater	Legal Health and Safety Industry requirements	
Invoices and Time Sheets	6 years or until the client's 21 st birthday whichever is the greater	Legal	
Medical and Health Records	6 years or until the client's 21 st birthday whichever is the greater	Legal	
Child welfare concerns referred s on to children's social care or the police.	6 years or until the client's 21 st birthday whichever is the greater	Legal and Safeguarding	
Concerns about people (paid and unpaid) who work with children and young people	6 years or until the client's 21 st birthday whichever is the greater	Legal and Safeguarding	

8. Providing us with your personal data

You are under no statutory or contractual requirement or obligation to provide us with your personal data. But failure to do so will have the following consequences;

We may not be able to provide a social care service to you or your family.

9. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a



contract with the data subject and where the data controller processes the data by automated means);

- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority)); direct marketing and processing for the purposes of scientific/historical research and statistics).

10. Transfer of Data Abroad

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

11. Automated Decision Making

We do not use any form of automated decision making in our business.

12. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

13. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

14. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our data representative on info@appletreesupport.co.uk.

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.