



Dolphin Homes Privacy Notice – Supported People

This is Dolphin Homes Privacy Notice.

As part of the services we offer, we are required to process personal data about our staff, supported people and in some instances, the friends or relatives of supported people. Processing can mean collecting, recording, organizing, storing, sharing or destroying data.

We are committed to being transparent about why we need your personal data and what we do with it. This information is set out in this privacy notice. It also explains your rights when it comes to your data.

If you have any concerns please contact us:

Tel: 02392 475219

Email: enquiries@dolphinhomes.co.uk

Address: A3-A4 Endeavour Business Park, Penner Road, Havant, PO9 1QN

Data Protection Officer (DPO): Nick Heather, Chief Executive Officer.

Senior Information Risk Owner (SIRO): Darren Moody, Chief Finance Officer

Caldicott Guardian: Anneke Lane-Campbell, Chief Operating Officer

What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may process the following types of data:

- Your basic details and contact information e.g. your name, address, date of birth and next of kin;
- Your financial details e.g. details of how you pay us for your care or your funding arrangements;

We also record the following data which is classified as “special category”;

- Health and social care data about you, which might include both your physical and mental health data.
- We may also record data about your race, ethnic origin, sexual orientation or religion.



Why do we have this data?

We need this data so that we can provide high quality care and support. By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We have a legal obligation to do so – generally under the Health and Social Care Act 2012 or Mental Capacity Act 2005.

We process your special category data because:

- It is necessary due to social security and social protection law (generally in safeguarding instances);
- It is necessary for us to provide and manage social care services;
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent at any time.

We may also process personal data where necessary to investigate and respond to complaints, including data protection concerns.

Common law duty of confidentiality

In our use of health and care information, we satisfy the common law duty of confidentiality because:

- You have provided us with your consent (either implicitly to provide you with care, or explicitly for other uses);
- We have a legal requirement to collect, share and use the data;
- The public interest to collect, share and use the data overrides the public interest served by protecting the duty of confidentiality (for example sharing information with the police to support the detection or prevention of serious crime).

Where do we process your data?

So that we can provide you with high quality care and support we need specific data. This is collected from or share with:

1. You or your legal representative(s);
2. Third parties.

3. Internal investigation and governance teams for complaints and safeguarding reviews

We do this face to face, via phone, via secure email, via post, via application forms, via apps.

Third parties are organisations we might lawfully share your data with. These include:

- Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, Integrated Care Boards, and other health and care professionals;
- The Local Authority;
- Your family or friends – with your permission;
- Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC;
- The police or other law enforcement agencies if we have to by law or court order.

National Data Opt-Out

We review our data processing on an annual basis to assess if the national data opt-out applies. This is recorded in our Record of Processing Activities. All new processing is assessed to see if the national data opt-out applies.

If any data processing falls within scope of the National Data Opt-Out we use MESH to check if any supported people have opted out of their data being used for this purpose. If supported people are not aware of what this is we will help them to understand and make an informed decision.

At this time, we do not share any data for planning or research purposes for which the national data opt-out would apply. We review all of the confidential patient information we process on an annual basis to see if this is used for research and planning purposes. If it is, then individuals can decide to stop their information being shared for this purpose. You can find out more information at: <https://www.nhs.uk/your-nhs-data-matters/>.

How do we store your personal information?

Your information is held securely in our care planning software and in paper formats which are held securely where you live. We retain your data for the duration of you being supported by us and then a minimum of 8 years when you have left. This is explained in our records retention policy which links to the NHS Records Management Code of Practice (which applies to Adult Social Care). When the retention period come to an end we conduct an appraisal of your information.

As a result of that appraisal we will:

1. Securely dispose of your information.

Destruction of paper records: This is carried out under contract with an approved off site company authorised by our DPO, Nick Heather.

Destruction of digital records: This is a permanent action that means the data cannot be recovered or reversed. All providers of software where we store your data (Microsoft and Access) adhere to the ICO guidance to ensure that information cannot be retrieved once it has been removed. Some systems do not allow for permanent deletion, however we ensure that the record is removed from daily use and marked in such a way that it is recognised as dormant or archived and cannot be accessed.

2. Continued retention, archived (we will demonstrate and document justification).

There are occasions when information cannot be destroyed or disposed of, for example:

- If it is subject to a form of access request, for example, Subject Access Request (SAR), FOIA request.
- If it is required for notified legal proceedings, for example, a court order, or where there is reasonable prospect of legal proceedings commencing.
- If it is required for a coroner's inquest.
- If it is of interest to a public inquiry.

Anything that requires continued retention will be moved to our Secure Place of Deposit. This is out of general circulation and only accessible by the DPO, Caldicott Guardian and SIRO. All archived data is logged and reviewed every two years to ensure we do not hold data longer than required.

3. Other actions

Where appropriate we will anonymise or remove identifying factors from data that is stored in our Secure Place of Deposit.

How we handle data protection complaints

Dolphin Homes operates a formal process for handling complaints relating to personal data.

Complaints will be:

- Managed in a structured and timely way
- Recorded and monitored to ensure compliance
- Investigated and responded to without undue delay



You can raise a complaint using the contact details provided in this notice.

Your rights

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data:

- You have the right to request a copy of all the data we keep about you. Generally, we will not charge for this service;
- You have the right to ask us to correct any data about you which you believe to be inaccurate or incomplete. You can also request that we restrict all processing of your data while we consider your rectification request;
- You have the right to ask that we erase any of your personal data which is no longer necessary for the purpose we originally collected it for. We are happy to provide a copy of our Record Retention Schedule with you if you would like more information.
- You may also request that we restrict processing if we no longer require your personal data for the purpose we originally collect it for, but you do not wish for it to be erased.
- You can ask for your data to be erased if we have asked for your consent to process your data. You can withdraw your consent at any time – please contact us to do so.
- If we are processing your data as part of our legitimate interests as a Care Provider Organisation in order to complete a task in the public interest, you have the right to object to that processing. We will restrict all processing of this data while we look into your objection.

You may need to provide adequate information for our staff to be able to identify you, for example, a passport or drivers licence. This is to make sure that data is not shared with the wrong person inappropriately. We will always respond to your request as soon as possible and at the latest within one month.

If you have a concern or complaint about how we use your personal data, you have the right to raise this with Dolphin Homes in the first instance. You can do this by contacting us using the details above.

We will acknowledge your complaint and investigate it in line with our data protection complaints procedure.

If you are not satisfied with the outcome of your complaint, or you prefer, you have the right to complain to the Information Commissioner's Office (ICO)

Information Commissioner's Office



Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

<https://ico.org.uk/make-a-complaint/>