

Housing Care and Support Services Privacy Notice

This privacy notice explains how we collect and use your personal information and who we share it with. Personal data is information relating to an identifiable living individual. Whenever personal data is processed, collected, recorded, stored or disposed of it must be done within the terms of law. Some information may be more sensitive than others as it may relate to a person's health, race, sexuality etc. These are known as 'special categories of personal data' and are subject to higher levels of protection under the law.

This notice applies to information about people using our housing, care and support services. It says why we process your personal data, states the legal basis for the processing ('processing' includes us just storing your personal information) and it informs you of the rights you have about the data we hold about you. We make sure our privacy notice is kept up to date and will inform you of any changes to this as soon as is practicable.

We will apply appropriate technical and organisational measures to ensure your personal information is secure. For example, we have systems in place to ensure that access to personal information is restricted to authorised individuals on a strictly need-to-know basis.

How we collect your information

We collect most of our information directly from you, including when you use one of our services, complete one of our forms, when you write, phone, email or meet with us. We also collect information from other third parties where relevant to the service we are providing to you. This includes:

Local authorities, health and social care professionals and previous care providers. Other housing, care and support service providers and referral agencies where we are working in partnership with them. Your family, next of kin and support network when it is directly related to your care and support. Any other statutory agencies involved in your care and support where relevant.

How we used your Personal Information

To assess your care and support needs, determine your eligibility for a service, enter into a contract with you and to provide you with personalised care and support.

As a provider of housing, care and support services, we need information about your health, housing, support and/or social care needs to deliver our services and to meet your assessed needs. We need this information to assess your eligibility for a service and offer you housing or other support service. We use this information to develop a support plan and review your progress at regular intervals.

To keep individuals safe and make sure no one is at risk of harm

We have a legal duty to do what we can to keep people safe — this includes you, our staff, as well as others that may be involved in supporting you. We use this information to agree a safety and protection plan or other emergency responses with you if this is necessary. We may also process information about:

risk history, incidents and accidents, housing history substance use criminal history and convictions any legal restrictions, or court orders relevant to providing you with a service.

We may capture your image on our CCTV systems if you visit an office or it is installed in a housing service.

When you provide information about household members, we assume that you do so with their full knowledge and consent. We may record this, including information about your children, if it is significant or related to your wellbeing, in your case file though we do not routinely collect this information.

To Contact and Communicate with you

We use your contact details (including telephone numbers and email addresses) to get in touch with you about issues relating to the service we have agreed to provide you. We will not share your contact details except with your consent or where it is necessary to provide a service to you. We do not sell, share or provide contact details for marketing or other purposes.

We may pass your details on to our contractors that provide services on our behalf, so that they can contact you. For example, some services have emergency out of hours support from another provider or where a repairs contractor may need information to carry out a repair to one of our properties. Where this is the case, they will have to demonstrate that they can keep your information safe and secure.

To monitor equality, diversity and inclusion

We ask you to provide us with your diversity data (ethnicity, religion, sexual orientation). This information is not used to inform any decisions we make about you individually but is gathered for statistical purposes to help us understand who is using our services. It helps us ensure fairness and equality in the services we provide. You do not have to provide this information, but it helps us if you choose to do so.

What legal basis do we rely on to process your data

The law requires us to tell you the basis on which we process your data.

To provide health and social care services, we process your information so that we can provide the service we have been commissioned to provide. For the performance of a contract, some of our processing is carried out to fulfil a contract or an agreement we have with you. Where we require information because it is necessary in the performance of a contract, you will not be able to opt out of providing this information. This is because without it we would be unable to do what you have asked us to do. We consider a contract to include a tenancy or licence agreement, care and/or support contract/agreement signed by you or where you purchase care and support directly from us.

To fulfil our legal and regulatory obligations (substantial public interest), some of our processing is carried out to ensure we fulfil our legal and regulatory obligations in providing housing, care and support services, for example under the following:

Charities Acts

Housing and Regeneration Act 2008

Care Act 2014

Health and Social Care Act 2008 (regulated activities) Regulations 2014

Mental Capacity Act 2005

Mental Health Act 1983

Health & Safety Legislation

Consent

In some instances, we may ask for your consent to process your information where there is no other legal basis to do so. This applies to special categories of data such as your health information.

Where it is necessary for our legitimate interests: In all other cases, we rely on a condition called "legitimate interests". The law allows us to process your data if it is in our legitimate interests to do so, but we can only do this if it does not disproportionately affect your rights, it doesn't cause you any harm, it isn't overly intrusive. The law also says we must let you know what we consider our legitimate interests to be, in holding relevant personal data in relation to your housing, care and support.

Legitimate Interests are to ensure that

we are meeting our objectives as a charity of 'making recovery a reality' our services can meet peoples' needs now and in the future our services are accessible we make the most efficient use of our resources we understand how we are performing; we provide a safe service we understand people's experiences and views so we can make our services better. If you believe that you are adversely affected by us processing your data for our 'legitimate interests' you may ask us to stop processing it. This may not always be possible though we will explain why, if this is the case.

Sharing your Personal Information

If we are working with other organisations or services to support you, we may have to share information with them. We only do this if we have a good reason to and it is necessary for delivering the agreed support.

Where we are providing care and support services as part of a local authority contract, we may share your information with the commissioning local authority or NHS health trust.

Sometimes we might have to share information with authorities if we think that you or someone else is at serious risk of abuse or harm. We don't need your consent to do this.

We may also share some information with other organisations that carry out a service on our behalf. We only share information which is necessary for them to carry out the service they have been contracted to provide. All our contractors operate under the terms and conditions of a legally enforceable contract and will not use your information for anything other than carrying out a service on behalf of Waythrough.

Other organisations we may share your information with include:

Government departments such as the Benefits Agency
Police and other law enforcement agencies
Representatives acting on your behalf Care Quality Commission

Keeping your Personal Information

How long we keep your personal data for can depend on the type of data it is. We will never keep your information for any longer than is necessary for the purposes we need to use it for. In most cases we keep records for 6 years after the date of the last contact you have had with one of our services.

Your Data and Privacy Rights

You have several rights which allow you to choose and control how we use your data. These rights are explained below. If you would like to use these rights, please ask your service and they will explain how you can do this.

Transparency

You have the right to be informed about how we are using your data. If you think we are doing something with your information that we have not told you about in this Privacy Notice, you can object to this.

Access

You have the right to ask us what personal information we hold about you, and to request a copy, free of charge.

Objection

You can object to the processing of your personal data. You should note that this right does not apply in all circumstances, for example, where we are processing information because it is necessary in the performance of contract, we will not be able to stop processing this information.

Withdrawal of Consent

if we are processing your data based on your consent, you can withdraw this consent at any time. Where this is the case, we may no longer be able to provide the relevant service to you.

Rectification

If you think that the personal data, we hold about you is inaccurate or incomplete, you have a right to request that it be rectified.

Erasure

You can ask us to delete your personal data where it is no longer necessary for us to use it, where you have withdrawn consent (if we process based on consent), or where we have no lawful basis for keeping it.

Restriction

You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it. Data portability: You can ask us to provide you, or a third party (if possible), with some of the personal data we hold about you in a structured, commonly used, electronic form, so that it can be easily transferred.

Concerns and Complaints

If you are not satisfied with the way that we have managed your personal data, please let us know and we will try and resolve your concerns. Please contact your service in the first instance, or the person who is dealing with the issue. If you are not satisfied with the outcome, you can make a formal complaint by using our 'Feedback Policy'.

If you are still not happy with our response, you have the right to appeal directly to the regulator:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: telephone: 0303 123 1 113

Email: <https://ico.org.uk>