

CUSTOMER PRIVACY NOTICE

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1 WHO WE ARE?

Leading Lives is an award winning social enterprise and employee owned co-operative, which provides social care support for people in the home and in the community across Suffolk and neighbouring counties.

Leading Lives is registered with the Information Commissioner's Office under number Z3333783, and is a registered company under number 31457R

1.1 Our Customers

Leading Lives provides a wide range of high quality support to people with learning disabilities including those with physical, multiple complex needs and autism, older people, young people in transition and family carers.

For the purposes of this notice, a customer, is a person with a disability, supported by Leading Lives (either directly or through their local authority contract)

In order to fulfil our business purpose of providing services to our customers, Leading Lives collects and processes personal and sensitive data relating to our customers to deliver against the contracts that we hold with them.

1.2 Our Commitment

Our customers are important to us, and we are committed to keeping your data safe, making it clear what information we collect from you, and how we use it.

The organisation is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations, in line with the General Data Protection Regulations (GDPR) which come into force on May 25th 2018.

This notice tells you:

- What information we may collect about you
- What we use your personal information for
- Who (if anyone) we pass it on to and how they use it.
- How we store and protect your personal information

As part of our commitment to you, we have appointed a Data Protection Co-ordinator, whose name is Claire Maskery. You can contact Claire, either by writing to:

The Data Protection Co-ordinator
Leading Lives,
Crown Street
Stowmarket, IP14 1HY

or emailing: llgdpr@leadinglives.org.uk

2 WHAT DATA WE COLLECT AND HOW WE USE IT

The type and quantity of data we collect and use depends on why you have provided it.

This information will only be used for the purpose of delivering the services that you wish to access, and that we need to fulfil your service contract with us.

We will only collect, use and otherwise handle your personal data:

- where this is necessary to fulfil legal obligations that apply to us
- where it is necessary for our legitimate interests relating to running our daily operations,
- where you have consented to this for specified, explicit and legitimate purposes.

2.1 What data we Collect?

Depending on the services that you access we may collect and hold the following personal information about you:

Getting to know you:

- Your name.
- Your age and date of birth.
- Your gender.
- Your address.
- Your contact telephone numbers.
- Your email address.
- Details of your emergency contacts, and how we can contact them.
- Your National Insurance number.
- Any reference number which your local authority has given to you.
- Any reference number given to you for the purposes of receiving benefit payments.
- Any other information you give to us on your Individual Agreement Form,

Supporting you

- Detailed information about the support that you need and any requirements you have for that support, including details of your disabilities.
- A photo for identification purposes
- Details of the person or organisation that last supported you.
- Details of anyone else who supports you, including family, friends, neighbours and advocates.

- Information contained in your Personal Care Plan, if you already have one.
- Information contained in any Community Treatment Plan you may have.

And where it is relevant to the way we support you or for the protection of our staff, we may also hold:

- Details of your health. This may include:
 - your current health;
 - your medical history;
 - details of any medicines you take; and
 - details of your doctor.
 - Medical passports
- Further Information about you, such as
 - your likes and dislikes;
 - your life history, including details such as sexual orientation, ethnicity and religion or belief.
 - your dreams and aspirations, including photographs and videos to trigger memories and evidence outcomes.
 - Your communication needs and preferences, including photographs, voice recording or videos to aid communication.
 - how you respond to different people and situations; including any previous relevant behavioural history.
 - any relevant convictions that you may have.
- Information that we need to help you run your household. This may include:
 - utility suppliers; and
 - the contact details of people who need to know your address.
- Information about your income and finances This may include:
 - any benefit entitlements and
 - payments and details of who we need to talk to about it.
 - details of your bank account and national insurance number; to assist you in paying your bills, processing benefit claims or processing invoices.

Other information we may hold:

- You can give us details of friends or relatives or neighbours who you trust to contact us on your behalf.
- You can give us details of anyone who has a Power of Attorney to contact us on your behalf
- Your bank details and direct debit information so that we can receive payment from you for the support that we provide.
- Details about your credit history.

- If our safeguarding policy requires that we conduct any searches with the Disclosure and Barring Service, the outcome of those searches and our correspondence about the outcomes.
- Anything which your existing support staff already know about you if they become our employee.
- Incident Management records for safety, crime reduction and quality management.
- Details of any complaints that you may make to us and how we have dealt with that complaint.
- You may also choose to give us other information about you as part of the support that we give to you. Where this information is relevant to the support that we provide, or if you ask us to, we will also keep a record of this information.

2.2 Who we get Data from?

The organisation may collect this information in a variety of ways, and from a variety of sources. For example, data might be collected through referral forms, assessment, identity documents such as your passport; forms completed by or with you at the start of or during our service with you; from correspondence with you; or through interviews, meetings or other assessments.

Again, depending on the service you are contracted to receive from Leading Lives we may get your information from:

- You.
- Anyone you ask to give this information to us on your behalf (such as your family or friends, circle of support or next of kin).
- Anyone who has a Power of Attorney to act on your behalf as your attorney.
- The local authority responsible for paying for your support (if a local authority pays for your support for you).
- People who support you now or who last supported you, including:
 - your last support provider;
 - your social worker(s);
 - your advocates;
 - your medical staff;
 - your financial advisors;
 - your accountants;
 - your broker;
 - Local Authority Departments;
 - DWP and other benefit agencies;
 - members of a multi disciplinary team involved in your support
- Your Personal Care Plan, if you already have one
- Shop4Support Limited (if you have used the website www.shop4support.com to get your support from us).
- Local Authority Care Portals(if you have used those websites to get your support from us).

- The Disclosure and Barring Service.
- Credit reference agencies.
- Other services within Leading Lives, if you have already given any of this information to them.

or produce the following information about you as part of the services that we carry out:

- Our agreement with you.
- A personal care plan, or similar document, setting out your support needs.
- Observations made by our staff when supporting you (such as your likes, dislikes, behaviours, routines and needs) so that we can support you better.
- Information we and our staff record as part of the support we provide to you and all the tasks we carry out on your behalf.
- Information that we record as part of monitoring your health, including in relation to preparing health action plans, calling your Doctor or emergency services.
- Risk assessments related to the support we give to you.
- If we support you with taking medication, details of any medication we administer to you.
- Management records of factual information whenever you contact us or use our services, and of other action we take, so we have a record of what happened.
- Financial records of your payments to us for the support that we provide, including any amounts which remain unpaid.
- Notes or records of any conversations that we may have with you.
- Copies of letters that we send to you.

2.3 Why we collect and use this information:

Information is important to:

- Allow us to meet our legal contractual obligations.
- Ensure that we meet the rules and regulations that is expected of us and the social care sector.
- Protect your welfare and the welfare of others.

We use this personal data to:

- to carry out our obligations arising from any contracts entered into by you and us
- learn about your care and support needs.
- process documentation to meet our legal obligation under health and social care and health and safety laws.
- give you the right level of care and support, and ensure that we can support you safely.
- monitor your progress
- work with family carers, advocates, health, social care and other professionals, to ensure that your health and support needs are being met.

- answer any of your questions, resolve your complaints and give you the right information
- keep you up to date with information and services you have requested, or may be interested in, and arranging appointments with you.
- contact you or your family/circle of support to get your views
- arrange bills and payments for you
- manage payments from you to your or on your account, and fulfil our legal responsibilities for accounting purposes.
- Help you move or relocate (if this is part of the services provided to you)
- Meeting our legal requirements and public duties to our funders or regulators, such as the Care Quality Commission, and local authorities.
- assess the quality of our services, and evaluate and improve our policies where appropriate
- inform staff and contractors who may work for us, about past incidents, e.g anti social behaviour, for their protection, in line with our policies.
- know if you or other people are at risk of abuse, and make a Safeguarding referral if needed
- support prevention, detection and prosecution of crime.
- process insurance claims.
- prepare newsletters, presentations and reports for a variety of reasons. If we do this, they we will make sure that you cannot be identified from the information that we use or send, or that we have your express written consent to do so.

2.4 The lawful basis on which we use this information

As a provider of Social Care to individuals with learning disabilities including those with physical, multiple complex needs and autism, older people, young people in transition and family carers, Leading Lives is governed by a number of laws.

Namely:

- Autism Act 2009
- The Care Act 2014
- Care Quality Commission Regulations 2012
- Children Act 2004
- Equality Act 2010
- The Health and Social Care Act 2008 or 2012
- Health Professionals Council
- Health and Safety Regulations 2002
- Human Rights Act 1998
- Mental Capacity Act 2005
- Mental Health Act 2007
- RIDDOR
- Safeguarding Vulnerable Group Act 2006

Additionally, in order to achieve the high quality of care to which we aspire, Leading Lives also works to adhere to the latest published industry standards of excellence

Leading Lives signs contracts either with public bodies such as local County Council and health authorities or directly with customers or the family carers or advocates, in order to work with individuals to fulfill their care and support needs.

In order to fulfill these contracts Leading Lives will need to process data before, during and after the end of our service delivery.

It will need to process

- personal data, such as name, address, contact details and support needs but also in many cases
- sensitive (special category) data such as, race, ethnic origin; religion; health records; sex life and sexual orientation.

Under GDPR, Leading Lives relies on the following lawful basis for processing Data:

1. **Contract:** the processing is necessary to fulfill the contract that we hold with you (“our customers”) or in following the steps necessary before that contract can be entered into.
2. **Legal obligation:** the processing is necessary, in order for us to care for you effectively and safely, and in so doing comply with the law.
3. **Vital interests:** the processing is necessary to protect yourself or others from harm.
4. **Public task:** the processing is necessary for us to fulfill the contractual obligation that we have with the various public bodies who refer your support needs to us.
5. **Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party, for example improving Leading Lives service, policies or practices, or those of, the wider Health and Social Care industry. We will always have the best interest of our customers in mind when using or sharing this information.
6. **Consent:** where none of the above apply, then we ensure that you have given us clear and explicit consent to process that personal data for a specific purpose. For example, a photograph to help us promote our services.

Additionally, in the case of sensitive data, such as race, ethnic origin, religion, health records, sex life and sexual orientation, Leading Lives has to meet these additional conditions when processing data:

- To carry out our obligations and exercise specific rights in relation to social protection law, providing for appropriate safeguards for the fundamental rights and interests of the data subject.
- To protect the vital interests of the data subject or of another natural person, where data subject is physically or legally incapable of giving consent.
- For the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

- For substantial public interest, as long as the processing of data is proportionate to the aim pursued, respects the essence of the right to data protection and provide suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- For the purposes of the provision of health or social care to contract with a health professional.
- the data subject has given explicit consent to the processing of those personal data for one or more specified purposes

So, the majority of information you provide to us is mandatory, we have to have it, in order to provide a safe service to you. We might not be able to give you a service unless we have the right information. We will always tell you why information is mandatory.

We review our retention periods for personal information on a regular basis. We will hold your personal information on our systems for as long as is necessary for the relevant activity, legal obligation or as long as is set out in any relevant contract you hold with us.

Generally, if we have supported you, we will keep your data for six years after you have stopped having a service from us. in line with contracts and government regulations.

Data will be continually monitored such that:

- It is kept up to date to the best of our knowledge
- Deleted when no longer of relevance.

2.5 Information for which we may need your express consent

Some information you may provide to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you when you have a choice as to whether you want to share this information.

If we hold information from you on a voluntary basis then we will:

- Obtain written and signed permission from the customer, or their advocate.
- record your contact details, to enable us to get ongoing approval to use the information.
- check with you at least annually whether you are still happy for us to hold and use this information.
- keep the information stored in a secure location
- only keep this data for up to three years after you shared it with us.
- Delete the information if you ask us to do so.

Examples of Voluntary information may be:

- Storyboards - Some of our customers kindly tell us stories about their experiences to help us show other individuals how we could support them to lead the lives they choose.
- Photography - Some of our customers kindly let us use videos, photography and images of them to help us promote our activities, and bring them to life. These are taken in public places and in a dignified and respectful way.

3 SHARING YOUR DATA

3.1 Who we share this information with

Again to meet your support needs and our legal and contractual obligations, we have to share your information internally within Leading Lives and depending on how we are supporting you, to other third parties.

We also share some data to help us carry out our business functions.

All information shared is kept to a minimum, shared in a way that is secure and only seen by those people who need to see it.

3.1.1 Within Leading Lives

Your information may be shared internally with:

- members of your support team
- the administrative staff and managers responsible for your service.
- finance staff, for the purpose of processing your payments.
- staff in head office functions, such as human resources, learning and development, compliance teams and information technology, in support of the staff providing your care
- Directors and Board Members for decision making.

3.1.2 Outside Leading Lives

We may pass your information to third-party service providers, agents subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf.

However, when we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we ensure that they agree to keep your information secure and that they only use it for the purposes for which it was shared.

Whilst it will very much depend on how we support you, we may share your personal information with the following organisations or people:

- your social worker;

- your advocate;
- your family;
- your broker;
- your appointee;
- your Power of Attorney, Deputy, Guardian or other representative;
- your financial advisor;
- your accountants;
- health authorities and their medical staff;
- DWP and other Benefit Agencies;
- Landlords
- Utility providers
- Debt collection agencies
- Government Departments.
- County Councils and other local authorities
- members of multi-disciplinary team involved in your support;
- public services and registers.
- safeguarding teams
- industry regulators
- crime prevention agencies, including police
- other support services, who need to help with your support
- other service providers, who you have asked us to help you engage with.
- Agents, with whom we have contracts to help us run our business, such as:
 - recruitment and staffing agencies
 - equipment maintenance providers
 - auditors
 - accountants
 - banks
 - solicitors
 - insurers
 - consultants, in areas such as finance, marketing, HR, IT, business development.
 - PR and Marketing agents and printers
 - website designers
 - marketing portals, such as shop4support.
 - assistive technology companies

3.2 Why we share this information

There may be a number of different bases for which we may share this information.

To meet our contractual obligations with you, we may share information, with a number of individuals, companies or organisations, for the purpose of supporting you

If a local authority or other organisation pays for your support, we may need to report back to them about the services we have provided to you as part of the contract that we have with that organisation. We would share this information under our public duties

We may be legally obliged to provide personal data to certain agencies, to protect the rights, property or safety of our customer, such as safeguarding units or police.

We may share information with chosen friends, relatives or next of kin, where you have given us that information and permission. We will not share your personal information with anyone who claims to represent you unless we are satisfied that you have appointed them or they act in some recognised official capacity.

We may make a referral on your behalf, as agreed with you at the time, to another organisation that can provide you with support, with perhaps money problems

We may share information with Leading Lives Directors and Board members, where specific matters need to be discussed and agreed. Where appropriate, information presented will be anonymised

We may share your data, in order to give an example of the kind of support that we provide. In these cases, your information will either be anonymised or we will have obtained your express consent.

We may be required, under a duty of law, to transfer your personal information, as part of a sale or transfer of some or all of our business and assets to any third party or as part of any business retendering, restructuring or reorganisation.

We will always take steps with the aim of ensuring that your privacy rights continue to be protected.

3.3 Marketing

We **do not** process data for the purpose of direct marketing.

We will not contact you for marketing purposes by email, phone or text message unless you have given your prior consent. We will not contact you for marketing purposes by post if you have indicated that you do not wish to be contacted.

We **do not** give anyone else access to your information, in return for payment, for their marketing or commercial purposes.

3.3.1 Newsletters

We do not currently issue newsletters, to advertise our services to prospective customers.

For legitimate purposes, individual services may issue newsletters to their own customers, and their family carers, to keep them informed and to ensure that we continue to deliver the best services to them and continue to meet their needs. Marketing preferences will not be required for this purpose.

3.3.2 Website

When someone visits leadinglives.org.uk we use a third-party service, Itineris, to collect standard internet log information and details of visitor behaviour patterns.

We do this to find out information, such as the number of visitors to the various parts of the site.

If we want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it. We will collect any questions, queries and feedback you leave. This will include your email address if you send us an email, your IP address, and which web browser (and version) you use. Information on how people use the site, through cookies and page tagging, helps us improve our website and our services.

A full website and cookie privacy notice is held on the Leading Lives website.

Itineris, as our data processor for the Leading Lives website, have provided a security statement on the processing and handling of any personal data received via the Leading Lives website.

We will not pass on your personal information to online advertising tools.

4 KEEPING YOUR DATA SAFE AND UP TO DATE

4.1 Our Systems

Leading Lives has put appropriate controls in place to keep your data safe, and have training and policies to ensure that staff understand their roles and responsibilities.

Access to your data is regularly reviewed and only accessible to the relevant trained staff, volunteers and contractors.

Data will be stored in a range of different places, including in your personal customer file, at the office and on the organisation's IT systems (including the organisation's email system). We do also use computers (including laptops and tablets) outside our offices if they are secure and under our control.

Leading Lives also owns and manages 2 databases:

- Customer database - This database contains information about customers who have or are accessing our services. . It provides invaluable information on a customer's journey and evidence on outcomes to inform our contractual obligations to you.
- Incident Database. - This database records all incident that occur, so that we may learn from these occurrences, use those learning to improve our policies and practices, and meet our health and safety reporting obligations.

Anonymised data from these systems may also be used for statistical purposes.

Security precautions are in place to protect the loss, misuse or alteration of your information

When you give us personal information, we take steps to ensure that it's treated securely.

Your data will be hosted on servers, owned and controlled by Leading Lives and located in the UK, which will not be transferred out of the European Union. If we transferred your information outside of the EU, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this notice.

4.2 Third Parties

Decisions on whether Leading Lives releases data to third parties are based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- their arrangements in place to store and handle the data

To be granted access to information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

However, if you have used other websites, such as County Council portals or www.shop4support.com to get your support from us, some of this information may be stored by those organisations. These organisations are not members of Leading Lives. You should refer to these organisations policies and privacy notices about how they store, use and keep your information.

4.3 Use of Email

If we transmit personal data by Email then we do so using a secure Email, in order to protect your information.

We cannot guarantee the security of any information you transmit to us, and you do so at your own risk. Once we receive your information, we make our best effort to ensure its security on our systems.

Where we have given (or where you have chosen) a password which enables you to access certain information that we may hold, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

4.4 Social Media Accounts

Leading Lives uses social media, for example, facebook and twitter, to share news and advise of activities. Individuals engaging in conversation with Leading Lives via social media are governed by the data compliance procedures of the appropriate social media platforms.

4.5 Third party data and Profiling

We **do not** use our data, or seek further data from third parties, to undertake automated decision-making and profiling.

5 YOUR RIGHTS

5.1 Restricting Data Processing

You have the right to ask us not to process your personal information; however, we may be unable to provide our services to you if we are unable to record and process certain details.

The majority of information which we request is required for legal or legitimate business reasons. We will always explain why information is mandatory, and would not process personal data that may cause damage or distress.

Where the information is not mandatory, then we will ask for your express written consent to hold the information, and you have the right to not provide that information without any detriment to your service

5.2 Changing your data

The accuracy of your information is important to us. If any of your contact details change, or that you know that we hold information which is inaccurate or out of date, then please let the staff in your service know as soon as possible, so that we can update our records. We shall update our records as soon as we are aware that they are inaccurate.

5.3 Removing your data

Where data is processed for legal and legitimate reasons we may not be able to remove that data until the retention period has expired.

Where we asked for your signed agreement to process data (you gave express consent), you can change your mind and “withdraw your consent” at any time by telling us to remove that consent and delete that information from our records.

5.4 Requesting access to your personal data

Under data protection legislation, customers and family carers have the right to request access to information about them that we hold. You can ask to see any information Leading Lives holds about you at any time. This is called a Subject Access Request.

Once we have received the request, Leading Lives will endeavour to provide the information to you within 30 days.

5.5 Acting on your rights

To make changes to your data, withdraw your consent or make a “subject access request”, we suggest that you firstly discuss it with the manager in the service, who can explain what you need to do, will help you as far as they can, and where required will give you a form to complete so that we are clear about exactly what you want us do or what you want to see.

You can also go directly to the Leading Lives Data Protection Co-ordinator, by

emailing llgdpr@leadinglives.org.uk

or writing to Data Protection Co-ordinator, Leading Lives, Crown Street, Stowmarket, IP141HY. .

5.6 Making a Complaint

If you have a concern about the way we are collecting or using your personal data, then please raise your concern with the staff in your service, who will make any changes they can to reassure you

You can also speak to our Data Protection Co-ordinator, either by writing to:

The Data Protection Co-ordinator
Leading Lives,
Crown Street
Stowmarket, IP14 1HY

or emailing: llgdpr@leadinglives.org.uk

If you are still not happy then you may go to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

6 CHANGES TO THIS POLICY

We may make changes to this Privacy Policy from time to time. If we make any changes in the way we use your personal information we will make this clear on the Leading Lives Website or by contacting you directly.