

Yarrow Privacy Notice for the people we support and tenants

Yarrow is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you.

Yarrow is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you.

About Yarrow

Yarrow aims to improve the lives of the people we support, ensuring they have real choice and control over their lives. We aim to provide an excellent service to all our service users ensuring that everyone we work with feels both valued and respected.

Yarrow specialises in providing accommodation and support services for vulnerable adults with learning disabilities and as such we retain a high level of personal and sensitive data to ensure care and support is appropriate and all risks are effectively managed.

Yarrow acts as a managing agent for a number of Registered Providers (RPs) and where Yarrow is not the owning landlord, Yarrow will work with and act on behalf of the owning landlord at all times to ensure we comply with the management agreement and the regulatory code for RPs as appropriate.

Yarrow will comply with all legislation including the relevant Data Protection legislation, guidelines and the Care Quality Commission (CQC) guidance on service users' personal information, for example using the Unique Code of the person when sending reports to the CQC.

Data Protection Law

We collect personal information from you when you communicate with us as a valued service user. We may also collect personal data which relates to you from third parties. We ensure that prior to processing your personal data for any purpose, that the law allows us to do this.

We process your personal data in accordance with the Data Protection Act (DPA), General Data Protection Regulation (GDPR), or for other lawful reasons.

Data Protection law says that the personal information we hold about you must be:

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.

Consent

In the limited circumstances where you may have provided your consent to hold and use your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

To withdraw your consent, please contact our Data Protection Officer (DPO), at Yarrow's central office. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing.

Privacy of service users' information

Personal data is information that can identify an individual e.g. name, address, date of birth. Sensitive data is personal information such as the racial or ethnic origin of the service user, their support or health needs or religious beliefs.

Yarrow will safeguard service users' privacy and only collect the information we need in order to provide the right level of service. Yarrow will ensure that the information we collect is kept confidential and handled responsibly and in accordance with legal requirements. We will ensure data is kept up to date and reviewed regularly, to ensure data is both accurate and not kept longer than necessary.

All personal and sensitive information is treated as strictly confidential unless we have consent or the law permits us to share it in any way.

Keeping your personal information up-to-date

Always tell us when your information changes, such as your, GP, telephone number, next of kin/emergency contact details or if you feel we should add something about you to your records.

How Yarrow hold information about you

Yarrow hold records about you concerning any of our services you have received.

A personal record will be set up to keep important information about the care you receive in any of our services.

Yarrow staff and other health and care professionals use this information to make sure that you receive the best possible care.

Some of your records are kept in folders (e.g. paper notes, letters and forms), others are kept on secure computer systems.

The kind of information we hold about you

Records may include one or more of the following information:

- Basic details about you, such as your name, address, date of birth NHS number, and National Insurance number.
- Contacts we have had with you.

- Notes and reports about assessments and care provided.
- Next of kin details, and other family and friends contact details.
- Letters relating to your care, e.g. letters to your GP or social services.
- Information from other professionals involved in your care, or from relatives or other people who care for you.

This list is not exhaustive.

Sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection e.g. information about your health. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal information in the following circumstances:

- Where it is needed to assess the care and support services for you.
- Where we need to carry out our legal obligations.

We do not need your consent if we use special categories of your personal information to carry out our legal obligations.

How we will use information about you

Yarrow processes your personal data in various areas of our work, including the:

- provision of care and support services
- ensuring the health and safety of staff and service users
- to provide you with information about services available to you through Yarrow, and third parties connected with us
- to recommend services that we believe will be of interest to you
- management of our homes and services
- collection of rents and other charges
- maintenance/repair of homes
- prevention of crime and crime reduction including potential fraud cases
- monitoring of equal opportunities
- seeking views or comments on the services we provide
- to keep you informed and obtain your views of our activities
- notifying service users of changes to our service
- for audit purposes

- to process and respond to requests, enquiries and complaints received from you;
- to detect or prevent fraud
- for statutory and regulatory compliance

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

Data sharing

Data is primarily shared to enable us to provide a service to our service users, although there are times when we are legally obliged to share data. Where we share data we always make sure that the organisations understand that the information must be used for the reasons we have specified and must be kept safe and secure.

In some cases, where the law allows, we may have to share your data with third parties, such as:

- Local authorities and Social Services
- The Care Quality Commission
- Medical professionals
- Contractors
- Other landlords and managing agents
- Legal advisors
- Police
- Fire and Rescue Services
- Government departments
- Welfare advisors

We may share your personal information with third parties where required by law, where it is necessary to co-ordinate services for you or where we have another legitimate interest in doing so.

We require third parties to take appropriate security measures to protect your personal information in line with the law.

Transferring information outside the European Union

We will not transfer the personal information we collect about you outside the EU.

There are some exceptions to this e.g. if you ask us to provide information about you to a company outside of the United Kingdom or the EU.

Keeping your data secure

Yarrow values your privacy and confidentiality.

All information you provide is stored in accordance with the Data Protection Act.

We undertake to treat any personal information (which means data from which you can be identified, including your name, address, email addresses and the like) that you provide to us or that we obtain from other people, in accordance with this Privacy Notice and the provisions of the Data Protection Act of 2018, or any amendment to it. We may analyse the personal information supplied, on an anonymous basis, to improve the services we offer.

We will make every endeavour to ensure the security of your information.

Yarrow will ensure data is kept securely using:

- Locked filing cabinets kept in secure office accommodation.
- Secure computer systems. Any records held electronically will be protected by appropriate security arrangements that prevent unauthorised access.

To prevent unauthorised access and to maintain data accuracy, Yarrow uses reasonable physical, electronic and managerial procedures to safeguard and secure the information it collects. Yarrow recognises the importance of safeguarding personal information in our possession from theft, inappropriate use or improper distribution. It should, however, be recognised that no organisation can absolutely protect personal information at all times.

Yarrow have a General Data Protection Regulation Policy and supporting documents.

We have put in place procedures to deal with any suspected or actual data security breach and will notify you where we are legally required to do so.

How long we keep your information for

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we follow the **Records Management Code of Practice for Health and Social Care 2016**, which is a guide to use in managing records, based on current legal requirements and professional best practice.

You can see this at: <https://www.gov.uk/government/publications/records-management-code-of-practice-for-health-and-social-care>

We may continue to process your personal data after you leave Yarrow for a short period, e.g. for financial reasons.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Your Rights

Under certain circumstances, by law you have the right:

1. to be **informed**

This enables you to be informed how we process your data, by way of this Privacy Notice.

2. of **access**

This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

3. to **rectification**

This enables you to have any incomplete or inaccurate information we hold about you corrected.

4. to **erasure**

This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.

5. to **restrict processing**

This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

6. to **data portability**

This enables you to transfer your electronic personal information to another party.

7. to **object**

This enables you to object where we are processing your personal information for direct marketing purposes.

8. in relation to **automated decision making & profiling**

This enables you to be told if we process your data using automated software.

Right of Access

The Data Protection Act gives service users' the right to see the information we hold on them by making a 'Subject Access Request'.

You will need to apply for your records in writing.

We will provide copies of your records within one calendar month.

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In general, we will provide access to everything we hold about you.

Any information relating to another service user or individual will be withheld.

Certain exemptions may apply, which means we have to withhold information that may cause you or anyone else harm.

You will not have to pay a fee to access your personal information). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

To make a request, you can apply to:

Director of Care and Support

By email: Raj.mungur@yarrowhousing.org.uk

By post: Raj Mungur, Yarrow, 216 Goldhawk Road, London W12 9NX

Please give as much information as possible to help us respond to your request, including:

- Your full name, address and contact telephone number
- Proof of identity
- Details of the specific information you require and any relevant dates

Confidentiality

Your information is kept confidential at all times and is only shared with people who need the information to support you effectively. All Yarrow staff are bound by strict professional and contractual codes of confidentiality and by UK law.

Staff Responsibilities

It is important that our staff understand their responsibilities in respect of our service users right to privacy. All Yarrow staff are contractually bound by the Yarrow General Data Protection Regulation Policy.

Monitoring

We will review our Privacy Notices regularly in order to continuously improve our services and performance.

Equality and Diversity

For Yarrow diversity is about respecting the differences of our individual service users, partners and staff, ensuring that all people that come into contact with us have access to the same high standards of behaviour and service.

We will communicate with service users in the way that suits them wherever possible. We will provide information that is easy to understand and we will communicate in an appropriate way.

Privacy Notice



Data Protection Officer

We have appointed a Data Protection Officer (DPO) to oversee compliance with Data Protection Law. If you have any questions about this Privacy Notice or how we handle your personal information, please contact the DPO.

For further information

If you have a question about your information you can discuss this with the person providing your care.

If you have any other concerns relating to this Privacy Notice, please contact our Data Protection Officer by email at diana.cadogan@yarrowhousing.org.uk

or by writing to:

Diana Cadogan Director of Organisational Development, Yarrow, 216 Goldhawk Road, London W12 9NX

Our Data Protection Officer will manage your query.

Complaints

If you are not happy with how Yarrow process your data, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

The ICO contact details are:

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

Changes to this Privacy Notice

Yarrow may, in its sole discretion, amend this Privacy Notice at any time without direct notice to you. We suggest that to protect your interests you visit our website and check the Privacy Notice on a periodic basis.