

Client Data Privacy Notice



New
Horizons
Care

What is the purpose of this document?

New Horizons Care is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about our clients during and after their working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

New Horizons is a "data controller". This means that we are responsible for deciding how we hold and use personal information about our clients. Therefore, we are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any agreement to provide services.

We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data Protection Principles

We will comply with data protection law. This 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.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and may use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details

Client Data Privacy Notice



New
Horizons
Care

- Photographs
- Medical Details
- Care Records

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition, health and sickness records.
- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.

How is your personal information collected?

We collect personal information about clients through the referral assessment process, either directly from you or sometimes from a relative or chosen representative. We will collect additional personal information in the course of our contract with you.

How we will use information about you

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:

1. To perform the contract we have agreed with you.
2. Where we need to comply with a legal obligation.
3. 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.

We may also use your personal information in the following situations:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you* and to enable us to comply with our legal obligations**. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties***, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below. (We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.)

- *Making decisions about the contract between us and our clients and the services we offer to them
- *Progressing financial payments and accounting regarding our agreements
- *Otherwise, administering our agreements
- **Complying with health and safety obligations
- ***To prevent fraud
- ***Business management and planning, including accounting and auditing
- *Assessing employee qualifications for a particular job or task
- *Making arrangements for the termination of our agreements

Client Data Privacy Notice



New
Horizons
Care

- *Our employees education, training and development requirements
- ***Dealing with legal disputes regarding our agreements
- ***To conduct data analytics studies to review and better understand client retention and attrition rates

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform our agreement, or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our clients).

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. 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:

1. In limited circumstances, with your explicit written consent.
2. Subject to appropriate confidentiality safeguards, where it is in your vital interests, whether or not we have your written consent, for example to assess and monitor your health, to ensure we deliver appropriate and meaningful care.
3. Where we need to carry out our legal obligations and in line with our data protection policy.
4. Where necessary and appropriate to establish, exercise or defend legal claims.
5. Where necessary to assess the working capacity of employees to work with you.
6. Less commonly, we may process this type of information where it is needed to protect someone else's interests and you are not capable of giving consent, or where you have already made the information public.

Our obligations as a care provider

We will use your particularly sensitive personal information in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety while we work for you during the course of our agreement.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs in order to achieve a successful match when we are recruiting for your care team.

Client Data Privacy Notice



New
Horizons
Care

Do we need your consent?

We do not need our clients written consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or to protect your vital interests in the circumstance stated above. However, we may approach you for written consent to allow us to process certain particularly sensitive data.

In such circumstances we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

We do not consider we ordinarily need to hold information about criminal convictions.

However, we may collect information about criminal convictions if it is appropriate given the nature of the care we are providing and where we are legally able to do so.

We will only retain and use information about criminal convictions if we are advised by medical staff that it is necessary for us to do so or we reasonably consider it necessary to protect our employees, workers and contractors.

Data sharing

We may have to share your data with third parties, including the third-party service providers listed below.

We require third parties to respect the security of your data and to treat it in accordance with the law.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer our agreement or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group.

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Client Data Privacy Notice



New
Horizons
Care

What about other third parties?

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon written request.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

Data retention

How long do we keep your information?

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 consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Once you are no longer our client and, where necessary and appropriate and with your consent, we have passed your essential information to another provider or to a public authority in accordance with any legal obligation, we will securely destroy your personal information in accordance with the applicable laws and regulations which apply to us.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Client Data Privacy Notice



New
Horizons
Care

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

Request the restriction of processing of your personal information. 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.

Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). 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.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information 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 us in writing. 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 so in law.

Client Data Privacy Notice



New
Horizons
Care

Data Protection Lead

We have appointed a Data Protection Lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Lead. 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.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.