

Rob Fawcett Consultancy Ltd

Privacy Notice

We use personal data (information that relates to and identifies living people) and other information to help us to carry out our role as Care Homes Consultants in health and adult social care services in England. We are a limited company with our Registered Offices at 43a The Butts, Westbury, Wiltshire BA13 3EX.

Any information we hold will be held securely in line with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR)

The data we hold

Client details

We hold the following information about our clients:

- Name
- Business address
- Email address
- Land and mobile telephone numbers

Holding this information enables us to carry out our business as Care Homes Consultants to provide verbal and written advice, reports and invoicing.

Our legal basis for holding this information is to take steps prior to and to perform the contract between ourselves and our clients.

Residents and Staff

Our clients may ask us to check that their care service is complying with the regulations regarding record keeping, care planning, consent, cooperating with other providers, and management of medicines. To do this we will often look at a small sample of resident individual records. We will anonymise resident names in reports and audits where reasonably practicable will very rarely take copies of resident individual records and only if these records will legitimately help us to carry out our function as Care Homes Consultants. If any of your residents do not wish us to look at their personal information, please let us know when we visit.

We also hold some staff records such a supervision records and staff training registers. This enables us to keep accurate records of training and supervisions that we have carried out as Consultants.

Providers and Registered Managers may contact us for advice about certain events, complaints and incidents, including safeguarding allegations. In order for us to provide the right advice we will need to be provided with relevant information relating to residents and staff. This information will not be shared unless there is a legal reason to share this information, e.g. for safeguarding.

In writing some reports, for example, a complaint investigation, we may need to identify individual residents and staff but these reports will only be shared with those people who have a legitimate interest in their content e.g. safeguarding, provider etc.

It may be necessary to process special category data in order to provide advice and services to you. Special category data includes data about racial or ethnic origins, political opinions,

religious or philosophical beliefs, trade union membership, genetic or biometric data, health records or information about a person's sex life or sexual orientation. We will process special category data where it is necessary to perform the contract for advice and services between us.

Data storage

We will store the files or a copy of the files relating to the services we provide. It is in our legitimate interests to retain files or a copy of files in order to deal with any queries that may arise after our services to you have ended. Where our services to our clients has ended any records will be kept secure and will be kept for a period of 8 years after which they will be securely destroyed either by the consultants or a specialist document destruction company in line with GDPR principles.

Data protection policy

Our data protection policy is available on request and on our website.

Data Control and Processing

Rob Fawcett Consultancy is the data controller and processor as we collect, use, share and store information relating to our clients. Any enquires about the personal data that we hold should be addressed to us at 43a The Butts, Westbury, Wiltshire BA13 3EX or by email at rob.fawcett@blueyonder.co.uk

The Legal Basis for the Processing

The collection, use, sharing and storage of personal data are all termed "processing". There must be a legal basis for any processing, which we are required to explain to you.

The reason for the processing	The legal basis for the processing
<p>We will require personal data in order to discuss the consultancy services and advice that you require, and to provide services and advice in accordance with our 'Terms of Business'</p> <p>We will also need your personal data invoicing purposes.</p>	<p>The data is required to carry out the contract for consultancy services and advice as documented in our 'Terms of Business'</p>
<p>It may be necessary to process special category data in order to provide consultancy and advice services to our clients. Special category data includes data about racial or ethnic origins, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, health records or information about a person's sex life or sexual orientation.</p>	<p>We will process special category data where:</p> <ul style="list-style-type: none"> • it is necessary to perform the contract for consultancy services and advice as laid out in our 'Terms of Business' • the processing is necessary for the establishment, exercise or defence of legal claims
<p>We will store files or copies of the files relating to the services we provide</p>	<p>It is in our legitimate interests to retain files or a copy of files in order to deal with any queries that may arise after our services to you have concluded.</p>

--	--

Recipients of Your Personal Data

We may need to provide personal data to other people in order to provide consultancy services and advice to our clients. The recipients of such data may include:

- the other party(ies) involved in the matter including legal advisers;
- other persons that may have a legitimate interest in the information

We are subject to professional obligations of confidentiality and will always discuss and agree any disclosure of personal data with you unless we are obliged to disclose it by law.

International data sharing

We do not share or transfer our client's personal data outside of the United Kingdom

Consent

We do not use any personal data for the purposes of marketing but if we were to use any personal data for the purposes of marketing we will ask our client's permission

The withdrawal of consent will not affect our provision of consultancy services and advice to our clients in any way.

Rights in relation to our client's personal data

Information - be informed about how we use your personal data;

Access - obtain access to your personal data that we hold;

Rectification - request that your personal data is corrected if you believe it is incorrect or incomplete;

Erasure - request that we erase your personal data in the following circumstances:

- if we are continuing to process personal data beyond the period when it is necessary to do so for the purpose for which it was originally collected;
- if we are relying on consent as the legal basis for processing and you withdraw consent;
- if we are relying on legitimate interest as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us to continue with the processing;
- if the personal data has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation); or
- if it is necessary to delete the personal data to comply with a legal obligation

Restriction - Ask us to restrict our data processing activities where you consider that:

- personal data is inaccurate;
- our processing of your personal data is unlawful;
- where we no longer need the personal data but you require us to keep it to enable you to establish, exercise or defend a legal claim; or
- where you have raised an objection to our use of your personal data.

Portability - Request a copy of certain personal data that you have provided to us in a commonly used electronic format. This right relates to personal data that you have provided to us that we need in order to perform our agreement with you and personal data where we are relying on consent to process your personal data.

Objection - Object to our processing of your personal data where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal data.

Automated decisions - Not be subject to automated decisions which produce legal effects or which could have a similarly significant effect on you. Rob Fawcett Consultancy do not use automated decision processes.

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 by writing to Rob Fawcett Consultancy Ltd. 43a The Butts, Westbury, Wiltshire, BA13 3EX. We will endeavour to process your request within 28 days.

If you are dissatisfied with the way in which we have dealt with your personal 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 contact details for which are available through the following link:

<https://ico.org.uk/global/contact-us/>