

# Newark Care - Data Protection Consent Form – Privacy Notice

## Background

Newark Care respects your personal information and undertakes to comply with all applicable data protection legislation currently in force. Newark Care uses Service Users' personal data for a number of different reasons. Personal data is any information that identifies the Service User or, in some cases, information that is about the Service User such as an opinion. It includes the Service User's name, email address, postal address, job role, photographs, CCTV and more sensitive types of information such as medical and health records, care plans, information about the Service User's religious beliefs, origin and race, sexual orientation and political views.

We comply with the law in place in the UK around data protection when we use the Service User's personal data, which is known as GDPR (General Data Protection Regulation). It allows us to use the Service User's personal data for a number of reasons without checking with the Service User that it is ok for us to do so. For example, where we can show that we have legitimate reasons to use the Service User's personal data or where we need to use the Service User's personal data to provide services they have requested from us, or to meet a legal obligation placed on us.

However, in some situations we need consent from the Service User to confirm that they are happy for us to use their personal data.

On the basis that the Service User lacks the capacity to consent, we require you to provide that consent on their behalf. We understand that you have authority to provide that consent.

## Introduction

Newark Care respects your personal information and undertakes to comply with all applicable data protection legislation currently in force.

Newark Care may use personal information provided by you either with your consent or on the basis of the following:

**Contract:** the processing is necessary for a contract we have with you

**Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations)

**Vital interests:** the processing is necessary to protect someone's life

**Public task:** the processing is necessary for us to perform a task in the public interest or for official functions, and the task or function has a clear basis in law

**Legitimate interests:** the processing is necessary for our or your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests

Except as provided under these terms, we will not disclose your personal information without your permission unless such disclosure is required by law or other court order.

In accordance with the company's data protection policy, you are entitled to request a copy of the information which the company holds about you. If you become aware that the personal information the company holds about you is inaccurate, you may request that it is amended. Any requests in this respect or any other correspondence relating to this notice should be done in accordance with the company's data protection policy.

Where processing is based upon consent, you have the right to withdraw consent at any time which will not affect the lawfulness of processing based on consent before its withdrawal.

The company's Data Protection Officer is Graham Richmond, Chief Executive Officer, who will monitor GDPR compliance within the organisation and advise the organisation of their obligations. If you have any concerns or need further information, then please contact the Data Protection Officer.

### How information about you will be used

The company collects information about you. This is to:

- Ensure that we can verify your identity
- Ensure that we provide all care and support benefits you require

### Why we need consent

We need consent to carry out the following activities with the Service User's personal data:

Type of information	Who it is shared with	Legal basis for processing this information	Retention period
Personal details (name and address, email address, phone number, date of birth, bank details, financial assessment information, Power of attorney documentation)	<b>Internally shared with:</b> <ul style="list-style-type: none"><li>• Care Home Manager</li><li>• Home administrator</li><li>• Newark Care Accounts Department</li></ul> <b>Externally shared with:</b> <ul style="list-style-type: none"><li>• The relevant social work department</li><li>• The department of work and pensions</li><li>• Local authority council tax office</li></ul>	<b>Contract:</b> <ul style="list-style-type: none"><li>• to ensure that we can operate within the terms of our contract with you and to fulfil our legal obligations on your behalf</li></ul>	Six years after the end of your residency with Newark Care
Care plan and health records	<b>Internally shared with:</b> <ul style="list-style-type: none"><li>• Care Home Manager</li><li>• Senior Care Staff</li></ul> <b>Externally shared with:</b> <ul style="list-style-type: none"><li>• Designated social work staff</li><li>• Your doctor and relevant health care professionals</li><li>• Your opticians</li><li>• Any pharmacy supplying medicines or reviewing your medications.</li></ul>	<b>Vital Interest:</b> <ul style="list-style-type: none"><li>• to ensure we meet your care and support needs</li></ul>	Six years after the end of your residency with Newark Care
Next of kin details (name, address, phone number, relationship to you)	<b>Internally shared with:</b> <ul style="list-style-type: none"><li>• Care Home Manager</li><li>• Senior Care Staff</li><li>• Home administrator</li></ul>	<b>Legitimate interest:</b> <ul style="list-style-type: none"><li>• to ensure that the correct people within the business can make contact with your next of kin in the case of an emergency</li></ul>	Six years after the end of your residency with Newark Care

You are also advised that Euro Systems, our IT support company, will have occasional access to our system on which your details are held. All emails and attachments are sent in encrypted format.

### Disposal of Records

It is the policy of Newark Care that once the retention period has passed all paper records are shredded to minimum of DIN 32757-1 (level 3) standard. All electronic records are removed from our system except

where we are required under statute to hold specific information.

The Supervisory authority in the UK & NI is the Information Commissioner's Office (ICO). Where you have a complaint regarding the handling of your data which you do not think can be handled internally, then you have the right to make a complaint to the ICO.

#### What happens next?

If you are unsure about why we are processing the Service User's personal data for the reasons set out above, or what we are doing with it, please contact Graham Richmond, on the number below, who will be happy to provide more information. Please do not sign this form until you are happy that you understand its content.

If you give Newark consent to use the Service User's personal data in the ways explained above, you can ask us to stop using the personal data in this way at any time by speaking to or by emailing at [info@newarkcare.org.uk](mailto:info@newarkcare.org.uk) , writing to us at Newark Care, 32 Burnfield Road. Glasgow, G46 7PZ or phoning us on **0141 621 2560**.

#### Your information:

Name:	I am happy to be contacted via the following methods: <input type="checkbox"/> Post <input type="checkbox"/> Email <input type="checkbox"/> Telephone <input type="checkbox"/> Text
Address:	
Postcode:	
Name of applicant/ service user:	Tel:

Capacity in which you are signing this form on behalf of the Service User (please tick as appropriate):

- ☐ Attorney - if you are appointed as an Attorney under Power of Attorney, please attach a copy of the document.
- ☐ Other - please explain the basis on which you are entitled to act on behalf of the Service User below.

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#### Consent

If you believe that it is in the best interests of the Service User for Newark Care to use the Service User's personal data in the ways set out above and therefore provide consent to such use, please sign below:

.....  
Signature

.....  
Date