

## **Privacy Statement for Aspens' Service Users – Local Authority Funded**

Aspens Charities Ltd provides care and support services to individuals who are funded by Local Authorities. The Local Authorities are the Data Controllers in regards to their Personal Data and Aspens is the Data Processor.

Due to the nature of our services, we hold some personal information about you. This document explains why we have that information, how we use it, how we manage it and how we protect it. It also sets out your rights relating to that information. A copy of this Privacy Statement will be held in your Support Plan.

### **What Personal Data do we hold?**

**Personal Data** is any information relating to an identifiable person (you) who can be directly or indirectly identified by using this information. We currently hold the following Personal Data about you;

1. Name
2. Address
3. Date of Birth
4. Photo identification
5. Personal email address
6. Personal telephone number – mobile and landline if both provided
7. Bank Account details
8. Next of Kin
  - a. Name
  - b. Contact telephone numbers – mobile and landline if both provided
9. National Insurance number
10. Data concerning health, personal safety and wellbeing
11. Information regarding any criminal convictions
12. Behavioural support information

Aspens also holds **Special Category Data**, which is processed differently. This includes data such as;

13. race;
14. ethnic origin;
15. politics;
16. religion;
17. trade union membership;
18. genetics;
19. biometrics (where used for ID purposes);
20. health;
21. sex life; or
22. sexual orientation

#### **Aspens**

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Registered in England and Wales  
Charity number: 1171446  
Company number: 10342980

Aspens is a trading name  
of Aspens Charities Ltd



## **Where did we get your Personal Data from?**

As the Data Processor, Aspens receives your data from the Local Authority via the referral process into our services. Aspens will then liaise with you, your family/carer and other relevant professionals to complete your Individual Support Plan.

Aspens liaises with you, your family/carer, the Local Authority and any other named healthcare professional to ensure that your Personal Data is kept accurate and up to date.

## **What is the legal basis and purpose for Aspens to hold your Personal Data?**

The Personal Data we hold and process is necessary for the delivery of the care and support services we are contracted to provide to you within your Individual Support Plan. It is also required within the overarching Contracts for Services that Aspens are party to with the Local Authority.

## **What do we do with your Personal Data?**

We use your data to facilitate the following elements of your service;

- Meet your needs in regards to health and social wellbeing as set out in your Support Plan.
- Support you to maintain your independence with paying bills, managing your finances and any other housing-related activity if relevant.
- Provide information to the Local Authority as required in the overarching Contracts for Services.
- Contact protocols in the event of a personal emergency in which your next of kin must be contacted and to meet our statutory obligations.

**Special Category Data** is only used to ensure the care and support you received is personalised to your needs and preferences. It is never used for profiling purposes.

Aspens data is categorised within our Information Assets Register. There are three categories of data; **Shared**, **Restricted** and **Confidential**.


**Shared** information is data that is available to everyone working for Aspens.

**Restricted** information is data that maybe commercially, technically or otherwise sensitive and therefore constrained to certain groups or individuals within Aspens.

**Confidential** information includes any data that contains personally identifiable information (PII) and any other information that the Board wish to remain private.

Your information is classified as **Restricted** and available only to the staff group that are providing your care and support and financial support.

## **Who else do we give access to your information and why?**



As part of your support planning process, we will identify the individuals/organisations who are involved in your care and support and confirm that you are either happy for us to share your data with them or if you would prefer us not to. We will document this within your Individual Support Plan.

### Local Authorities

As part of our Contract for Services with the Local Authority, we are required to share information of those individuals who are referred into our care and support services.

### Healthcare Professionals

Aspens is committed to ensuring that we support you to maintain a good level of health and wellbeing. We will share the relevant data with the named individuals and organisations within your Individual Support Plans.

### What we don't do with your Personal Data

Aspens do not use your information for profiling or automated decision making.

Aspens do not transfer your information outside of the European Union.

### How do we protect your information?

Aspens has a robust **Information Security Policy** to ensure that your information is kept safe in both electronic files as well as hard copies. We also have a clear and transparent **Data Protection Policy** to ensure we adhere to all legislative and regulatory requirements. A copy of these are available on request.

The review, understanding and implementation of these policies will also be part of the induction process for all new members of staff, regardless of their position within the organisation.

The Personal Data we hold about you has been assessed using a Data Protection Impact Analysis (DPIA) and is logged and maintained with our Information Assets Register (IAR). The DPIA is used to measure the potential risk of the personal information we hold relating to your freedoms and rights as individuals and any potential impact if the information was breached or lost. By completing the DPIA and subsequently categorising the data we hold within Aspens' IAR, Aspens have implemented appropriate and proportionate measures to mitigate or lower those risks.

### How long do we keep your personal data?

We will retain your information for as long as we provide you with care and support services, regularly checking to ensure that it is accurate and up to date. Due to our legal obligations as a Care Quality Commission registered Charity and the Records Management Code of Practice for Health and Social Care, we will retain your Personal Data for a further 6 years from when you leave our services. Bank account and next of kin information will be deleted immediately when you have left as this information is no longer required.



## **What are your Personal Data rights?**

If, at any point, you believe the Personal Data we hold on you is incorrect, you want us to correct or delete that information, or you no longer want us to hold that information or contact you, you can exercise your rights under the current Data Protection Laws. These rights include;

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling.

Please note, these rights are not absolute and we may not be able to delete information that is required to maintain our business purpose, to comply with relevant legislation or that is required to facilitate your care and support.

You also have the right to access any information we hold about you. As the Local Authority funds your care and support, they will be the main point of contact to facilitate a Subject Access Request. Please contact our Data Protection Officer who will provide you with the contact details of the relevant responsible individual within the Local Authority. Aspens is committed to supporting the Local Authority to ensure all our information is provided as you have requested.

For more information regarding your Personal Data Rights, please visit the Information Commissioner's Office website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

## **Who do you contact if you have an issue with the Personal Data that we hold?**

Natalie Spangenberg is the Data Protection Officer for Aspens Charities Ltd. She can be contacted on the details below. All contact will be treated as confidential.

01424 773366 ext. 112

[Natalie.spangenberg@aspens.org.uk](mailto:Natalie.spangenberg@aspens.org.uk)

## **How do you make a complaint about how your Personal Data is being held or processed?**

Please contact our Data Protection Officer in the first instance. They will investigate ensuring that due process is followed as set out in our Complaints Policy and Procedures.

If you are not satisfied with the response or believe we are processing your data not in accordance with the law, you can complain directly to the Information Commissioner's Office on 0303 1231113 or follow the instructions on their website; <https://ico.org.uk/concerns/>

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