

PALMS ROW HEALTH CARE LIMITED PRIVACY NOTICE

We are committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect, store and use personal information about you during your working relationship with us, in accordance with data protection law.

WHO ARE WE?

“We”, “our” or “us” means Palms Row Health Care Limited (“Palms Row”). Our company number is 02713151. Our registered office is at 379 Earl Marshall Road, Sheffield, England, S4 8FA.

We are the controller of your personal information. This means that we are responsible for deciding how we collect, store and use personal information about you.

If you have any questions about this privacy notice, please contact our Head of Care at hr@palmsrow.co.uk

WHAT DOES THIS PRIVACY NOTICE APPLY TO?

This privacy notice applies to our residents, prospective residents, their family members and those individuals who use our website. It does not form part of any contract with you. We may update this notice at any time.

NAVIGATION

This privacy notice answers the following:

- What personal information do we collect about you, how will we use your personal information and what is our legal basis for using it?
- How will we use the personal information we collect about you and what is our legal basis for using it?
- Do we use CCTV?
- How will we use your sensitive special categories of personal information and what is our legal basis for using it?
- Will we change the way we use your personal information?
- What happens if you don't provide the personal information we have asked for?
- Do we use your personal information to make automated decisions?
- How long will we keep your personal information?
- Who do we share your personal information with?
- Will we transfer your personal information outside of the UK/EEA?
- How do we ensure that your personal information is secure?
- How will we keep your personal information up to date?
- What rights do you have over your personal information?
- Does this privacy notice cover websites you might link to from this website?
- How will we tell you about changes to this privacy notice?
- How can you contact us?

WHAT PERSONAL INFORMATION DO WE COLLECT ABOUT YOU, HOW WILL WE USE YOUR PERSONAL INFORMATION AND WHAT IS OUR LEGAL BASIS FOR USING IT?

We have set out below what personal information we collect about you and how we use your personal information. In addition, we have set out our legal basis to use your personal information as we need to tell you this under data protection law.

[If you browse our website as a resident, prospective resident or family member of a resident or prospective resident](#)

We collect, store and use the following personal information: your browsing patterns and information about the device you are using, which is obtained through cookies. We use both essential and non-essential cookies on our website.

We will collect, store and use your personal information if you browse our website as a resident or prospective resident or a family member of a resident or prospective resident via cookies. We will use the personal information we collect about you to inform our marketing and future business strategies.

Full details of how we use cookies can be found in our cookie policy at: www.palmsrow.co.uk

When we collect information about you from our website using essential cookies we will use your personal information on the basis that it is in our legitimate interests to do so. Please contact our Head of Care at hr@palmsrow.co.uk if you would like further detail about our legitimate interests.

When we collect information about you from our website using non-essential cookies, we will use your personal information on the legal basis that you have given us your consent. You can, of course, withdraw your consent at any time by deleting our cookies or by managing your browser's cookie preferences. For further details on how to manage your preferences please see aboutcookies.org or www.allaboutcookies.org.

If you contact us, including by telephone, email, post, in person or through social media

We collect, store and use the following personal information: your full name, your contact number and other contact details (if applicable) and details of your query, reason for contact or the issue you have raised.

We will collect, store and use your personal information to respond to you, investigate, consider and deal with any issue or complaint you have raised. In order to ensure that you receive our best customer service, we will retain previous conversations which we have had with you.

We will use your personal information on the basis that it is necessary for the performance of our contract with you where your query relates to a service that we are providing to you or someone you are acting on behalf of. If you are contacting us in relation to something different, then our legal basis is that it is in our legitimate interests to be able to deal with resident, prospective resident, family member, or visitor queries.

If you are a resident in one of our care homes

We collect, store and use the following personal information: name, date of birth, contact details, next of kin relationship, marital status, medical history, biometric information, medical records, GP details and other allied health professionals, information about legal representatives, ethnicity, religion, sexual orientation, marital status, photographs, CCTV footage, photographs (clinical and non-clinical), payment information, security code numbers, anti-fraud checks, other billing information necessary to process payments, transaction data, complaints, accidents, accident reports, contributions to resident questionnaires and surveys, COVID-19 vaccination status and test results.

We will collect, store and use your personal information to provide you with the care and services you require.

We will use your personal information on the basis that it is necessary for the performance of our contract with you.

If you visit one of our care homes

We collect, store and use the following personal information: your full name, contact details, relation to resident, purpose for visit, number of visits, CCTV footage, COVID-19 testing results.

We will collect, store and use your personal information to arrange your visit to one of our care homes and sign in to one of our care homes when you arrive.

We will use your personal information on the basis that it is in our legitimate interests to ensure that we can keep our residents, staff and other visitors safe and know who is visiting our care homes.

Please note that if you visit one of our care homes we use CCTV cameras to capture images. We collect, store and use these images for security purposes and to ensure the safety of our residents, staff and visitors.

Where we capture CCTV images, our legal basis for collecting and using them is that it is in our legitimate interests as a business to be able to keep our care homes secure, to ensure that our obligations relating to health and safety are met and to ensure our residents and employees are appropriately safeguarded.

Please contact our Head of Care at hr@palmsrow.co.uk if you would like further detail about our legitimate interests.

If you provide your permission to marketing

We collect, store and use the following personal information: name, contact details and email update preferences.

We will collect, store and use your personal information for the purposes of conducting market research.

We will use your personal information on the basis that you have provided us with your permission to use your personal information for the purpose set out above. You are able to withdraw your permission at any time.

Other personal information

We may collect, store and use your personal information for the purposes of bringing or defending any legal proceedings or meeting any legal or compliance obligations we have.

Where we use your personal information for the purposes of meeting any legal or compliance obligations, we will do this on the legal basis that it is necessary for compliance with a legal obligation.

Where we use your personal information for the purpose of bringing or defending legal proceedings, our legal basis will be that it is necessary for the performance of our contract with you (where it relates to a contract we have in place) or our legitimate interests. Please contact our Head of Care at hr@palmsrow.co.uk if you would like further detail about our legitimate interests.

Do we collect, use and store information from other people and organisations and what is our legal basis for using it?

We may also collect information from the following people and organisations:

- A family member, your next of kin or someone else acting on your behalf, including if you have a lasting power of attorney in place
- Doctors, other clinicians and health care professionals, hospitals, clinics and other health care or social care providers involved in your care
- Fraud detection and credit reference agencies
- Sources which are available to the public including the edited electoral register or social media
- Other trusted sources including the government, local authorities, financial institutions including banks and building societies, law firms and insurance companies

We may collect, store and use your personal information from third parties for the purposes of providing you with the care and services you require if you are a resident or prospective resident at one of our homes.

Where we use your personal information collected from third parties, we do this on the basis that it is necessary for the performance of our contract with you or a resident or prospective resident or for taking preliminary steps for that contract.

DO WE USE CCTV?

We operate CCTV monitoring and we may collect images of you to ensure the safety of our residents, their visitors, our staff and any other individuals who visit our sites and for the prevention and detection of crime. Please see our CCTV notices displayed in our homes for further information.

Our legal basis for doing this is that it is in our legitimate interests as a business to be able to keep our care homes secure and to ensure that our obligations relating to health and safety are met.

HOW WILL WE USE YOUR SENSITIVE SPECIAL CATEGORIES OF PERSONAL INFORMATION AND WHAT IS OUR LEGAL BASIS FOR USING IT?

We will use the more sensitive special categories of personal information mentioned above to:

- Ensure the health and safety of our residents and employees for COVID-19 purposes;
- Provide the care and services you require whilst you are in our care; and
- Inform healthcare and social care professionals where required so that you can receive the care and services required.

Under data protection law we must have a legal basis to use your more sensitive special categories of personal information. We have set these out below.

Our legal basis for the purposes set out above is that it is necessary for medical diagnosis and for the provision of health or social care or treatment or where you have provided us with your explicit permission to use your personal information for the purposes set out above.

If we need to ask for your explicit permission, we will make it clear that this is what we are asking for and will ask you to confirm whether you wish to give us your permission. We may be unable to provide you with the services required if you do not provide your permission and we will make this clear to you when we ask you for your permission. If you decide to withdraw your permission at any point, we may be unable to continue to provide you with the services required, if that service relies on us having your permission to process your personal information.

WILL WE CHANGE THE WAY WE USE YOUR PERSONAL INFORMATION?

We will only use your personal information for the purposes we have set out in this notice. We can only change the purposes we use your personal information for, by telling you where we need to use it for another reason and that reason is compatible with those purposes set out in this notice. If we need to use your personal information for any other purpose, we will notify you and we will explain the legal basis which allows us to use your personal information for this other purpose in a similar way to how we have done it in this notice.

WHAT HAPPENS IF YOU DON'T PROVIDE THE PERSONAL INFORMATION WE HAVE ASKED FOR?

Where we have stated that your personal information is used in order to carry out a contract with you, to take steps to enter into that contract we will need you to provide the personal information requested. If you don't provide the personal information we need when we ask you for it, we may not be able to respond to you, enter into a contract with you or meet our obligations under the contract. For example, if you don't give us your contact details, we may not be able to answer a query you have raised. If you have any concerns about whether you need to provide your personal information, please contact our Head of Care at hr@palmsrow.co.uk.

DO WE USE YOUR PERSONAL INFORMATION TO MAKE AUTOMATED DECISIONS?

You will not be subject to decisions that will have a significant impact on you based solely on automated decision making (i.e. one without human intervention).

HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?

We will not keep your personal information for longer than we need it for the purposes we have explained in this privacy notice. We have outlined our retention periods below.

We will keep your personal information (other than that relating to marketing) in our active systems for 6 years.

Where you have consented for us to contact you for marketing purposes we will store your personal information for a period of 2 years before asking you to re-consent to our contacting you for marketing purposes.

We will retain CCTV images from our homes for a period of 28 days.

If a dispute arises between us, we will keep your personal information for the purposes of responding to and dealing with the dispute. This may mean that we keep your personal information for longer than as set out above. Please contact our Head of Care at hr@palmsrow.co.uk if you would like any further information about our retention periods.

We will ensure that your personal information is securely deleted after the retention periods stated above have expired.

WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?

We may share your personal information with trusted third parties from time to time. We will not, however, share your personal information with a third party for marketing purposes unless we have your consent to do this. We do not sell any personal information to any third party so that they can send you their marketing material.

We will only share the personal information that you give us with the following third parties and for the following reasons:

- With companies who process our payments for care home fees (if applicable): We may share your personal information with the companies who process our payments for care home fees to ensure your purchase is completed securely.
- With companies who provide support for our internal IT systems: We use reputable third parties to provide us with our IT systems and support for them. They may access your personal information to the extent that they need to in order to provide their services.
- With a company that we merge with or transfer our business assets to: In the event that we sell all or part of our business, or merge with another company, we may transfer personal information that we have collected as described in this notice, along with our other business assets, to the company that we are selling to or merging with.
- With entities, organisations or individuals outside our group for legal reasons: We will share your personal information with entities, companies or individuals outside our group where this is strictly necessary to: comply with any law, rule, regulation, legal procedure or governmental request that is applicable to us.
- With entities, companies or individuals outside our group to obtain advice: We also share your personal information with external professional advisors such as lawyers or accountants in order to take advice and for the purposes of legal and tribunal proceedings or enforce the terms of our agreements.

We will only disclose your personal information to any third party as is necessary to enable them to carry out the function or purpose that they require it for. If you would like further information on the

third parties we may share your personal information with and our legal basis for sharing your personal information with third parties, please contact our Head of Care at hr@palmsrow.co.uk.

WILL WE TRANSFER YOUR PERSONAL INFORMATION OUTSIDE THE UK AND/OR EEA?

European Economic Area (“EEA”) countries are all EU Member countries together with Iceland, Liechtenstein and Norway. The United Kingdom is no longer an EU Member country. At the present time we store your personal information in the United Kingdom or in countries within the EEA. We will only transfer your personal information outside the UK and/or EEA as follows:

- Where our third party service providers who we share personal information with (as set out above) are based outside the UK and/or EEA, have support services located outside the UK and/or EEA or host personal information outside the UK and/or EEA.

We only transfer your personal information outside the UK and/or EEA where we have a legal basis for doing so and where we require that your personal information is protected to the same standard as it would be protected in the UK and/or EEA. We do this by entering into data sharing agreements with the recipients of your personal information based outside the UK and/or EEA which comply with the EU Commission’s standard clauses and/or the UK Information Commissioner’s International Data Transfer Agreement for the transfer of personal information.

If you would like further details about our transfer of your personal information outside the UK and/or EEA or details of the safeguards put in place in relation to your personal information please contact the Head of Care at hr@palmsrow.co.uk.

HOW DO WE ENSURE THAT YOUR PERSONAL INFORMATION IS 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. We limit access to your personal information to those employees, agents or contractors and other third parties who have a business need to know, and who 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.

HOW WILL WE KEEP YOUR PERSONAL INFORMATION UP TO DATE?

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

WHAT RIGHTS DO YOU HAVE OVER YOUR PERSONAL INFORMATION?

You have the right to make a complaint to the Information Commissioner’s Office (ICO) if you are unhappy about the way your personal information is being used – please refer to the ICO website for further information about this (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO and so, if you are happy to do so, please contact our Head of Care at hr@palmsrow.co.uk.

You have a number of rights over your personal information, which are:

- the right to ask us what personal information we have about you and to have a copy of your personal information from us;
- the right to ask us to correct any errors in your personal information;
- the right to object to our legitimate interests, profiling activities and direct marketing communications;

- the right to ask us to provide you with a copy of the personal information you have provided to us, in a structured, commonly used and machine-readable format and the right to transmit that personal information to another entity where: (i) we are using your personal information on the basis of your consent or on the basis that it is necessary to perform a contract with you; and (ii) the use we are making of your personal information if carried out by automated means;
- the right to ask us to delete your personal information where: (i) we don't need your personal information anymore; (ii) you withdraw your consent to our use of your personal information and we have no other legal basis to keep your personal information; (iii) you have asked us to review and explain our legitimate interests to you and we don't actually have a valid legitimate interest to do what we are doing; (iv) our use of your personal information is illegal; (v) we have to delete your personal information to comply with our legal obligations;
- the right to ask us to restrict the use that we are making of your personal information where: (i) you don't think the personal information we have about you is correct, so that we can check if it is correct; (ii) what we are doing with your personal information is illegal but you would rather we stop using your personal information rather than delete it; (iii) we don't need your personal information anymore, but you need us to keep it so that you can exercise any legal rights; and (iv) you have asked us to review and explain our legitimate interests to you, so that we can check whether we actually have a valid legitimate interest to do what we are doing; and
- where our use of your personal information is based on your consent, the right to withdraw your consent at any time by contacting our Head of Care at hr@palmsrow.co.uk.

If you want to access, correct or request erasure of your personal information, object to or restrict the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact our Head of Care at hr@palmsrow.co.uk.

DOES THIS PRIVACY NOTICE COVER WEBSITES YOU MIGHT LINK TO FROM THIS WEBSITE?

Links within our website to other websites, such as Facebook and Twitter are not covered by this privacy notice. You should review the privacy information on those websites to find out how they may use your personal information.

HOW WILL WE TELL YOU ABOUT CHANGES TO THIS PRIVACY NOTICE?

We keep our privacy notice under regular review. Any changes we make to our privacy notice in the future will be posted on our website and if the changes will have an effect on you or the way we use your personal information, we will bring them to your attention by email where appropriate. This privacy notice was last updated on 2022

HOW CAN YOU CONTACT US?

If you have any questions about this privacy notice or about the ways we use your personal information, please contact our Head of Care at hr@palmsrow.co.uk.