Supplemental Privacy Notice for Care and Support

Who we are

East Midlands Housing Group Limited ('emh Group') is a registered co-operative and community benefit society with registration number 30476R and operates as a non-asset owning parent company, with two largely ring fenced functional divisions: emh Housing and Regeneration Limited, trading under the name 'emh', which is a Registered Provider regulated by the Regulator of Social Housing (registration number 4775) and emh Care & Support Limited, whose regulated activities fall within the remit of the Care Quality Commission. Midlands Rural Housing & Village Development Association Limited and Sharpes Garden Services Limited, are non-registered providers which are subsidiaries of emh Group (collectively referred to as "emh Group", "we", "us" or "our" for the purposes of this privacy notice).

This notice supplements the **Privacy Notice for Customers and Residents** and should be read alongside it.

Purpose of this notice

This notice explains how we collect, use and protect your personal information throughout your care with us. It sets out:

- what information we collect
- why we use it
- the lawful basis for doing so
- how we keep it secure
- your rights under UK data protection law

This notice is required under the UK GDPR, the Data Protection Act 2018 and other relevant legislation.

How we collect and use your information

We collect information directly from you, from people involved in your care, from local authorities and health bodies, and through our staff and systems. Some locations also use CCTV for safety and crime prevention.

We only collect and use information where we have a lawful basis for doing so. The sections below explain each lawful basis and the types of information processed under each.

What information do we collect about you

Contract

We use this information to deliver your care and support services and to manage your service level agreement.

Information collected under this basis:

- Contact details (name, date of birth, address history, telephone numbers, email address)
- Supporting documents (which may include photographs)
- Details of who lives with you
- Disability information required to deliver services
- Information needed to manage your tenancy or support agreement

Legal obligation

We use this information to comply with laws such as the Equality Act 2010, the Health and Social Care Act 2008 and safeguarding legislation.

Information collected under this basis:

- Support plans, risk assessments and associated care documents
- Medication Administration Records
- Disability information required for compliance with the Equality Act
- Information required by regulators such as the Care Quality Commission
- Information needed to meet health and safety or safeguarding duties

Legitimate interests

We use this information where it is necessary for our organisational interests and does not override your rights. This includes ensuring safety, preventing fraud and managing services effectively.

Information collected under this basis:

- Details of support needs
- Information about people providing additional support
- Next of kin and emergency contacts
- Authority to act or Power of Attorney
- CCTV footage for safety and crime prevention
- Criminal offence information where needed to ensure appropriate housing and support

Vital interests

We use this information where it is necessary to protect your life or wellbeing.

Information collected under this basis:

- Emergency contact details
- Information required to protect your safety in urgent situations

Public interest / Social protection law

We use this information to meet duties relating to safeguarding, social protection and regulatory reporting.

Information collected under this basis:

- Criminal offence information (unspent convictions, custodial sentences, register information)
- Ethnicity, religion and sexuality (for equality monitoring and regulatory reporting)
- Disability information used for regulatory reporting
- Information required for safeguarding or risk management

Special category data

Special category data requires additional protection. We process this information only where justified under UK GDPR and the Data Protection Act 2018.

We process special category data under:

- Social protection law obligations
- Substantial public interest
- Legal claims
- Vital interests
- Explicit consent (rare and only where required)

Special category information we may collect:

- Disability information
- Ethnicity, religion and sexuality

- Criminal offence information
- Support plans, risk assessments and care records
- Medication Administration Records

When we share your information

We only share your information where necessary and lawful. This may include:

- Local authorities and health bodies
- Regulators such as the Care Quality Commission
- Emergency services
- Contractors providing services on our behalf
- Legal advisers or insurers
- Other emh Group companies where required

We do not sell or rent your information.

At this time, we do not share any data for planning or research purposes for which the national data opt-out would apply. We review all of the confidential patient information we process on an annual basis to see if this is used for research and planning purposes. If it is, then individuals can decide to stop their information being shared for this purpose. You can find out more information at https://www.nhs.uk/your-nhs-data-matters/.

How we keep your information secure

We use technical and organisational measures to protect your information from loss, misuse or unauthorised access. Access is restricted to staff who need it to perform their roles.

International data transfers

All personal information you provide to us is stored on our secure servers within the UK. However there may be occasions where your information may need to be stored in or sent to companies, service providers, agents, subcontractors and regulatory authorities in countries outside of the UK which may not have the same level of security and protection

as we have under UK legislation. If we have to do this, we will make sure that suitable security measures are in place subject to the requirements of the UK GDPR.

We do not conduct any international transfers at this current stage. However, if we are to ever transfer personal data overseas, then we will update this privacy notice accordingly and ensure that appropriate safeguards are in place to carry this out.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

How long do we keep your information for?

We will only retain 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. For further information about the relevant retention periods applicable to visitors to our website, please see the **What information do we collect about you?** Section above.

We only hold information about you for as long as it is needed for the purpose(s) it was collected, or as required by law.

Some examples of our data retention periods include:

Personal data	Retention period
Name	Until end of tenancy + 6 years
Address	Until end of tenancy + 6 years
Care plans	End of support + 8 years (Adult Social Care)

Access to and correction of the information we hold about you

You can find out if we hold any personal information about you by making a 'subject access request' under the UK GDPR. If we do hold information about you, we will:

- ► Give you a description of it;
- ► Tell you why we are holding it;
- ► Tell you who it has been disclosed to; and
- ► If we are able to, let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to other organisations in certain circumstances.

You can access your personal information we hold by writing to us at this address:

emh, Governance, Risk & Assurance Team, Memorial House, Stenson Road, Coalville, and Leicestershire, LE67 4JP.

Or by emailing us at dataprotection@emh.co.uk.

You have the right to question any information we have about you that you think is wrong or incomplete. Please contact us if you want to do this. If you do, we will take reasonable steps to check its accuracy and correct it.

If any of your personal information changes, such as a contact number or email address, please let us know right away so we can update our records.

Your rights

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information, though please note, there are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

Furthermore, under data protection law, you have rights including:

Your right of access

- You have the right to ask us for copies of your personal information.

Your right to rectification

- You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

- You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

- You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing

- You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability

- You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

Your right to withdraw consent

- If the lawful basis for processing is consent, you have the right to withdraw that consent at any time. Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent, and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain services to you.

Your right to object to direct marketing

- Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.

Profiling and automated decision making

- Your also have the right to object to and not to be subject to a decision based solely on automated processing including profiling. We do not carry out automated processing or profiling. To exercise any of these rights, please contact the email below.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (see **How to contact us** below).

How to contact us

If you have questions about this notice or how we handle your information:

Email: dataprotection@emh.co.uk
Post: Governance, Risk & Assurance Team, Memorial House, Stenson Road, Coalville, LE67 4JP
Telephone: 01530 276000

Updates to this notice

We review this notice regularly and may update it at any time. We encourage you to check it periodically.