

Service User Privacy Notice

Introduction

Welcome to Newcross Healthcare. We are committed to protecting and respecting your privacy and ensuring the security of your personal and health information. This Service User Privacy Notice is designed to inform you about how we collect, use, process, and safeguard the personal data of our service users—individuals who receive healthcare services from our team of dedicated healthcare practitioners across the United Kingdom.

Our services are tailored to meet the individual needs of our service users, directly in their homes, and handling your personal information with the utmost care is fundamental to the trust and confidentiality inherent in the provision of healthcare services. This notice outlines the types of data we collect, the reasons for processing your data, your rights regarding your personal information, and how we protect your privacy.

We encourage you to read this notice carefully. Should you have any questions or concerns about your personal data, please do not hesitate to contact us.

Section 1 – Identity and Contact Details of the Data Controller

1.1 Newcross Healthcare as Data Controller

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We encourage you to read this notice carefully. Should you have any questions or concerns about your personal data, please do not hesitate to contact us.

1.2 Contact Details of the Data Protection Officer

To ensure the protection of your data and to comply with the data protection laws, we have appointed a Data Protection Officer (DPO). Should you have any questions about this privacy notice or how we handle your personal data, please contact our DPO using the following details:

- **Email Address:** dpo@newcrosshealthcare.com

Our DPO is available to address any concerns or queries you may have regarding your personal data, including your rights under data protection legislation, and is committed to ensuring the confidentiality and security of your information.

Section 2 – Purposes of Processing and Legal Basis

At Newcross Healthcare, we collect and process personal and health-related information about our service users to provide safe, effective, and personalized healthcare services. This section outlines the purposes for which your data is processed and the legal basis underpinning these activities.

2.1 Purposes of Processing Personal Data

We process your personal data for the following purposes:

- **To Provide Healthcare Services:** To administer and deliver healthcare services tailored to your needs, including treatment, advice, and support by our healthcare practitioners.
- **To Communicate with You:** To communicate effectively with you about your care, including arranging visits, providing health updates, and responding to your inquiries and feedback.
- **To Support Healthcare Operations:** To ensure the efficient operation of our healthcare services, including managing our healthcare practitioners, scheduling, and logistics.
- **To Improve Our Services:** To monitor and improve the quality of our healthcare services, including training our staff and conducting internal audits and compliance checks.
- **For Billing and Payment:** To process payments, verify insurance coverage, and manage accounts related to the healthcare services provided.

2.2 Legal Basis for Processing

Our processing of your personal data is based on the following legal grounds:

- **Consent:** We may ask for your consent to process certain types of personal data for specific purposes. You have the right to withdraw your consent at any time.
- **Contract Performance:** Processing is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- **Legal Obligation:** Processing is necessary for compliance with a legal obligation to which we are subject (e.g., regulatory requirements, health and safety laws).
- **Vital Interests:** Processing is necessary to protect the vital interests of you or another person (e.g., in emergency medical situations).
- **Legitimate Interests:** Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms.

2.3 Special Categories of Personal Data

Given the nature of our services, we also process special categories of personal data, such as health information, which require higher levels of protection. We process such data for the purposes of providing healthcare or treatment, managing healthcare systems and services, or on the basis of your explicit consent.

We ensure that the processing of special categories of personal data is done with the utmost care and security, adhering strictly to legal requirements and best practices in healthcare data protection.

Section 3 – Categories of Personal Data Collected

To provide personalized and effective healthcare services, Newcross Healthcare collects various categories of personal data from our service users. This section outlines the types of data we collect and the purpose for each category.

3.1 Types of Personal Data Collected

- **Personal Identifiers:** This includes your name, date of birth, patient identification number, and contact information (such as address, email address, and phone number) to identify you as our service user and to maintain communication with you.
- **Health and Medical Information:** We collect detailed health and medical information, including your medical history, diagnoses, treatment plans, medication information, and other health-related data necessary for providing tailored healthcare services.
- **Next of Kin:** Information about your next of kin or emergency contacts, including their names, relationship to you, and contact details, to be contacted in case of an emergency or as part of your care plan.
- **Financial Information:** This includes billing details, insurance information, and payment history necessary for processing payments for the healthcare services provided.
- **Care Preferences and Feedback:** Information regarding your preferences for care, feedback on services received, and any special needs or accommodations to ensure your comfort and satisfaction with our services.

3.2 Sources of Personal Data

- **Directly from You:** Most of the personal data we collect is provided directly by you or your legal guardian, through forms, interviews, or communication with our healthcare team.
- **Healthcare Professionals:** We may also receive information from other healthcare professionals involved in your care, such as doctors, nurses, or specialists, to ensure a coordinated approach to your healthcare.
- **Third-Party Services:** In some instances, we may collect information from third-party services, such as insurance companies or healthcare providers, for billing and insurance verification purposes.

3.3 Special Categories of Data

As part of the special categories of personal data, health and medical information is given additional protection and confidentiality. This data is essential for providing you with high-quality healthcare services and is processed with the highest level of care and security.

Section 4 – Recipients or Categories of Recipients of the Personal Data

In order to provide comprehensive healthcare services and comply with legal and regulatory requirements, Newcross Healthcare may share your personal data with specific recipients or categories of recipients. This section details who these recipients might be and under what circumstances your data might be shared.

4.1 Healthcare Professionals

Direct Care Team: Your personal and health data may be shared with healthcare professionals directly involved in your care, including nurses, doctors, therapists, and support staff, to ensure they have the information necessary to provide you with the best possible care.

Specialist Referrals: When necessary, your information may be shared with specialist healthcare providers outside of Newcross Healthcare for consultations, referrals, or treatments that require specialist expertise.

4.2 Support Services

Administrative Staff: Limited necessary information can be accessed by our administrative staff responsible for scheduling, billing, and managing healthcare operations to facilitate the provision of healthcare services.

IT and Security Service Providers: External companies that support our information technology and data security needs may access personal data to ensure the integrity, security, and availability of our data systems.

4.3 Legal and Regulatory Bodies

Regulatory Authorities: We may be required to share information with health regulatory bodies or government agencies to comply with legal obligations, regulatory requirements, or in response to official requests.

Insurance Companies: With your consent, relevant information may be shared with insurance companies for the purpose of claims processing and verification of coverage.

4.4 Other Third Parties

Emergency Services: In cases of emergency where it is necessary to protect your vital interests or those of another person, we may share information with emergency services to provide urgent care.

Legal Representatives: Personal data may be disclosed to legal representatives in the context of legal proceedings, to enforce our rights, or to protect the rights, property, or safety of our employees, service users, or others.

4.4 Safeguards for Data Transfers

Whenever we share your data with third parties, we ensure that appropriate safeguards are in place to protect your personal data in accordance with applicable data protection laws. This includes entering into data processing agreements with third parties that require them to adhere to the same standards of data protection that we follow.

4.5 International Transfers

Should there be a need to transfer your personal data outside the UK or the European Economic Area (EEA), we will take steps to ensure that your data is protected through mechanisms such as standard contractual clauses approved by regulatory authorities, ensuring that the level of data protection is not undermined.

Section 5 – Data Subject Rights

As a service user of Newcross Healthcare, you have certain rights regarding your personal data under data protection law. This section outlines these rights and how you can exercise them.

5.1 Right to Access

You have the right to request access to the personal data we hold about you. This allows you to receive a copy of the personal data we have and to check that we are lawfully processing it.

5.2 Right to Rectification

You have the right to request the correction of personal data that we hold about you that is incorrect or incomplete.

5.3 Right to Erasure (Right to be Forgotten)

In certain circumstances, you have the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing.

5.4 Right to Restrict Processing

You have the right to request the suspension of the processing of your personal data, for example, if you want us to verify its accuracy or the reason for processing it.

5.5 Right to Data Portability

This right allows you to request the transfer of your personal data to another party, in a structured, commonly used, and machine-readable format, where technically feasible.

5.6 Right to Object

You have the right to object to the processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.

5.7 Rights Related to Automated Decision Making and Profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

5.8 Right to Withdraw Consent

Where the legal basis for processing your data is consent, you have the right to withdraw that consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.

5.9 How to Exercise Your Rights

To exercise any of these rights, please contact our Data Protection Officer (DPO) using the contact details provided in Section 1. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

5.10 Complaints

If you have any concerns or complaints about how we handle your personal data, we encourage you to contact our DPO. If you are not satisfied with our response, you have the right to make a complaint to the Information Commissioner's Office (ICO), the UK's supervisory authority for data protection issues.

Section 6 – Data Retention Period

Newcross Healthcare is committed to retaining your personal data only for as long as necessary to fulfil the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, tax, accounting, or reporting requirements. This section outlines our approach to data retention and how we determine the appropriate retention period for your data.

6.1 Criteria for Determining Retention Periods

The retention period for your personal data is determined based on the following criteria:

- **The Nature of the Data:** Sensitive data, such as health information, may be retained for longer periods as required by healthcare regulations and professional guidelines.

- Purpose of Processing: Data collected for specific purposes, such as treatment or billing, is retained in line with the duration necessary to fulfil that purpose.
- Legal and Regulatory Requirements: We adhere to legal and regulatory requirements governing the retention of healthcare records, which may set minimum periods for retention.
- Statute of Limitations: The period during which legal claims could be made may influence the retention period.
- Operational and Business Requirements: Data may be retained for periods that support our operational processes and business continuity.

6.2 Retention Periods

Specific retention periods for different categories of personal data include:

- Healthcare Records: In accordance with UK healthcare regulations, records are typically retained for a specified period from the date of the last treatment or interaction.
- Billing and Financial Records: Retained for a period as required by tax laws and regulations governing financial transactions.
- Employment and Recruitment Data: Data related to employment and recruitment processes are retained in line with legal requirements and company policies.

6.3 Deletion of Data

Upon the expiry of the retention period, personal data is securely deleted or anonymized, so it can no longer be associated with you, in accordance with our data protection policies and procedures.

6.4 Review and Update of Retention Policies

Our data retention policies are regularly reviewed and updated to comply with legal, regulatory, and operational requirements. We also take into consideration changes in technology and practices to ensure the secure and effective management of your data.

Section 7: Data Transfer Information

Newcross Healthcare operates primarily within the United Kingdom, but there may be circumstances where it becomes necessary to transfer your personal data outside the UK or the European Economic Area (EEA). This section explains how and under what circumstances such transfers might occur, and the safeguards in place to ensure the protection of your data.

7.1 Reasons for Data Transfers

International Healthcare Coordination: If you require medical treatment abroad, it may be necessary to share your health information with healthcare providers outside the UK/EEA.

Third-Party Services: Some services used by Newcross Healthcare for data processing, storage, or IT support may be based outside the UK/EEA, necessitating the transfer of data.

Legal Requirements: In rare instances, we may be required to transfer data in compliance with international legal obligations or requests from foreign law enforcement agencies.

7.2 Safeguards for International Transfers

To ensure your personal data is protected when transferred outside the UK/EEA, Newcross Healthcare implements the following safeguards:

Adequacy Decisions: We transfer data to countries that have been deemed to provide an adequate level of data protection by the UK government or the European Commission.

Standard Contractual Clauses (SCCs): Where we transfer data to countries without an adequacy decision, we use SCCs approved by the UK government or the European Commission, which require all parties to protect your personal data to the same standards enforced within the UK/EEA.

Binding Corporate Rules (BCRs): For transfers within our corporate group, we may use BCRs, which are personal data protection policies approved by data protection authorities to facilitate intra-group transfers of personal data outside the UK/EEA.

Data Protection Impact Assessments (DPIAs): For transfers that might pose higher risks to your privacy, we conduct DPIAs to evaluate and mitigate risks before proceeding with the transfer.

7.3 Your Rights and Controls

Even when your data is transferred outside the UK/EEA, you retain all the rights outlined in Section 5 of this notice. We ensure that you can exercise these rights regardless of where your data is processed.

7.4 Additional Information

For any questions or concerns about the transfer of your data outside the UK/EEA, please contact our Data Protection Officer (DPO) using the contact details provided in Section 1. We are committed to transparency and are happy to provide further details about the safeguards in place to protect your data during international transfers.

Section 8: Security Measures

Newcross Healthcare is committed to protecting the privacy and security of your personal data. We implement a range of technical, administrative, and physical security measures designed to protect your data from unauthorized access, disclosure, alteration, and destruction. This section details the security practices we have in place to safeguard your information.

8.1 Technical Safeguards

Data Encryption: Personal data stored on our systems is encrypted both at rest and in transit, ensuring that your information is protected from interception or unauthorized access.

Access Controls: We employ strict access controls, ensuring that only authorized personnel have access to personal data, and only to the extent necessary for performing their job functions.

Secure Communication: Communication of personal data is done through secure channels, using industry-standard protocols to protect the data during transmission.

Regular Security Assessments: Our systems and applications undergo regular security assessments and penetration testing to identify and remediate potential vulnerabilities.

8.2 Administrative Safeguards

Data Protection Policies: We maintain comprehensive data protection policies and procedures, which are regularly reviewed and updated to comply with current data protection laws and best practices.

Training and Awareness: All employees receive regular training on data protection and privacy, emphasizing the importance of protecting personal data and understanding our data protection policies.

Incident Response Plan: We have an incident response plan in place to promptly address any data breaches or security incidents, minimizing any potential impact on your data.

8.3 Physical Safeguards

Secure Facilities: Our data centers and offices have physical security measures in place, including access controls, surveillance systems, and secure storage for physical records.

Disposal and Destruction: When no longer needed, physical records containing personal data are securely destroyed in a manner that prevents data reconstruction or retrieval.

8.4 Continuous Improvement

We are committed to continuously improving our security measures in response to evolving threats and advancements in technology. Our security practices are periodically reviewed and enhanced as necessary to ensure the highest level of protection for your personal data.

Section 9: Consent

Consent plays a vital role in how we process personal and health-related data at Newcross Healthcare. We adhere to the principles of data protection and privacy laws, ensuring that your data is processed based on clear, informed, and voluntary consent. This section explains our approach to obtaining consent and your rights related to withdrawing consent.

9.1 Obtaining Consent

Informed Consent: Before collecting and using your personal or health-related data, we ensure you are fully informed about the purpose of the data processing and whom your data may be shared with. We provide this information in a clear, accessible format, allowing you to make an informed decision.

Voluntary Consent: Giving your consent is entirely voluntary. We assure you that refusing to give consent or withdrawing consent will not adversely affect the healthcare services you receive from us.

Specific Consent: We obtain consent for specific processing activities. If the purpose for processing your data changes, we will seek new consent from you for such purposes.

9.2 Withdrawing Consent

You have the right to withdraw your consent at any time. Here's how you can do so:

- **Contacting the Data Protection Officer (DPO):** To withdraw your consent, you may contact our DPO using the contact details provided in Section 1 of this notice.
- **Process for Withdrawal:** Upon receiving your request to withdraw consent, we will stop processing your data for the purposes you initially consented to, unless there is another legal ground for processing.

9.3 Consequences of Withdrawing Consent

Withdrawing your consent may mean that we can no longer provide certain services to you. If this is the case, we will inform you about the specific services affected and discuss any possible alternatives where applicable.

9.4 Managing Consent

Newcross Healthcare maintains records of consent provided by you, including the date, method of consent, and the specific details you were informed about. We regularly review these records to ensure your preferences are respected and accurately recorded.

Section 10: Complaints

Newcross Healthcare is committed to protecting your privacy and ensuring the lawful and fair processing of your personal data. If you have any concerns or complaints about the way we handle your personal data, we encourage you to contact us first to allow us to address your concerns directly. This section outlines the process for making complaints and the further steps you can take if you are not satisfied with our response.

10.1 How to Make a Complaint

Contacting the Data Protection Officer (DPO): If you have any concerns about our data processing practices, you can raise them with our Data Protection Officer (DPO). The contact details for the DPO are provided in Section 1 of this notice. We aim to address all complaints promptly and effectively.

Details to Include: When making a complaint, please provide as much detail as possible about your concern, including any specific incidents or practices you are complaining about. This will help us to understand and investigate the issue thoroughly.

10.2 Our Complaints Procedure

Upon receiving your complaint, we will:

- **Acknowledge Receipt:** Confirm receipt of your complaint within a reasonable timeframe.
- **Investigate:** Conduct a thorough investigation into the issues raised, ensuring that we understand the full context and any potential impacts on your privacy.
- **Respond:** Provide you with a detailed response to your complaint, including any actions we have taken or will take as a result of your complaint, and any changes to our practices or policies if applicable.
- **Follow-Up:** Where necessary, we will follow up with you to ensure that you are satisfied with the outcome or to provide further information if requested.

10.3 Escalating Your Complaint

If you are not satisfied with our response, or if you believe that your data protection rights have not been respected, you have the right to lodge a complaint with the Information Commissioner's Office (ICO), the UK's supervisory authority for data protection issues.

Contacting the ICO:

- Website: <https://ico.org.uk>
- Telephone: 0303 123 1113

The ICO provides a range of resources and support for individuals wishing to make a complaint about data protection practices, and they can take further action on your behalf if necessary.