

Privacy Policy

LEGACY SKILLS GROUP LIMITED

INTRODUCTION

Welcome to Legacy skills group privacy policy.

Legacy skills group respects your privacy and is committed to protecting your personal data.

This privacy policy will inform you as to how we look after your personal data when you visit our website www.nichecare.co.uk and when you provide it to us by other means (including, but not limited to, when you complete a registration form to become a service user, when we receive your personal details from a local authority on your behalf, when you complete a Customer Support Plan or make an enquiry with us (please see section 3 below), as well as informing you about your privacy rights and how the law protects you.

Please also use the Glossary at section 10 below to understand the meaning of some of the terms used in this privacy notice.

If you are an employee of Legacy skills group, we have a separate GDPR privacy policy and please contact Human Resources for a copy of this and with any other queries.

IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how Legacy skills group collects and processes your personal data. For service users and their associates (such as family members), this will include any data you may provide to us when you register to become a service user, a local authority engages us to provide Services to you, submit an enquiry to us or when you share this information with us by email, telephone, mail, in person or otherwise. This will also cover information we receive from third parties such as social services, medical professionals, mental health professionals, local authorities, and other suppliers in the care sector. For suppliers, this will include any data you may provide to us when offering or providing your services or when you share this information with us by email, telephone, mail, in person or otherwise, including employee contact details for the purpose of providing your services to us. Our website is not intended for children, and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing

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personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Controller

Legacy skills group ('we', 'us' or 'our) is the controller and responsible for your personal data. We have appointed a data privacy manager (DPM) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights (please see section 9 below), please contact the data privacy manager using the details set out below.

CONTACT DETAILS

Full name of legal entity: Legacy skills group Services Limited (Company number:) 10079832

Name or title of data privacy manager: Wendy Ruston

Email address: Wendy@timetocareservices.co.uk

Telephone number: 01757 600664

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

This version was last updated on 17.08.2021 and historic versions can be obtained by contacting us.

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

Third-party links

Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

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THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data includes first name, last name, username or similar identifier, title, date of birth, gender and national insurance number.
- Contact Data includes address, email address and telephone numbers.
- Financial Data includes bank account and payment details.
- Transaction Data includes details about payments to and from you and other details of services provided to you, namely care services.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
- Profile Data includes number of visits to our Day Centre, referral information from local authorities, length of time as a service user, your interests, preferences, feedback and survey responses, references and referees, and other similar information.
- Usage Data includes information about how you use our website and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- Criminal Convictions and Offences Data includes details about your criminal convictions and offences.
- Special Categories of Personal Data includes details about your race or ethnicity, religious beliefs, sexual orientation, information about your health and medical conditions and genetic and biometric data.

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We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

PROFILING

Profiling is a form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to you, for example to analyse or predict aspects concerning that natural person's economic situation, health, personal preferences, interests, reliability, behaviour, location or movement. We use profiling software to understand you and your care needs better, to guide us in providing the best services to you. Please note: we do not currently conduct profiling nor take automated decisions based on this profiling.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, to provide services requested on your behalf, or under the terms of a contract we have with you; and you fail to provide that data when requested, we may not be able to perform the care services. In this case, we may be unable to provide the services you have requested but we will notify you if this is the case at the time.

HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:
Direct interactions. You may give us your Identity, Contact, Profile, Special Categories of Personal Data and Financial Data by filling in forms and the customer support plan, registering to become a service user, providing us with a copy of your medical records or by corresponding with us by post, phone, email or otherwise. This also includes personal data you may provide when you:

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- subscribe to our latest updates, opinions, interview, insights and more;
- sign up for our events;
- request marketing or information on our services to be sent to you;
- enter a competition, promotion or survey; or give us some feedback.

Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy provided in section 4 below for further details.

Third parties or publicly available sources. We may receive personal data about you from various third parties as set out below:

Technical Data from the following parties:

- analytics providers such as Google based outside the EU; and (b) search information providers based inside the EU.
- Identity Contact and Profile Data from your reference or a referee.

For service users only:

- identity and contact data, as well as special category data, from local authorities.
- special category data from your doctor and other medical professionals.

For referees only: We may receive your Contact and Identity Data from our service users for the purposes of providing them with a reference in respect of their registration to become a service user.

SPECIAL CATEGORY DATA

We usually only collect the following Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) and we will always obtain your explicit consent for any processing of this data unless we are required or permitted to do this by law. This may be particularly relevant for our service recipients and customers who become ill; in which case we may need to process data to protect your vital interests and you are incapable of providing consent at that time. In addition, because we provide health and social care services, we may also rely on this exemption when processing your Special Category Data as part of providing these services to you and where permitted by law.

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As part of the care provided to service users it will in some circumstances be essential for us to liaise with medical professionals and care providers and discuss your care needs. We will obtain your separate consent at the time we need to do this, unless we have another legal basis or requirement to do so. In particular, if you are reasonably deemed at risk or in need of urgent or emergency medical care and are incapable of consenting (protecting your vital interests)

INFORMATION ABOUT CRIMINAL CONVICTIONS

In some circumstances we will process information about criminal convictions as part of our decision whether to accept you as a service user.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We will also obtain your consent before conducting any criminal record check or processing/sharing the results.

HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

Where it is necessary for our legitimate interests (including providing some of our services) and your interests and fundamental rights do not override those interests.

On the basis of consent for us to provide our services to you.

Where we need to perform the contract, we are about to enter into or have entered into with you.

Where we need to comply with a legal or regulatory obligation.

To a purchaser (or prospective purchaser) of any business or asset that we are (or are contemplating) selling.

To provide you with information on our services, where permitted by law or you have consented to this.

Where it is necessary to give medical care or treatment.

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Please note: You have the right to withdraw consent at any time by contacting us.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the tables below.

Service users and their associates (such as family members):

For service users (including during the process of registering to be a service user), we may collect and process your personal data as follows:

- Purpose/Activity
- Type of data
- Lawful basis for processing including basis of legitimate interest
- To manage your application to become a service user and to register you with us as a service user

(a) Identity Data, (b) Contact Data, (c) Profile Data, (d) Transaction Data, (e) Special category data.

(a) Necessary for our legitimate interest to provide our recruitment services to you, (b) On the basis of your explicit consent(c) Performance of a contract with you or your associates(d) As a part of providing medical care or treatment.

(Please Note: When you have been referred to us by a local authority, we rely on that authority to ensure they have a legal basis to share your personal data with us.)

To manage our relationship with you which will include:

(a) Notifying you about changes to our terms or privacy policy(b) Asking you to leave a review or feedback or take a survey

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(a) Identity Data, (b) Contact Data, (c) Marketing and Communications Data

(a) Necessary to comply with a legal obligation

(b) Necessary for our legitimate interests (to keep our records updated and to study how candidates use our services)

(c) On the basis of your explicit consent

To carry out invoicing activities (a) Identity Data, (b) Contact Data, (c) Financial Data, (d) Transaction Data, (e) Marketing and Communications

(a) Performance of a contract with you or your associates

(b) Necessary for our legitimate interests (to recover fees and debts due to us)

To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you

(a) Identity Data (b) Contact Data (c) Usage Data, (d) Marketing and Communications Data (e) Technical Data

Necessary for our legitimate interests (to study how service users and potential service users use our services, to develop them, to grow our business and to inform our marketing strategy)

To provide care services to you

(a) Identity Data, (b) Contact Data, (c) Profile Data (d) Usage Data (e) Marketing and Communications Data (f) Technical Data (g) Financial Data (h) Transaction Data

(a) Necessary for our legitimate interest to provide our care services to you (b) conducted on the basis of your explicit consent, (c) Performance of a contract with you or a family member, (d) on the basis of legal requirement on us, (e) to protect your vital interests and where you are incapable of giving consent.

To carry out financial or criminal background checks and ensure you are suitable to become a service user

(a) Identity Data, (b) Contact Data, (c) Financial Data, (d) Criminal Convictions and Offences Data, (e) Profile Data, (f) Special Categories of Personal Data.

(a) On the basis of your explicit consent, (b) Necessary to comply with a legal obligation

To make suggestions and recommendations to you about services that may be of interest to you

(a) Identity Data, (b) Contact Data, (c) Technical Data, (d) Usage Data

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Necessary for our legitimate interests (to develop our services and grow our business)

To enable you to partake in a prize draw, competition or complete a survey

(a) Identity Data, (b) Contact Data, (c) Profile Data, (d) Usage Data, (e) Marketing and Communications Data

(a) Necessary for our legitimate interests (to study how service users and potential service users use our services, to develop them and grow our business)

(b) on the basis of your explicit consent, (c) Performance of a contract with you or your associates

To obtain equal opportunities and diversity information

(a) Special Categories of

- Personal Data

(

a) Necessary to comply with a legal obligation (i.e. equal opportunities) (b) on the basis of your explicit consent

To obtain and share information about your health and medical history

(a) Identity Data, (b) Contact Data, (c) Technical Data, (d) Usage Data, (e) Profile Data

(a) Necessary to comply with a legal obligation (i.e. equal opportunities) (b) on the basis of your explicit consent, (c) Performance of a contract with you, (d) Required to provide you with medical care or treatment and protect your vital interests.

Suppliers (including Local Authorities):

For suppliers and prospective suppliers, we may collect and process certain personal data about your organisation and individuals within your organisation as follows:

- Purpose/Activity
- Type of data
- Lawful basis for processing including basis of legitimate interest
- To register you with us as a supplier

(a) Identity Data, (b) Contact Data, (c) Financial Data, (c) Profile Data, (d) Transaction Data

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(a) Necessary for our legitimate interest to manage the receipt of services from you (b) On the basis of your explicit consent

Website users:

For website users, we may collect and process your personal data as follows:

- Purpose/Activity
- Type of data
- Lawful basis for processing including basis of legitimate interest
- To administer and protect our business (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)

Technical Data

(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)

(b) Necessary to comply with a legal obligation to deliver relevant website content and advertisements to you and

(a) Usage Data, necessary for our legitimate interests (to study how individuals use our website, to measure or understand the effectiveness of the advertising we serve to you

(b) Marketing and Communications Data

(c) Technical Data develop it, to grow our business and to inform our marketing strategy to use data analytics to improve our website, services, marketing, customer relationships and experiences

(a) Technical Data, (b) Usage Data

Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you

(a) Identity Data, (b) Contact Data, (c) Technical Data, (d) Usage Data, (e) Profile Data

Necessary for our legitimate interests (to develop our services and grow our business)

Marketing

We do not currently directly market to individuals.

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Third-party marketing

We do not share your personal data with third parties for marketing purposes.

SUPPLIERS AND ORGANISATIONS

As part of running our business and within our legitimate interests, we may try and engage with you as a new supplier or client partner, to see if we would benefit from working together in future. If we do this, we will always ensure you are happy to continue as well as providing details of our intention, ensuring this Policy is available and giving you the opportunity to unsubscribe. This may also be the case for local authorities, when not responding to contract and tender processes.

OPTING OUT

In the event we send any marketing communications (which is not usual practice for us), you can ask us to stop sending you marketing messages at any time by contacting us. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service purchase or registering with us as a service recipient.

COOKIES

What's a cookie?

A "cookie" is a piece of information that is stored on your computer's hard drive and which records your navigation of a website so that, when you revisit that website, it can present tailored options based on the information stored about your last visit. Cookies can also be used to analyse traffic and for advertising and marketing purposes. Cookies are used by nearly all websites and do not harm your system. If you want to check or change what types of cookies you accept, this can usually be altered within your browser settings.

How do we use cookies?

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We use cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. By continuing to browse this website, you are agreeing to our use of cookies.

Cookies are either:

- Session cookies: these are only stored on your computer during your web session and are automatically deleted when you close your browser – they usually store an anonymous session ID allowing you to browse a website without having to log in to each page but they do not collect any information from your computer; or
- Persistent cookies: a persistent cookie is stored as a file on your computer, and it remains there when you close your web browser. The cookie can be read by the websites that created it when you visit that website again. We may use persistent cookies for Google Analytics and for personalisation (see below).

Cookies can also be categorised as follows:

- Strictly necessary cookies: These cookies are essential to enable you to use our website effectively, such as when registering on our website, and therefore cannot be turned off. Without these cookies, the services available to you on our website cannot be provided. These cookies do not gather information about you that could be used for marketing or remembering where you have been on the internet.
- Performance cookies: These cookies enable us to monitor and improve the performance of our website. For example, they allow us to count visits, identify traffic sources and see which parts of the website are most popular.
- Functionality cookies: These cookies allow our website to remember choices you make (such as your username, language or the region you are in) and provide enhanced features. For instance, we may be able to provide you with news or updates relevant to the services you use. These cookies can also be used to remember changes you have made to text size, font and other parts of web pages that you can customise. They may also be used to provide services you have requested such as viewing a video or commenting on a blog. The information these cookies collect is usually anonymised.
- Personalisation cookies: These cookies help us to provide our services specific to you. These cookies are persistent (for as long as you are registered with us) and mean that when you log in or return to our website, you may see information similar to that you have previously browsed.

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible

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with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the tables in paragraph 4 above.

Internal third parties such as, our employees or officers who are based in the United Kingdom and provide IT and/or system administration services.

External third parties such as:

- specialist IT support, suppliers and sub-contractors for the performance of our website and for our software, mobile phones, computers, laptops and other IT systems;
- local authorities and other clients;
- professional advisers including lawyers, bankers, accountants and insurers who provide consultancy, banking, legal, insurance and accounting services;
- HM Revenue & Customs, regulators and other authorities who require reporting or processing activities in certain circumstances;
- Our suppliers; Individual referrers who know you and believe you may be suitable to receive services from us;
- Medical professionals and third party care providers.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

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INTERNATIONAL TRANSFERS

We do not transfer your personal data outside the European Economic Area (EEA) directly as part of providing our services. In the event we outsource or obtain any services from outside the EEA and this involves sharing personal data, we will ensure countries to which we may transfer your personal data outside of the EEA either have an adequate level of protection for personal data by the European Commission or we have ensured that adequate safeguards are in place, for example Privacy Shield or specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

However, our employees and officers will also be able to access emails and our IT systems whilst outside the EEA, in the course of their employment. This does mean that your personal data is accessible whilst outside the EU, however, we have assessed the risk and ensured adequate safeguards are in place.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

DATA RETENTION

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, contractual and/or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

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We will usually keep data for a maximum of 6 years and for full details of our retention strategy you can request it by contacting us.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data as follows:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

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Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent. If you wish to exercise any of the rights set out above, please contact us.

RIGHT TO COMPLAIN

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

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We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (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. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

GLOSSARY LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it 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 to which you are a party.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.