

Shared Lives carer privacy notice

At PSS we know that your privacy is very important to you and it's just as important to us too. This is the 'privacy notice' which tells you how we plan to respect and look after your personal information.

1. How and where we collect personal information about you

When you give it to us directly: we will collect personal information directly from you, when you express an interest in becoming a Shared Lives carer and when completing pre-approval information which will include relevant information such as references or proof of qualifications, home safety checks and insurances and DBS application for your household. You may have done this by phone, through our website, by email, by post, or in person.

When you give permission to other organisations to share it: we may have received information on your behalf from another organisation or professional, including references, DBS certification evidence or information about your health, eg, your vaccination status or information from your GP if this is relevant.

We may also collect information about you from the following sources:

- From an employment, fostering or other Shared Lives agency
- From referees, either external or internal
- From security clearance providers eg DBS
- From health providers, eg, GP (if relevant)

CCTV: some of our PSS sites are monitored by CCTV cameras. The lawful basis we rely on to process your personal data is article 6(1)(f) of the UK GDPR, which allows us to process personal data when its necessary for the purposes of our legitimate interests. These are regularly monitored to prevent and detect crime, to maintain the security of our premises, for the reassurance of our staff, visitors, people we support and members of the public, and to investigate incidents relating to the health and safety. We routinely keep CCTV footage for 30 days, however, on occasions it may be necessary to retain some footage for example when requested by the Police or to assist our legitimate interests as an employer and service provider.

2. What personal information do we collect and process?

The personal information we collect would include details such as:

- Personal contact details such as your name, address, contact telephone numbers (landline and mobile) and personal email addresses
- Your date of birth, gender and National Insurance (NI) number
- A copy of your passport or similar photographic identification and/or proof of address documents.
- Marital and family status relevant to your household
- Next of kin, emergency contacts and their contact information
- Employment and education history including your qualifications, job application, employment references, right to work information and details of any criminal convictions that you declare
- Information relating to your work and training as a Shared Lives carer
- Details of any employment outside of your Shared Lives carer role
- Security clearance details including DBS checks
- Any criminal convictions that you declare to us
- Your responses to PSS surveys if this data is not anonymised

2.1 Our lawful basis for processing staff data

Depending on the processing activity, we rely on the following lawful bases for processing your personal data under the GDPR:

- Article 6(1)(b) which relates to processing necessary for the performance of the Shared Lives contract we have and your agreements as a Shared Lives carer
- Article 6(1)(c) so we can comply with our legal obligations as a regulated service under CQC/CIW
- Article 6(1)(d) in order to protect your vital interests or those of another person
- Article 6(1)(e) for the performance of our public task
- Article 6(1)(f) for the purposes of our legitimate interest as a charity providing Shared Lives

Special category data

Some information such as ethnicity, religion, health status, covid vaccination status and sexual orientation is called 'special category data'. Where the information we process is special category data, for example your health data, the additional bases for processing that we rely on are:

- Article 9(2)(b) which relates to carrying out our obligations and exercising our rights in self-employment status and the safeguarding of your fundamental rights
- Article 9(2)(c) to protect your vital interests or those of another person where you are incapable of giving your consent
- Article 9(2)(h) for the purposes of preventative or occupational medicine and assessing your capacity as a Shared Lives carer
- Article 9(2)(f) for the establishment, exercise or defence of legal claims
- Article 9(2)(j) for archiving purposes in the public interest eg if the information may be needed in administering justice

In addition we rely on processing conditions at Schedule 1 part 1 paragraph 1 and Schedule 1 part 1 paragraph 2(2)(a) and (b) of the Data Protection Act 2018. These relate to the processing of special category data for Shared Lives contract monitoring, preventative or occupational medicine and the assessment of your capacity as a Shared Lives carer.

Criminal convictions and offences

We process information about criminal convictions and offences as part of Shared Lives carer assessment and monitoring. The lawful bases we rely to process this data are:

- Article 6(1)(e) for the performance of our public task as a health and social care provider. In addition we rely on the processing condition at Schedule 1 part 2 paragraph 6(2)(a).
- Article 6(1)(b) for the performance of a contract. In addition we rely on the processing condition at Schedule 1 part 1 paragraph 1.

3. Why we need your information?

Our legal basis for having your information, is to allow us to fulfil the Shared Live carer agreements we have with you, to comply with legal requirements, to protect our legal position and to pursue the legitimate interests of PSS as an organisation.

Specific reasons we need your information are:

- To check your identity and hold your details securely
- To make sure that we pay you for your activities as a Shared Lives carer on behalf of the relevant local authority
- To manage our relationship with you during assessment, appointment and monitoring of Shared Lives arrangements
- To make sure that we are fair and don't discriminate against you in any way; and are able to make reasonable adjustments (as appropriate) for Shared Lives arrangements
- To prevent fraud or report potential crimes



We will also use it to:

- Keep you updated with information about changes to our services or PSS as a whole
- Contact you for feedback to help us check in and if needed improve as an organisation
- Produce annual reports and statistics about what we do at PSS
- Provide you with the important advice and support relating to your role as a Shared Lives carer
- Inform you of changes in your role as a Shared Lives carer, activities being provided for Shared Lives carers or wider developments as part of PSS

PSS has a legitimate interest in processing personal data before, during and after the end of the employment relationship. This includes, for example, when delivering training, campaigns and for our communications and marketing purposes, including on occasions using images or videos of Shared Lives carers.

Before you begin working with PSS you should discuss with your recruiting PSS member of staff if you need to make us aware of a specific reason why your information and images cannot be provided as part of these activities.

At any later point, if you have any concerns about information or your images being used you need to inform us of this fact and a decision on whether to continue using your information or images will be made with you by a relevant PSS member of staff and the PSS data protection lead based on your concerns. A request does not guarantee information, photos or images being removed from our corporate communications channels or other promotions, for example, where the potential costs of removing images and photographs, etc, from our material is prohibitive.

We will always let you know when we are taking images and videos and you will have the right to object.

We may also ask for written consent from you to use your information for a more specific purpose and will explain why it is needed. You will have the right to withdraw this consent at any time.

If you don't think we have a good reason to use your data in the ways explained above, you have a right to object. Please see section 7 of this notice.

4. What we will and won't do with your personal information

- We will always work hard to keep your information safe
- We may share your data with other agencies where we need to as the contract holder for Shared Lives if we have an appropriate reason for doing this, to comply with our contract or statutory obligations
- We may need to disclose your information if required to do so by law. We will always try to discuss this with you before doing so and explain why we are doing it
- We may also need to disclose your information if there are concerns about your safety or wellbeing or that of the person/people you are supporting. Your safety is really important to us and we may need to share or disclose information if we believe there is a real risk to you, or if you pose a risk to others or yourself
- We may choose to delete posts on social media which contain information of a sensitive nature

We will never:

- Sell or share your personal information with organisations so that they can contact you for any marketing activities
- Sell any information about the websites you visit
- Share your information with people who don't need access to it



5. Who sees your personal information?

The personal information we collect about you will be used by our staff at PSS so that they can make sure that your Shared Lives carer arrangement can take place. This information will be known to staff involved in Shared Lives carer recruitment, monitoring and quality assuring Shared Lives arrangements, and staff in PSS central services teams who need access to your information, such as, learning and development to coordinate your training, or finance for payment reasons. The quality team may also access this information as part of quality processes and reviews. We may also possibly share your information with external companies (eg, social workers as part of the Shared Lives matching process, training companies and auditors), as well as legal and regulatory authorities if required to by law.

6. How we keep your information safe

We take the security of your personal information extremely seriously and anything we do with your data will be in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Where we use systems to support us in managing your information ie, our client management system or our Shared Lives matching site, we undertake thorough data protection and security diligence of software providers who support us in developing and managing these systems. If there is a requirement for these providers to access live information about you held in our systems, we make sure there is an appropriate information sharing agreement in place to support this and we restrict access as much as we can.

Here are some of the ways we protect your personal information:

- Secure folders on our computer systems
- Password protection
- Firewalls on our servers
- Locked cabinets and drawers
- Restricted access to systems
- Policies, procedures and training
- Making sure we don't keep hold of it for longer than we need to and destroying it properly when we no longer need to hold it

7. Your rights over your information

At PSS, we hold a lot of information about our staff. It is your information, and under the law you have certain rights:

i. Your right to be informed

This Shared Lives carer privacy notice is the main way that we tell you how we collect data about you, what we use it for, why and how we hold it and how long we will hold it for. The information in this privacy notice is not exhaustive and we are always happy to provide any additional information or explanations where needed. If you can't find what you are looking for here, please contact our data protection lead using the contact details at the end of this notice.

ii. Your right to access your information

As well as knowing that we hold information about you, you also have a right to access that information. If you wish to see your records, you just need to contact the data protection lead using the contact details at the end of this notice or ask someone in your service. This is called a 'subject access request' (SAR). Once we receive it, we will look at the request carefully, and if we need to we may ask you for clarity on exactly what information you want to see as this may make it easier and quicker for us to provide you with it. We will normally provide access to this information within one month; and there is no charge for us to provide it.



iii. Your right to amend your information

If you disagree with something in the records we hold about you – you have what is known as a ‘right to rectification’. In other words – you have the right to request that we amend the information we hold on you, where you think it is inaccurate. You can either make this request verbally to the team you work with or using the contact details at the end of this notice. We will contact you within one month to let you know if we have made the change (we are unable to amend some information we hold about you for statutory reasons, ie payroll information etc), and if not – the reason for this and what your options are.

iv. Your right to erasure (to be forgotten)

This is also known as the ‘right to be forgotten’. This simply means that you don’t want us to hold information about you any longer, or don’t think we have the right to do so. This could be because you no longer give us consent to hold it, you don’t think we have a legitimate reason for holding it or that it is no longer necessary for us to hold it. The right to be forgotten is not absolute though and there are often good reasons why we may need to retain your information against your wishes. If you want us to erase your information, you can either make this request verbally to the team you work with or using the contact details at the end of this notice. We will contact you within one month to let you know if we have erased your information, and if not – the reason for this and what your options are.

v. Your right to restriction

This simply means that you can limit the way that PSS uses your data and is an alternative to requesting the erasure of your data. So for example, if you access your records and disagree with some of the information, you can use your right to ask for the data to be amended. You can also ask us to restrict how we use that information until the amendment has taken place. It essentially allows you to ‘block’ us from using your data. We will simply have to hold the data with restricted access to it, until the other challenges are resolved.

vi. Your right to object

You have a right to object to the way we use your data if you disagree with it. For example, at PSS, we don’t use your information for marketing purposes in any way, but if we did you would have a clear right to object. Also, depending on your own personal circumstances, you have the right to object that we don’t have a legal or legitimate reason for doing so. We will immediately stop using your data, unless we are able to demonstrate that we do have a good reason for holding and using your data.

vii. Your rights around profiling and automatic decision making

At PSS, all the work we do is focused on people and their individual circumstances. Unlike loan applications or insurance quotations – decisions at PSS are never made automatically by machines and formulas. They are all made by real PSS people. We would also never use your data for ‘profiling’ purposes in the way that online retailers do when they look at the things people buy. However there are some specific rights in this area, and you can find out more about them by using the information at the end of this notice.

viii. Your right to data portability

This right only applies when you provide us with information with your consent and where we automatically process the data (eg, using electronic means). The right is simply that we have to be able to provide it in a ‘machine readable format’. There are very few situations where we see this being applicable at PSS, as this right is mostly connected to financial transactions.

To find out more about my rights

If you want to know more about your rights in relation to your information you can contact: The Information Commissioners Office (ICO). The ICO is the regulator in the UK, and they provide a lot of information on their website about your rights under the law.

Their contact details are:

Call: 0303 123 1113

Online: ico.org.uk



8. Changes to this privacy notice

This privacy notice is reviewed regularly to make sure that it reflects how we use your information. Where appropriate, changes will be notified to you by email or post. We may update this on our website when there are minor changes but will let you know of any major changes.

9. Data controllers

Since PSS is the contract holder for Shared Lives, and have control over what we collect, and how we collect and use it - we are known as the data controller. There are no other data controllers involved in handling your personal information.

10. How to raise a concern or complaint

PSS as the data controller and processor is committed to protecting your personal information and to reassuring you that you have control over the information we store about you, how we use it and what types of information you would like to receive from us.

We are always happy to respond to concerns and objections or provide any additional information or explanations where needed. If you have a concern about the way we are handling your information, then we would like to discuss this with you in the first instance and see if we can put things right.

Write to:

**Head of quality, PSS,
Eleanor Rathbone House,
Connect Business Village,
24 Derby Road, Liverpool,
L5 9PR**

Call us on **0151 702 5524** if you have a concern about the way we are handling your information as we'd like to discuss this with you and see if we can put things right. However, if you want to, you are entitled to complain to the supervisory body which is the Information Commissioner's Office.

Call: **0303 123 1113**

Website: **ico.org.uk**

psspeople.com