



Care for Carers

Data Protection Policy

MARCH 2022

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1. Introduction

Care for Carers needs to collect and use certain types of information about the Individuals or Service Users who come into contact with Care for Carers in order to carry out our work. This personal information must be collected and dealt with appropriately, whether it is collected on paper, stored in a computer database, saved online or recorded on other material. There are safeguards to ensure this under the General Data Protection Regulation (GDPR) 2018 Act.

2. Data Controller

Care for Carers is the Data Controller under the Act, which means that it determines what purposes any personal information held will be used for.

3. Disclosure

Care for Carers may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

In most circumstances the Individual/Service User will be made aware of how and with whom their information will be shared. However, there are circumstances where the law allows Care for Carers to disclose data (including sensitive data) without the data subject's consent.

Those circumstances are:

- a) Carrying out a legal duty or as authorised by the Secretary of State
- b) Protecting vital interests of an Individual/Service User or other person
- c) The Individual/Service User has already made the information public
- d) Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- e) Monitoring for equal opportunities purposes – i.e. race, disability or religion
- f) Providing a confidential service where the Individual/Service User's consent cannot be obtained or where it is reasonable to proceed without consent – e.g. where we would wish to avoid forcing stressed or ill Individuals/Service Users to provide consent signatures

Care for Carers regards the lawful and correct treatment of personal information as essential for conducting a successful operation and vital for maintaining the confidence of those with whom we deal.

Care for Carers intends to ensure that personal information is treated lawfully and correctly.

We will only collect personal identifying information, contacts and caring information to enable us to deliver our services in accordance with our charitable objectives. This information is mainly provided directly by the carer with verbal and/or written data consent, although some information may be provided on behalf of the carer by a referral agency.

To this end, Care for Carers will adhere to the Principles of Data Protection, as detailed in the GDPR Act 2018.

Specifically, the Principles require that personal information:

- a) Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
- b) Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes
- c) Shall be adequate, relevant and not excessive in relation to that purpose or those purposes
- d) Shall be accurate and, where necessary, kept up to date
- e) Shall not be kept for longer than is necessary
- f) Shall be processed in accordance with the rights of data subjects under the Act
- g) Shall be kept secure by appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information
- h) Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information
- i) Shall never be sold
- j) Shall be obtained in relation to a contractual obligation
- k) Shall be retained by Care for Carers for as long as we hold a legitimate interest

Care for Carers will, through appropriate management and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information
- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfill its operational needs or to comply with any legal requirements.
- Ensure the quality of information used
- Ensure that the rights of people about whom information is held can be fully exercised under the Act, including:
 - The right to be informed that processing is being undertaken
 - The right of access to one's personal information
 - The right to prevent processing in certain circumstances and
 - The right to correct, rectify, block or erase information which is regarded as wrong information
- Take appropriate technical and organisational security measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information
- Set out clear procedures for responding to requests for information

4. Data Collection

Informed consent is when:

- An Individual/Service User clearly understands why their information is needed, who it will be shared with, and the possible consequences of agreement or refusal regarding the proposed use of the data
- And then gives their consent

Care for Carers will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, Care for Carers will ensure that the Individual/Service User:

- a) Clearly understands why the information is needed
- b) Understands what it will be used for and what the consequences are should the Individual/Service User decide not to give consent to processing
- c) As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- d) Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- e) Has received sufficient information on why their data is needed and how it will be used
- f) Clearly understands why the information is needed
- g) Understands what it will be used for and what the consequences are should the Individual/Service User decide not to give consent to processing
- h) As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- i) Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- j) Has received sufficient information on why their data is needed and how it will be used

5. Data Storage

Information and records relating to service users will be stored securely and will only be accessible to authorised staff and volunteers.

Information will be stored securely by Care for Carers at our premises, in protected and/or locked cabinets and on our password protected and secure online Case Record Management system, for only as long as it is needed or required by statute and will be disposed of appropriately. Care for Carers will ask carers annually whether they want to remain on our system. Inactive records will be deleted and erased from the Case Management System every 3 years.

Computers used by Care for Carers will never be passed on or sold on to a third party. They will be securely destroyed at the end of their working life to ensure that personal and company data cannot be gathered or recovered by any third party.

6. Data Access and Accuracy

All Individuals/Service Users have the right to access the information Care for Carers holds about them. Care for Carers will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, Care for Carers will ensure that:

- It has an Officer with specific responsibility for ensuring compliance with Data Protection
- Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- Everyone processing personal information is appropriately trained to do so
- Everyone processing personal information is appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- It deals promptly and courteously with any enquiries about handling personal information
- It describes clearly how it handles personal information
- It will regularly review and audit the ways it holds, manages and uses personal information
- It regularly assesses and evaluates its methods and performance in relation to handling personal information
- All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the General Data Protection Regulation Act 2018.

7. Contact Information

In case of any queries or questions in relation to this policy please contact the Chief Executive Officer, Care for Carers:

Ruth MacLennan

Care for Carers

St Margaret's House

151 London Road

Edinburgh

EH7 6AE

0131 661 6192

Email: ruth@care4carers.org.uk

You can also complain to the ICO if you are unhappy about how we have used your data:

Information Commissioners Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

ICO website: www.ico.org.uk

Helpline number: 0303 123 1113