

# HALLMARK CARE HOMES' PRIVACY NOTICES

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Each of our privacy notices tell you:

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<b>Author</b>	Head of Compliance & Data Protection Officer
<b>Ratified by</b>	Care Quality, Governance and Compliance Director & Senior Information Risk Owner

If you have any questions or concerns regarding the content of this policy, please email Nick Banister Dudley, Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

## Data Privacy Summary

### The name and contact details of our organisation

We are Hallmark Care Homes and our Central Support office is located at 2 Kingfisher House, Woodbrook Crescent, Radford Way, Billericay, Essex, CM12 0EQ and we can be contacted on 01277 655655. We have 13 care homes in England and seven in Wales, as well as our Central Support office. The subsequent Privacy notices apply to all these locations:

#### England

- Admiral Court Care Home (Hallmark Care Homes (Leigh-on-Sea) Limited); Manchester Drive, Leigh-on-Sea, Essex, SS9 3HP
- Alexandra Grange Care Home (Hallmark Care Homes (Wokingham) Limited); Oaklands Drive, Molly Millars Lane, Wokingham, RG41 2RU
- Anisha Grange Care Home (Hallmark Care Homes (Billericay) Limited); Outwood Common Road, Billericay, Essex, CM11 2LE
- Anya Court Care Home (Hallmark Care Homes (Rugby) Limited); 286 Dunchurch Road, Rugby, Warwickshire, CV22 6JA
- Arlington Manor Care Home (Hallmark Care Homes (Cambridge) Limited); Wellbrook Way, Girton, Cambridge, CB3 0FW
- Banstead Manor Care Home (Hallmark Care Homes (Banstead) Limited); 8 Brighton Road, Banstead, Surrey, SM7 1BS
- Bucklesham Grange Care Home (Hallmark Care Homes (Ipswich) Limited); 141 Bucklesham Road, Ipswich, Suffolk, IP3 8UB
- Central Support office (Hallmark Care Homes (Holdings) Limited); 2 Kingfisher House, Woodbrook Crescent, Radford Way, Billericay, Essex, CM12 0EQ
- Chamberlain Court Care Home (Hallmark Care Homes (Tunbridge Wells) Limited); 77 Mount Ephraim, Tunbridge Wells, Kent, TN4 8BS
- Henley Manor Care Home (Hallmark Care Homes (Henley Manor) Limited); Mill Lane, Henley-on-Thames RG9 4HD
- Hutton View Care Home (Hallmark Care Homes (Hutton View) Limited); 3 Rayleigh Close, Hutton, Essex, CM13 1AL
- Kew House Care Home (Hallmark Care Homes (SW19) Limited); 58 Spencer Hill Road, Wimbledon, London, SW19 4EL
- Lakeview Care Home (Hallmark Care Homes (Lightwater) Limited); Lightwater Road, Lightwater, Surrey, GU18 5XQ
- Maycroft Manor Care Home (Hallmark Care Homes (Brighton) Limited); 2-8 Carden Avenue, Brighton, Brighton and Hove, BN1 8NA

#### Wales

- Cherry Tree Care Home (Hallmark Care Homes (Caldicot) Limited); 209 Newport Road, Caldicot, Monmouthshire, NP26 4AF
- Greenhill Manor Care Home (Hallmark Care Homes (Merthyr) Limited); Duffryn Road, Pentrebach, Merthyr Tydfil, CF48 4BE
- Regency House Care Home (Hallmark Care Homes (Cardiff) Limited); Mill Road, Ely, Cardiff, CF5 4AH
- Shire Hall Care Home (Hallmark Care Homes (Bute Town) Limited); Overstone Court, Dumballs Road, Cardiff, CF10 5NT

- Ty Enfys Care Home (Hallmark Care Homes (Pentwyn) Limited); Marle Close, Pentwyn, Cardiff, CF23 7EP
- Ty Porth Care Home (Hallmark Care Homes (Porth) Limited); Cemetery Road, Porth, Rhondda Cynon Taf, CF39 0BH

Each of our care homes are registered with the Care Quality Commission (CQC) in England and with Care Inspectorate Wales (CIW) in Wales, for the provision of health and social care services for adults, with Greenhill Manor, one of our homes in Wales also providing services for younger adults with a physical disability. A number of our care homes also provide care and support to people who are living with dementia.

## Processing of Personal Data

Your privacy is important to us. The subsequent privacy notices provide information about the personal data that Hallmark Care Homes collects and processes about residents, relatives, suppliers, website visitors, enquirers and external business development (EBD) contacts. If you are a prospective employee, details on the personal data that we collect and process about you can be found [here](#). If you are already a member of the Hallmark Care Homes team, details on the personal data we collect and process about you, can be found in the Privacy and fair processing notice for current team members, which can be found on the e-learning portal.

Personal data is any information that identifies a living individual. This privacy policy explains what data we collect, how we intend to use it, the legal reasons for using your information, and your rights under the law.

## Data protection/GDPR policies

Relevant data protection and GDPR policies are available on our website [here](#).

## Individual notices

To see more about how we use your personal data, read the privacy notice or notices which apply best to your relationship with us. This may mean that you need to read more than one notice. For example, as a resident, you may also have been an enquirer.

- I am a resident – go to the [Residents' Privacy Notice](#).
- I am a relative, supporter of friend of a resident – go to the [Relatives, supporters and friends Privacy Notice](#).
- I am a supplier – go to the [Suppliers Privacy Notice](#).
- I am a website visitor or I have “liked” the Facebook page – go to the [Website and Facebook Page Visitors Privacy Notice](#).
- I have enquired about a place at one of your care homes – go to the [Enquirers Privacy Notice](#).
- I am an external professional that refers people to you – go to the [External Business Development \(EBD\) Contacts Privacy Notice](#).
- There is a specific Privacy Notice for those who visit one of our care homes (Care Home Visitor Privacy Notice). This can be found online [here](#). This notice relates solely to COVID testing and screening, as well as the checking of your COVID vaccination or vaccination exemption status (in certain circumstances).

## Residents Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that we hold on you, as a resident. You are a resident if we provide care to you, at one of the locations stated on pages 2 and 3 of this document.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Name, title, address and other contact details, date of birth, ethnicity, marital status, occupation, NHS number and contact details including next of kin or carer details.
- Contact details/information regarding your family or supporters.
- Bank details, bank statements, invoices and debt information (where you pay for your care).
- Funding and personal allowance records.
- Contracts/agreements with Hallmark Care Homes.
- Power of Attorney and/or advocate information.
- Your records if the service is transferring to us under contract from another care provider.
- Information relating to your health and wellbeing and social care support and interventions, including care plan documentation, medication records, accident records and death records.
- Assessment of needs and mental capacity.
- Family health and social history.
- Sexual history including partners, sexual orientation where relevant.
- Hospital, GP or Social Care referrals.
- Reports about X-rays, pathology and other results.
- Updates relating to care plans and other aspects of your health and care.
- Clinical incidents that you have been involved in.
- Information regarding adult safeguarding including concerns or protections in place.
- Alerts and concerns.
- Any special needs or preferences for receiving information.
- Photography/video for marketing purposes (where relevant and when you have given consent).
- Photos and videos for care records or for use in the home.
- CCTV recordings.
- Record of daily activities, your hobbies interests and other activity preferences.
- Complaints and compliments.
- Information required by regulators (risk assessments, accident and incident records).

### The purpose of the processing

- We use your information to make sure you receive the right care at the right time.
- To deliver the best care possible while you are in our care, including meeting your social care needs.

- Health and Social Care information, which helps us make sure you receive any medication, as well as getting you to your hospital and GP appointments.
- Understanding your beliefs, to help you receive the right spiritual care and support.
- Customer surveys and feedback help us to improve the care that we provide to you.
- Using information to protect you from harm.
- Understanding your communication (hearing, speech, language) needs, to help us to communicate effectively with you.
- Handling concerns and complaints about the care we provide.
- Investigating incidents.
- Using your image to identify you and clinical interventions we have put in place.
- As part of our quality assurance processes, to ensure that we are delivering care correctly in line with regulatory requirements and Hallmark Care Homes' own internal standards.
- Sharing your photograph in marketing materials and publications for PR purposes, where you have provided consent.
- For the prevention of crime and to uphold safety (CCTV).
- To ensure invoices are paid for, within the correct timeframe.

Relatives or next of kin contact details are requested to help Hallmark Care Homes involve these people in your care (with your consent).

## The lawful basis for the processing

We process some of your data in order to enter into, and to fulfil our contract with you. We process your personal data under this lawful basis when we:

- Process your bank details or manage direct debits.
- Issue you with a contract.
- Process and send you an invoice.
- Enter into a contract with a third-party payer or funder.
- Maintain oversight of payments received, or that we are yet to receive.

We process some of your data in order to meet a legal obligation. This could be an obligation under health and safety or health and social care legislation. We process your personal data under this lawful basis when we:

- Create and maintain care plans and medication documentation, including risk assessments.
- Create and maintain a record of notifications to external bodies including the CQC, CIW, Local Authority Safeguarding and Deprivation of Liberty Safeguards (DoLs) teams, Public Health England/Wales and the Health and Safety Executive.
- Maintain a record of appointed people with Power of Attorney.
- Maintain a record of the personal allowance/money that we hold on your behalf, which you have given to us.
- Maintain records of specific occurrences such as inspections, infection outbreaks, feedback and accidents/incidents, including any subsequent investigations.

We process some of your data under the lawful basis of consent. Please know that you do not have to consent to us using your data for the following purposes. If you do not wish to give us consent, this will not be recorded anywhere and will not impact our relationship with you. Once you have consented, you can withdraw your consent at any time. Again, withdrawing consent can be done without any fear of recrimination. Should you wish to withdraw your consent, please contact either the home's General Manager or the Data Protection Officer. We process your personal data under this lawful basis when we:

- Process your contact details as part of a raffle or other similar activity.
- Process photos or videos of you for marketing purposes.
- Use acoustic monitoring, so that team members can be alerted when a resident may need assistance. The acoustic monitoring system will capture the voices of residents.

We also process special category data. Special category data is more sensitive, and so needs more protection. However, we are required to process special category data for the following reasons:

- We need to use the data in order to assess and provide you with medical diagnosis, direct care and health and social care services to you, in line with regulatory requirements.
- For adult safeguarding purposes where it is necessary to protect your interests when you are physically or legally incapable of providing consent.

As required by the Data Protection Act 2018 (DPA 2018), we have an Appropriate Policy document (APD) in place as we process special category data. If you would like a copy of this document, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

## The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data, against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use CCTV for the purposes of crime prevention and safety. More information on how we use CCTV, can be found in our CCTV policy. A copy is available, on request.
- Use acoustic monitoring, so that team members can be alerted when a resident may need assistance. The acoustic monitoring system will capture the voices of residents. Legitimate interest is the lawful basis for processing this data about residents who lack the capacity to consent, and who do not have a Lasting Power of Attorney for Health and Welfare. It is the expectation that the care home will arrange a best interests decision meeting with relevant healthcare professionals, the resident (if appropriate) and their family. This group would then decide if the introduction of acoustic monitoring is in the resident's best interests.
- Maintain a record of photographs to aid identification within a care home environment, to improve communication or for PR purposes (internally).
- Retain your next of kin information so we can contact them in an emergency.
- Report on findings during an internal assessment/audit and provide information on which the home can take action and make improvements. This may include copies of your care documentation or assessments.
- Use dashboards to monitor performance against stated KPI's.
- Maintain minutes of meetings you attended or were otherwise involved in.
- Maintain details of any activities you have taken part in, whether you enjoyed these and what your hobbies and interests are.
- Ask you to sign in and out using a specified electronic or paper-based system.
- Validate cheques or money paid into one of our bank accounts using paying in slips.

## The recipients or categories of recipients of the personal data

Hallmark Care Homes works in partnership with a number of organisations and will share your personal data when required to:

- With commissioners and care agencies who are contributing to your care, such as primary care services (GPs), local authorities (social services) hospitals, mental health support services and community services.
- To people with Power of Attorney, or people you have authorised access or when it is in your best interests.
- When legally required to do so, with health and social care regulators (CQC in England and CIW in Wales), safeguarding and DoLs teams and the Health and Safety Executive.
- With trusted providers to host our IT, archiving, email and feedback surveys.
- With team members within Hallmark who provide 'back office' support on key business areas including the People and Performance (HR), Finance, Marketing, Quality & Compliance and Operations teams.
- With our insurer and legal representatives, in order to get support in response to any actual or potential insurance or legal claim.

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark keeps your personal data so that we can care for you, we also retain the information when you leave our care, for an appropriate time. Our 'retention schedule' helps us determine how long to keep records for, in line with guidance from NHS Digital and the NHS Records Management Code of Practice 2016.

Information in care records is kept for a minimum of 8 years after we last provide care to you, and longer for certain medical conditions. We may be required to keep personal data longer if there has been a legal case against us, or to meet regulatory and legal requirements.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.
- The right to object or your right to ask a controller to stop processing your data.

- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

## The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights. The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

## The source of the personal data

The source of this data will either be yourself, your relatives, supporters, medical professionals or previous care providers.

## National data opt-out policy

The national data opt-out allows a resident or patient to choose if they do not want their confidential information to be used for purposes beyond their individual care and treatment i.e. for research and planning. This applies to Hallmark Care Homes when we provide care that is arranged by local authorities. Hallmark Care Homes does not use confidential information for purposes that fall within the national data opt-out. However, details on how you can update your NHS data preferences, is available here: <https://www.nhs.uk/your-nhs-data-matters/>.

## Temporary changes to data processing owing to the COVID-19 pandemic

In addition to the data processing mentioned earlier in this notice, we are also processing additional data owing to the COVID-19 pandemic. This includes when you are being tested for COVID-19.

The result of these tests will be sent to each home's General Manager, who will then inform each resident (or their relative) of their result. Personal data, involving name, address and date of birth will be shared with the relevant testing body in each of the two regions. We are processing this data under the lawful basis of consent. Each resident will be asked to complete a 'COVID-19 Testing Consent form'. Residents are not obliged to consent and can refuse to take part in the testing programme, without any fear of recrimination. Residents can also choose to withdraw their consent, at a later stage if they choose. Again, withdrawing consent can be done without any fear of recrimination. Should a resident wish to withdraw consent previously granted, they need to inform either a care team member, or the home's General Manager.

Where a resident does not have capacity to consent, the team in the home will undertake a best interest decision. Best interest decisions will involve the resident's family and anyone who holds Lasting Power of Attorney for Health and Welfare (if applicable). This will determine whether taking part in the testing programme is in that resident's best interests. If



this is deemed to be the case, the personal data mentioned previously, will be processed under the lawful basis of legitimate interest.

Your data may be shared with NHS Test and Trace. This will only be when NHS Test and Trace contact us, to request such data. Sharing your data with NHS Test and Trace will be done, to help minimise the transmission of COVID-19 and support public health and safety.

We will hold on to this data for a period of 6 months following the official end of the COVID-19 outbreak. If you have any queries regarding the data we are processing owing to COVID, you are able to contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk). Your rights, as mentioned previously in this notice, also apply. You can also still contact the supervisory authority.

## Relatives, supporters and friends Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that we hold on you, as a relative, supporter and/or friend of a resident. You may be actively involved in the decisions relating to the care of a resident, or a visitor to our care homes.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Contact details including name, postal address, telephone number, mobile number and email address.
- Contracts (to which you are a party or signatory).
- CCTV recordings (if you visit our homes).
- Information entered onto signing in and out sheets, or the electronic visitors' system (if you visit our homes).
- Photography/video for marketing purposes (where relevant and when you have given consent).
- Bank details, bank statements, invoices and debt information (when you pay or contribute towards the cost of a resident's care).
- Power of Attorney or advocate information.
- Complaints and compliments.
- Details concerning specific occurrences such as accidents/incidents you are involved in, when applicable.

### The purpose of the processing

We use the personal information you have given to us, or supplied by others, to fulfil our obligations to our residents; this includes:

- Using your information to keep our residents and team members safe from harm.
- Ensuring that you are contacted in emergency situations or if there are changes in the health of a resident.
- Keeping a record of any individuals who are permitted access to the confidential health information of residents.
- Responding to letters, where you have given feedback on the service we provide.
- To ensure you are, where appropriate, involved in the care of your relative.
- To ensure invoices are paid for within the correct timeframe.
- Through surveys and feedback to help us improve the care that we provide.
- Handling concerns and complaints about the care we provide.
- Sharing your photograph in marketing materials and publications, where you have provided consent.

### The lawful basis for the processing

We process some of your data in order to enter into and to fulfil our contract with you/a resident. We process your personal data under this lawful basis when we:

- Process your bank details or manage direct debits.
- Issue you with a contract.
- Process and send you an invoice.
- Enter into a contract with a third-party payer or funder.
- Maintain oversight of payments received or that we are yet to receive.

We process some of your data in order to meet a legal obligation. This could be an obligation under health and safety or health and social care legislation. We process your personal data under this lawful basis when we:

- Maintain a record of appointed holders of Power of Attorney.
- Maintain records of specific occurrences such as inspections, infection outbreaks, feedback and accidents/incidents, including any subsequent investigations.

We process some of your data under the lawful basis of consent. Please know that you do not have to consent to us using your data for the following purposes. If you do not wish to give us consent, this will not be recorded anywhere and will not impact our relationship with you. Once you have consented, you can withdraw your consent at any time. Again, withdrawing consent can be done without any fear of recrimination. Should you wish to withdraw your consent, please contact either the home's General Manager or the Data Protection Officer. We process your personal data under this lawful basis when we:

- Process your contact details as part of a raffle or other similar activity.
- Process photos or videos of you for marketing purposes.

## The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data, against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use CCTV for the purposes of crime prevention and safety. More information on how we use CCTV, can be found in our CCTV policy. A copy is available, on request.
- Retain your contact information so we can contact you in an emergency.
- Report on findings during an internal assessment/audit and provide information on which the home can take action and make improvements.
- Use dashboards to monitor performance against stated KPI's.
- Maintain minutes of meetings you attended or were otherwise involved in.
- Ask you to sign in and out using a specified electronic or paper-based system.
- Validate cheques or money paid into one of our bank accounts using paying in slips.
- Contact you to ask you to participate in our regular quality survey.
- Use your contact details in applications that allow you to communicate with your loved one.

## The recipients or categories of recipients of the personal data

We share your personal data under certain circumstances. When we do share information, we use as little as possible, and on a need-to-know basis.

We share your personal data with members of the care home team, in order that they can contact you in an emergency, or for further details about your relative in our care.

We will publish your image for marketing purposes, if you are happy for us to do so (with your consent).

Hallmark will not sell or swap your data with any third parties. We will not share your personal data with any third party for marketing purposes. However, we may share your name and email/postal address with an external company who assist us with the delivery of our regular feedback surveys.

If you are taken ill while on our premises, require emergency treatment, and are unable to provide consent, we will share your personal data with health professionals to ensure you receive appropriate treatment. This will be done under the legal basis of vital interest.

We may be required to share personal data where we have legal obligation with other authorities (police, social care regulators and organisations).

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark Care Homes keeps your personal data so that we can care for your relative in our care home, we retain the data for only as long as is necessary. Our 'retention schedule' helps us determine how long to keep records for, in line with guidance from NHS Digital and the NHS Records Management Code of Practice 2016.

Hallmark Care Homes keeps your personal data on the record of the resident it relates to. Information in care records is kept for a minimum of 8 years after we last provide care to a resident. If you require emergency medical treatment while visiting our home, we will keep this personal data for 8 years after that event. We may be required to keep personal data longer if there has been a legal case against us, or to meet regulatory and legal requirements.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.

- The right to object or your right to ask a controller to stop processing your data.
- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

### The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights.

The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

### The source of the personal data

The source of this data will either be yourself or the resident we are caring for.

## Suppliers Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that Hallmark Care Homes collects and processes about you, as a supplier. A supplier is a person or organisation that provides goods or services to us.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Name.
- Contact details.
- Company address.
- Bank details.
- Bank statements.
- Invoices.
- CCTV recordings (if you visit our homes).
- Information entered onto signing in and out sheets, or into an electronic visitors' signing in system (if you visit our homes).
- Details concerning specific occurrences such as accidents/incidents you are involved in, when applicable.
- DBS disclosure details (if you undertake work at one of our homes, unaccompanied).
- Photograph (if you undertake work at one of our homes, unaccompanied).

### The purpose of the processing

- We use the personal data you have given to us to fulfil our contracts with you and to pay you.
- We will also use your information to enquire about, and buy, products/services from you.
- We use CCTV data for the purpose of crime prevention and safety (if you visit one of our homes).
- We use the data you provide if you sign in to one of our homes, to ensure resident safety and the safety of our visitors in an emergency situation.
- We use the data about specific occurrences, to meet our health and safety obligations.
- We use the data about your DBS check and photograph to ensure resident safety and meet our obligations under health and social care legislation.

### The lawful basis for the processing

We process some of your data in order to enter into and to fulfil our contract with you. We process your personal data under this lawful basis when we:

- Process your bank details or manage direct debits.
- Maintain records of our contract with you.
- Process your invoices.
- Enter into a contract with you.
- Maintain oversight of payments made or that we are yet to make.

We process some of your data in order to meet a legal obligation. This is usually an obligation under health and social care or health and safety legislation. We process your personal data under this lawful basis when we:

- Maintain records of specific occurrences such as feedback and accidents/incidents, including any subsequent investigations.
- Record your DBS disclosure number and process your photograph. This is so we can ensure resident safety, when you are working in one of our homes unaccompanied.

## The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use CCTV for the purposes of crime prevention and safety. More information on how we use CCTV, can be found in our CCTV policy. A copy is available, on request.
- Ask you to sign in and out using a specified electronic or paper-based system.

## The recipients or categories of recipients of the personal data

Hallmark will not sell or swap your data with any third parties. Hallmark will not share your personal data with any third party for marketing purposes.

If you are taken ill while on our premises, require emergency treatment, and are unable to provide consent, we will share your personal data with health professionals to ensure you receive appropriate treatment. This will be done under the legal basis of vital interest.

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark retains your personal data for 7 years following the end of our contract or agreement with you, unless we are required by law to hold it for longer.

If you have needed to provide us with your DBS disclosure number and photograph, these will be held for 1 month after our contract with you/your organisation comes to an end. If we have an open-ended contract with you/your organisation, this data will be held for 3 years after you last completed work for us.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.
- The right to object or your right to ask a controller to stop processing your data.
- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

## The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights.

The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

## The source of the personal data

The source of this data will either be yourself, or others from your organisation.



## Website and Facebook Page Visitors Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that we hold on you, as visitor to our website or Facebook pages.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Cookie data
- Facebook pixel data

### The purpose of the processing

- We use your personal data to work out which of the pages on our website are most popular, helping us plan our marketing and PR strategy.
- We use your personal data to determine the success of our online marketing campaigns via Google Analytics, Google AdWords and Facebook Insights.

We also have a Facebook page. If you use this, please be aware that Facebook uses cookies to track visitors to our business page. These cookies are set even if you do not have a Facebook account. They will track your internet activities on and off Facebook. Despite the fact that only Facebook has access to the data from these cookies and not us, by creating and maintaining a Facebook business page, we are deemed responsible for the cookies being set. We have no way to prevent these cookies being used. We want to be as transparent as possible, so you are aware of the way your data is being used by Facebook.

Facebook privacy policies can be found [here](#). Hallmark Care Homes' Cookie Policy can be found [here](#).

### The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use your personal data to work out which of the pages on our website are most popular, helping us plan our strategy.
- Use your personal data to determine the success of our online marketing campaigns via Google Analytics, Google AdWords and Facebook Insights.

## The recipients or categories of recipients of the personal data

Hallmark Care Homes uses analytics partners to collect and analyse the data from cookies.

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark retains your personal data for 2 years following the end of your last visit to our website.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.
- The right to object or your right to ask a controller to stop processing your data.
- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

## The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights.

The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

## The source of the personal data

The data will be collected from your website or Facebook activity and shared with us in accordance with the prescribed policies mentioned earlier in this notice.

## Enquirers Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that we hold on you, as an enquirer. An enquirer is someone who contacts us regarding the services we provide.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Contact details including name, telephone number, postal address and email address.
- Your relationship to the prospective resident.
- Information entered onto signing in and out sheets, or into an electronic visitors' signing in system (if you visit our homes).
- CCTV recordings (if you visit our homes).
- Health information of the prospective resident.

### The purpose of the processing

- We also use your details to respond to your enquiry.
- We will use your information to inform you of services that we believe you may be interested in via email. Unsubscribe and preference change links are on all email contacts we send you.
- We will use the health information you provide us with, to determine if we can meet the needs of the prospective resident. If we can, we will use this data to plan the care for them.

### The lawful basis for the processing

We process some of your data under the lawful basis of consent. Please know that you do not have to consent to us using your data for the following purposes. If you do not wish to give us consent, this will not be recorded anywhere and will not impact our relationship with you. Once you have consented, you can withdraw your consent at any time. Again, withdrawing consent can be done without any fear of recrimination. Should you wish to withdraw your consent, please contact the home's General Manager or Customer Relationship Manager, or the Data Protection Officer. We process your personal data under this lawful basis when we:

- Send emails to you for marketing purposes.

We also process special category data. Special category data is more sensitive, and so needs more protection. However, we are required to process the special category data below for the following reasons:

- We need to use the data in order to assess whether one of our homes can meet your needs (or those of the prospective resident).

As required by the Data Protection Act 2018 (DPA 2018), we have an Appropriate Policy document (APD) in place as we process special category data. If you would like a copy of

this document, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

## The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use CCTV for the purposes of crime prevention and safety. More information on how we use CCTV, can be found in our CCTV policy. A copy is available, on request.
- Ask you to sign in and out using a specified electronic or paper-based system.
- Contact you in response to an enquiry, or as part of the enquiry process.

## The recipients or categories of recipients of the personal data

We use a number of companies that process data for marketing purposes. However, we have ensured that all processors we use, are contractually obliged to adhere to the UK GDPR.

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark retains your personal data for seven years after your enquiry unless we are required by law to hold it for longer.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.
- The right to object or your right to ask a controller to stop processing your data.

- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

### The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights.

The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

### The source of the personal data

The source of this data will either be yourself or your relatives.

## External business development (EBD) contacts Privacy Notice

Your privacy is important to Hallmark Care Homes. This privacy notice provides information about the personal data that we hold on you, as an external business development (EBD contact). You are an external business development contact if you are an external professional that refers people to us (directly or indirectly), who may need care and support.

### The contact details of our data protection officer

Our Data Protection Officer is Nick Banister-Dudley who can be contacted via the Central Support office, by phone on 01277 655 655 or by email on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk).

### The personal data we process

- Contact details including name, telephone number, postal address and email address.
- Information entered onto signing in and out sheets, or into an electronic visitors' signing in system (if you visit our homes).
- CCTV recordings (if you visit our homes).

### The purpose of the processing

- We use your personal information you have given to us for marketing purposes, to inform you of services we believe you may be interested in.
- We also use your details to respond to your enquiry.
- We will use your information to inform you of services that we believe you may be interested in via email. Unsubscribe and preference change links are on all email contacts we send you.
- We will use your information to record our contact with you, the referrals you make to us and the success of our marketing campaigns.

### The lawful basis for the processing

We process some of your data under the lawful basis of consent. Please know that you do not have to consent to us using your data for the following purposes. If you do not wish to give us consent, this will not be recorded anywhere and will not impact our relationship with you. Once you have consented, you can withdraw your consent at any time. Again, withdrawing consent can be done without any fear of recrimination. Should you wish to withdraw your consent, please contact the home's General Manager or Customer Relationship Manager, or the Data Protection Officer. We process your personal data under this lawful basis when we:

- Send emails to you for marketing purposes.

### The legitimate interests for the processing

'Legitimate interests' is one of the six lawful bases for processing personal data. Legitimate interests can apply in a wide range of circumstances and it puts the onus on us to balance our legitimate interests and the necessity of processing the personal data against the interests, rights, and freedoms of you, considering the particular circumstances. When determining whether legitimate interest applies, we use a three-part test. This test

establishes whether the data will be processed for a legitimate purpose ('purpose test'), whether the processing is necessary to meet that purpose ('necessity test'), and whether your rights are sufficiently protected ('balancing test').

We process your data in our legitimate interests when we:

- Use CCTV for the purposes of crime prevention and safety. More information on how we use CCTV, can be found in our CCTV policy. A copy is available, on request.
- Ask you to sign in and out using a specified electronic or paper-based system.
- Contact you in response to an enquiry, or as part of the enquiry process.
- Use your information to record our contact with you, the referrals you make to us and the success of our marketing campaigns.

## The recipients or categories of recipients of the personal data

We use a number of companies that process data for marketing purposes. However, we have ensured that all processors we use, are contractually obliged to adhere to the UK GDPR.

## The details of transfers of the personal data to any third countries or international organisations

We only transfer data outside of the UK if it is to a country that is covered by an EU 'adequacy decision' (valid as at 31 December 2020), UK 'adequacy regulations' or where there are other appropriate safeguards in place such as standard contract clauses approved by the Information Commissioner's Office. You can contact the Data Protection Officer, should you wish to see a copy of the safeguards we have in place.

## The retention periods for the personal data

Hallmark retains your personal data for 7 years after our last contact with you unless we are required by law to hold it for longer.

## The rights available to individuals in respect of the processing

The GDPR provides you with the following rights:

- The right to be informed e.g., via Privacy notices such as this one.
- The right of access or your right to make a subject access request.
- The right to rectification or your right to have inaccurate personal data rectified.
- The right to erasure, also known as the right to be forgotten.
- The right to restrict processing or limit the way your data is processed.
- The right to data portability or the right for you to receive the data you have provided to us in an easy to use format or request that this is transmitted to another data controller.
- The right to object or your right to ask a controller to stop processing your data.
- Rights in relation to automated decision making and profiling.

Please note that not all of these rights apply in all circumstances. Further information on your data rights can be found in our Individual Rights and Data Access procedure. A copy is available on our website [here](#). Printed copies can be provided, on request. If you would like to exercise any of these rights, please contact the Data Protection Officer on [dpo@hallmarkcarehomes.co.uk](mailto:dpo@hallmarkcarehomes.co.uk), who will support you with this.

## The right to lodge a complaint with a supervisory authority

If you have contacted us but continue to have concerns about the use of your personal data, you can contact the Information Commissioner's Office (ICO). The ICO is the UK's independent body set up to uphold information rights.

The ICO can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or via their helpline on 0303 123 1113.

## The source of the personal data

Your data will only be collected from you directly.