

# **DepenSys Ltd**

## **Privacy Notice**

We use personal data (information that relates to and identifies living people) and other information to help us to provide our DepenSys software service to health and adult social care services in England. We are a limited company with our Registered Office at 43a The Butts, Westbury, Wiltshire BA13 3EX.

Any information we hold will be held securely in line with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR).

## **The data we hold**

### **Client details**

We hold the following information about our clients:

- Name
- Business address
- Email address
- Land and mobile telephone numbers

Holding this information enables us to carry out our business as Care Homes Consultants to provide verbal and written advice, reports and invoicing.

Our legal basis for holding this information is to take steps prior to and to perform the contract between ourselves and our clients.

### **Residents**

#### **1. Types of Personal Data**

- Client - Name
- Client - Email Address
- Client User – Name
- Client User – Email Address
- Resident - Name
- Resident – ID
- Resident - Gender
- Resident - Care Home Location
- Resident - Arrival Date
- Resident - Departure Date
- Resident – Nursing Care Required Y/N
- Resident – One-to-One Care Hours
- Resident - Care Needs: marked present or absent (1 or 0) or scaled with level of need where marked 1-3:
  - (a) Admission/transfer in
  - (b) Discharge/transfer out
  - (c) Accompany out of home (1-3)
  - (d) Sensory / Communication Deficits (1-3)
  - (e) Impaired Consciousness (1-3)
  - (f) Cognition / Withdrawal (1-3)
  - (g) Behaviour Management (1-3)
  - (h) Special Emotional Needs

- (i) High Psychological Needs
- (j) Special Family Needs
- (k) Educational Needs
- (l) Airway / Breathing Problems
- (m) Mobility Needs (1-3)
- (n) Bed Rest / Living in Bed
- (o) Nutrition / Fluid Needs (1-3)
- (p) Personal Care Needs (1-3)
- (q) Incontinence / Stoma (1-3)
- (r) Skin/Wound Care (1-3)
- (s) Catheter / Tube Care (1-3)
- (t) Infection Control Precautions
- (u) Intake / Output Monitoring
- (v) Tests / Procedures (1-3)
- (w) Medication Supervision (1-3)
- (x) Observation / Supervision (1-3)

Our clients may ask us to analyse whether the staffing is correct for their care service and is therefore complying with regulations regarding safe staffing. To do this we will access the client data and sample a number of residents.

Clients may also approach us to discuss a specific resident's care needs, and we would access the resident's DepenSys record and discuss the identified needs.

### **Data storage**

We will store the files or a copy of the files relating to the services we provide. It is in our legitimate interests to retain files or a copy of files in order to deal with any queries that may arise after our services to you have ended. Where our services to our clients has ended any records will be kept secure and will be kept for a period of 8 years after which they will be securely destroyed either by the consultants or a specialist document destruction company in line with GDPR principles.

### **Data protection policy**

Our data protection policy is available on request and on our website.

### **Data Control and Processing**

DepenSys Ltd is the data controller and processor as we collect, use, share and store information relating to our clients. Any enquires about the personal data that we hold should be addressed to us at 43a The Butts, Westbury, Wiltshire BA13 3EX or by email at [rf@depensys.co.uk](mailto:rf@depensys.co.uk).

### **Purposes of processing**

Client data is required to manage the user and resident data in accordance with the calculation of care and nursing staff requirements within a residential care facility.

Client user data will be processed to facilitate the correcting recording of user activity and access to DepenSys.

Resident personal data will be processed to facilitate the calculation of care and nursing staff requirements within a residential care facility on a resident by resident basis.

### **Security measures for Personal Data**

- User Access Control (Super User, Director, Area Manager, Home Level)
- Feature Access Control based on User Access Control Level
- Data Anonymisation for users without appropriate view privileges
- Data encryption to SHA3 Standards
- SSL Connectivity

### **The Legal Basis for the Processing**

The collection, use, sharing and storage of personal data are all termed “processing”. There must be a legal basis for any processing, which we are required to explain to you.

<b>The reason for the processing</b>	<b>The legal basis for the processing</b>
We will require personal data in order to provide the DepenSys staffing and dependency system to you in fulfilment of our contract with you.  We will also need your personal data invoicing purposes.	The data is required to provide the Software as a Service to you as set out in our contract with you.
It is necessary for us and to enable our clients to process special category data in order to provide the DepenSys service to our clients. The special category data held includes each resident’s name, sex, and their range of needs as set out in ‘Types of Personal Data’ above.	We process special category data as: <ul style="list-style-type: none"><li>• it is necessary to provide the service to our clients as set out in our contract.</li><li>• the processing is necessary for the establishment, exercise or defence of legal claims.</li></ul>
The system provides storage of our clients’ resident data to fulfil the function of the system.  We will store files or copies of the files relating to the services we provide.	It is in our legitimate interests to retain data in the servers provided to provide the service.

### **Recipients of Your Personal Data**

We may need to provide personal data to other people in order to provide the services and to our clients. The recipients of such data may include:

- the other party(ies) involved in the matter including legal advisers;
- other persons that may have a legitimate interest in the information.

We are subject to professional obligations of confidentiality and will always discuss and agree any disclosure of personal data with you unless we are obliged to disclose it by law.

### **International data sharing**

We do not share or transfer our client's personal data outside of the United Kingdom. The servers and backups are all within the UK.

### **Consent**

If we intend to use any personal data for the purposes of marketing, this will only be about who our clients are with their full permission. Any resident data used will be fully anonymised.

The withdrawal of consent will not affect our provision of the service to our clients in any way.

### **Rights in relation to our client's personal data**

**Information** - be informed about how we use your personal data;

**Access** - obtain access to your personal data that we hold;

**Rectification** - request that your or your residents' personal data is corrected if you believe it is incorrect or incomplete;

**Erasure** - request that we erase your or your residents' personal data in the following circumstances:

- if we are continuing to process personal data beyond the period when it is necessary to do so for the purpose for which it was originally collected;
- if we are relying on consent as the legal basis for processing and you withdraw consent;
- if we are relying on legitimate interest as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us to continue with the processing;
- if the personal data has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation); or
- if it is necessary to delete the personal data to comply with a legal obligation

**Restriction** - Ask us to restrict our data processing activities where you consider that:

- personal data is inaccurate;
- our processing of your personal data is unlawful;
- where we no longer need the personal data but you require us to keep it to enable you to establish, exercise or defend a legal claim; or
- where you have raised an objection to our use of your personal data.

**Portability** - Request a copy of certain personal data that you have provided to us in a commonly used electronic format. This right relates to personal data that you have provided to us that we need in order to perform our agreement with you and personal data where we are relying on consent to process your personal data.

**Objection** - Object to our processing of your or your residents' personal data where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal data.

**Automated decisions** - Not be subject to automated decisions which produce legal effects or which could have a similarly significant effect on you. DepenSys Ltd do not use automated decision processes.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us by writing to DepenSys Ltd, 43a The Butts, Westbury, Wiltshire, BA13 3EX. We will endeavour to process your request within 28 days.

If you are dissatisfied with the way in which we have dealt with your personal data, 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, the contact details for which are available through the following link:

<https://ico.org.uk/global/contact-us/>

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