



ACCESS YOUR CARE
Life on your terms

Privacy Notice

Introduction

Access Your Care Limited is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you.

Access Your Care Limited collects, stores and processes personal data relating to its employees in order to manage the employment relationship. This privacy notice sets down how Access Your Care collects and uses personal information about you during and after your working relationship with us.

As part of the services we offer, we are required to process personal data about our staff, our clients and, in some instances, the friends or relatives of our clients and staff. “Processing” can mean collecting, recording, organising, storing, sharing or destroying data.

We are committed to being transparent about why we need your personal data and what we do with it. This information is set out in this privacy notice. It also explains your rights when it comes to your data. If you have any concerns or questions, please contact us:

Email: info@accessyourcare.co.uk,

Address: Unit 6 Belvedere Court, 10 Beaufighter Road, Weston-super-Mare, BS22 8EE

Tel: 01275 874861

How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the above contact details. If you remain unhappy with how we’ve used your data after raising a complaint with us, you can also complain to the ICO.

The ICO’s address: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>



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What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may process the following types of data:

- Name, address and contact details
- Gender
- Pronoun preferences
- Date of birth
- NHS/HSC/CHI number
- Hospital number
- National Insurance number
- Next of Kin details including any support networks
- Emergency contact details
- Photographs
- Health information (including medical conditions, allergies, medical requirements and medical history)
- Information about care needs (including disabilities, home conditions, medication and dietary requirements and general care provisions)
- Payment details (including card or bank information for transfers and direct debits)
- Records of meetings and decisions

We also collect the following special category information to provide care and support services. This information is subject to additional protection due to its sensitivity:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Health information
- Sexual orientation information



Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. There is a list of possible [lawful bases](#) in the UK GDPR. You can find out more about lawful bases on the ICO’s website.

Which lawful basis we rely on may affect your data protection rights which are set out in brief below. You can find out more about your data protection rights and the exemptions which may apply on the ICO’s website:

- **Your right of access** - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exceptions which means you may not receive all the information you ask for. [Read more about the right of access.](#)
- **Your right to rectification** - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. [Read more about the right to rectification.](#)
- **Your right to erasure** - You have the right to ask us to delete your personal information. [Read more about the right to erasure.](#)
- **Your right to restriction of processing** - You have the right to ask us to limit how we can use your personal information. [Read more about the right to restriction of processing.](#)
- **Your right to object to processing** - You have the right to object to the processing of your personal data. [Read more about the right to object to processing.](#)
- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you. [Read more about the right to data portability.](#)
- **Your right to withdraw consent** – When we use consent as our lawful basis you have the right to withdraw your consent at any time. [Read more about the right to withdraw consent.](#)



If you make a request, we must respond to you without delay and in any event within one month. To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

Our lawful bases for the collection and use of your data

We need this data so that we can provide high-quality care and support. By law, we need to have a lawful basis for processing your personal data.

We process your data because:

- We need to be able to provide you with high quality care and support services
- We have a legal obligation to do so – generally under the Health and Social Care Act 2012 or Mental Capacity Act 2005.

We process your special category data because:

- It is necessary due to social security and social protection law (generally this would be in safeguarding instances).
- It is necessary for us to provide and manage social care services.
- We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent at any time.

Where we get personal information from

- Directly from you
- Regulatory authorities
- Family members or carers
- Other health and care providers
- Social services
- Charities or voluntary sector organisations
- Councils and other public sector organisations
- Relevant regulatory authorities



How long we keep information

We retain personal data in accordance with the NHS Records Management Code of Practice, which also applies to adult social care. Our retention periods are based on the type of record and its purpose:

- Client Records: Retained for 8 years after the end of care provision, unless otherwise required by law.
- Complaints and Incident Reports: Retained for 10 years.
- Safeguarding Records: Retained for up to 30 years, depending on the nature of the case.

For more information on how long we store your personal information or the criteria we use to determine this please contact us using the details provided above.

Who we share information with

Data processors

- OneTouch - This data processor does the following activities for us: The OneTouch system holds our Digital Social Care Records including assessments, reviews and visit scheduling.

Others we share personal information with:

- Other health providers (e.g. GPs and consultants)
- Charities and voluntary organisations
- Care providers
- Organisations we need to share information with for safeguarding reasons
- Emergency services
- Local authorities or councils
- External auditors or inspectors
- Organisations we're legally obliged to share personal information with



Use of GP Connect

We use GP Connect, a secure NHS service, to access relevant health information from GP practices to support the delivery of direct care. This enables authorised staff to view up-to-date medical records such as medications, allergies, and diagnoses, helping us provide safe and effective care. Access is strictly controlled and only used when necessary for your care. The legal basis for processing this data is Article 6(1)(e) and Article 9(2)(h) of the UK GDPR – processing is necessary for the performance of a task carried out in the public interest and for the provision of health or social care. For more information, please visit the <https://digital.nhs.uk/services/gp-connect>.

Common law duty of confidentiality

In our use of health and care information, we satisfy the common law duty of confidentiality because:

- You have provided us with your consent (either implicitly to provide you with care, or explicitly for other uses)
- We have a legal requirement to collect, share and use the data
- The public interest to collect, share and use the data overrides the public interest served by protecting the duty of confidentiality (for example sharing information with the police to support the detection or prevention of serious crime).
- If in England or Wales – the requirements of The Health Service (Control of Patient Information) Regulations 2002 are satisfied

National Data Opt Out

We review our data processing on an annual basis to assess if the national data opt-out applies. This is recorded in our Record of Processing Activities. All new processing is assessed to see if the national data opt-out applies. If any data processing falls within scope of the National Data Opt-Out we use MESH to check if any of our clients have opted out of their data being used for this purpose.

At this time, we do not share any data for planning or research purposes for which the national data opt-out would apply. We review all of the confidential patient information we process on an annual basis to see if this is used for research and planning purposes. If it is, then individuals can decide to stop their information being shared for this purpose. You can find out more information at <https://www.nhs.uk/your-nhs-data-matters/>.



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Bring Your Own Device (BYOD)

Our organisation has a Bring Your Own Device (BYOD) policy. Staff, directors, trustees, and volunteers may use personal devices (e.g. phones, laptops) to access work systems or communicate for work purposes.

To enforce this policy:

- Staff are informed during induction and through regular reminders.
- Devices must be password-protected and must not store sensitive data locally.
- Access to systems is controlled via secure logins and two-factor authentication.
- Access logs are monitored, and sensitive systems are restricted based on role.
- Any breaches or misuse are handled through disciplinary procedures.



Staff

What Information Does Access Your Care Collect And Process?

Access Your Care collects and processes a range of personal information (personal data) about you. Personal data means any information about an individual from which the person can be identified. This includes:

- Contact details (name, address, phone, email)
- Employment details (job title, contract, salary, start/end dates)
- Right to work information (e.g. nationality, visa status)
- Bank and tax information (for payroll and pensions)
- Emergency contacts and next of kin
- Training and performance records
- Leave and absence records
- Health information (e.g. fit notes, adjustments)
- Criminal records checks (where legally required)
- Equal opportunities data (e.g. ethnicity, religion, sexual orientation – if provided)

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Our lawful bases for the collection and use of your data

Access Your Care needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract.

In addition, Access Your Care needs to process data to ensure that we are complying with our legal obligations, for example, we are required to check an employee's entitlement to work in the UK.

In other cases, Access Your Care has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Situations In Which We Will Use Your Personal Information

Situations in which we will process your personal information are listed below:

In order to:

- make decisions about recruitment and promotion processes.
- maintain accurate and up-to-date employment records and contact details (including details of whom to contact in the event of an emergency), and records of employee contractual and statutory rights.
- check you are legally entitled to work in the UK.
- gather evidence for, and keep a record of, disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- pay you and, in the case of employees, make deductions for tax and National Insurance.



- operate and keep a record of employee performance and related processes.
- keep records of training and development requirements.
- operate and keep a record of absence and absence management procedures,
- ascertain your fitness to work.
- operate and keep a record of other types of leave (such as maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the organisation complies with duties in relation to leave entitlement, and to ensure that employees are receiving the pay or other benefits to which they are entitled.
- ensure effective general HR and business administration.
- provide references on request for current or former employees.
- deal with legal disputes involving you or other employees, workers and contractors; and
- facilitate equal opportunities monitoring in the workplace.

How Long Do We Keep Your Data?

Access Your Care will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. We retain staff data in line with legal and operational requirements:

- Staff and Training records: 6 years after employment ends
- Recruitment records: 12 months for unsuccessful applicants

Who Do We Share Your Data With?

We may share your data with:

- Payroll and pension providers
- HMRC and other government bodies
- Legal and HR advisors
- Safeguarding authorities or regulators (e.g. CQC)
- IT and system providers (e.g. HR software)

We do not transfer your data outside the UK unless appropriate safeguards are in place.



Our website

When you visit our website, we may collect personal data to help us provide a better experience and improve our services. This may include:

- **Information you provide** via contact forms (e.g. name, email, phone number)
- **Technical data** such as your IP address, browser type, and device information
- **Usage data**, such as pages visited and time spent on the site

Lawful Basis for Processing

We process your data under the following lawful bases:

- **Consent** – when you submit information via forms or accept cookies
- **Legitimate interests** – to improve website functionality and user experience
- **Legal obligation** – if required to retain or disclose data under UK law

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