

### Processing of Personal Information of MHA Residents and Tenants

Thank you for taking the time to read our privacy notice.

Methodist Homes (MHA) is a registered charity whose mission is to 'enable people to live later life well'. We recognise the trust you place in us when you share your personal information with us. We are committed to operating with openness, honesty and transparency. This privacy notice provides information about: the personal information that MHA collects about you as a Resident or Tenant; the ways in which your personal information may be used; and your rights.

This Privacy Notice will be updated from time to time. The latest version, and our other privacy notices, can be found on MHA's web site ([www.mha.org.uk/PrivacyPolicy](http://www.mha.org.uk/PrivacyPolicy)). If you have provided preferences for receiving general information about MHA, including fundraising, this will be covered by the 'Supporters Privacy Notice' available at the same link.

We may use additional privacy notices to supplement this notice. We will always bring any additional privacy notice to your attention.

#### 1. Who we are and contact details

MHA is the Data Controller for the personal data we process. MHA is a registered charity in England and Wales (No. 1083995) and Scotland (No. SC040155) and a Company limited by guarantee (No. 4043124). Our registered Office is: MHA, Epworth House, Stuart Street, Derby, DE1 2EQ.

If you have any questions about this privacy notice, or wish to exercise your rights, please contact MHA's Data Protection Officer using the contact details below.

- Email: [DataProtectionOfficer@mha.org.uk](mailto:DataProtectionOfficer@mha.org.uk)
- Phone: 01332 221 893
- Post: Data Protection Officer, MHA, Epworth House, Stuart Street, Derby, DE1 2EQ

#### 2. Personal Information Collection

Personal information is information that can be used to identify you or is about you. Please contact us to provide an update if your personal information changes. MHA, or a company working on behalf of MHA, may request from you and process the following Personal Information (P) and Special Categories of Personal Information (S):

- Name (P)
- Home address (P)
- Phone numbers (P)
- Email address (P)
- Date of Birth / Age (P)
- Health & Wellbeing records (S)
- Next of Kin or emergency contacts (P)
- NHS & NI number (P)
- Your likes and dislikes regarding your care requirements (P)
- Resuscitation information (P)
- Financial information (P)
- Religion or religious beliefs (S)
- Photos and videos (S)
- CCTV recordings (P)
- Information required by regulators (risk assessments, accident and incident records) (P)

MHA processes Special Category data in accordance with its Appropriate Policy Document which can be found at [www.mha.org.uk/PrivacyPolicy](http://www.mha.org.uk/PrivacyPolicy).

### 3. Processing of Personal Information & Legal Basis

The Legal Basis for this processing is either:

- **Contract** – privately funded residents: to fulfil the agreement between the resident, or their legal representative, and MHA.
- **Legitimate Interest** – residents funded by a Local Authority (LA) or Clinical Commissioning Group (CCG): in order for MHA to fulfil the contract with the funding body.

MHA will only process the Personal Information:

- To assess your residential and care needs
- To assess your financial situation
- To provide residential and care services

One of MHA's values is to, "nurture mind, body and spirit". To facilitate this MHA's internal care team includes: nurses, carers, chaplains and music therapists.

**NHS Test and Trace** is a key part of the Government's COVID-19 response. If we can rapidly detect people who have recently come into close contact with a COVID-19 case, we can take swift action to minimise transmission of the virus. This includes self-testing, whether at home or an MHA location. MHA will therefore share relevant information (name, contact information, dates, location, test results) with Test and Trace as and when required. The legal basis for the sharing of this information is it is a necessary task carried out in the **public interest**. The Department of Health & Social Care's privacy notice can be found [here](#).

**Promoting MHA with Photos, Videos and Quotes** We may use photos, videos and quotes:

- For Publicity, fundraising and advertising materials, including printed publications
- In Presentations and exhibition materials
- On Websites, social media channels and digital communications
- In News media and their associated websites and social media channels including print, television and radio

**Personal Photos and Quotes:** MHA will ask for your **consent** to use photos, videos and quotes, in which you are a focal point, taken by staff, professionals or third party agencies on behalf of MHA. MHA may contact you as the 5 year retention period comes to an end to ask for consent to continue using the photos or video.

**Group or Event Photos:** MHA may take photos during activities or events which include multiple people, where you are not the primary focus. The legal basis for taking these photos is **legitimate interest**. During such activities or events you will be informed where the photos or filming will take place allowing you to move in or out of camera shot.

**Next of Kin and emergency contact** details are requested to help protect your **vital interest** by having points of contact for use only in emergency situations.

**Your Views** MHA is continuously seeking to improve. To help us in our process we have a **legitimate interest** to seek feedback and opinions from our residents and their family members. To this end we may occasionally ask you to: complete a survey, take part in a discussion group, or give us your views in another way. If you would rather not be invited to participate please let us know and we will record your desire to opt-out.

**Building Maintenance and Utilities** MHA may share limited contact information of residents living in our retirement living schemes with building maintenance contractors and utility providers (e.g. gas and electricity providers). The legal basis for this is **legitimate interest** as we need to ensure that our buildings are maintained and repaired and that utilities are provided.

#### 4. Information Sharing

MHA may share a minimal amount of your Personal Information with:

- Other agencies who may contribute to your care, like GPs, pharmacies and hospitals
- Designated professionals (e.g. care home staff, GPs, social workers, nurses), including Multidisciplinary Teams, to support care and process funding requests.
- The organisation (LA or CCG) for whom we provide the service under a contract.
- People with Power of Attorney, Deputyship or people you have authorised access or when it is in your best interest.
- MHA's insurance company in relation to claims or possible claims.
- When legally required to do so, including regulatory compliance.
- Building maintenance contractors to allow for repairs (Retirement Living Residents)
- Utility providers to aid an easy transition into your new home. You will obviously be free to change your utility provider as and when you desire.

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

#### 5. Transfers to other countries

MHA will not transfer your information outside of the UK or the European Economic Area.

#### 6. Securing your information

MHA takes our duty to protect your personal information and confidentiality seriously.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Access to your personal information is only allowed on a need to know basis. Those with access will only process your personal information as instructed and are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 7. Retention of Personal Information

MHA will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. At the end of the retention period your information will either be securely and confidentially destroyed or anonymized. Anonymization is the process of removing personal information from the data so that it is not possible to identify individuals from the data.

Record	Retention Time
Waiting list for vacancy in service	6 months, but extended with permission
Application forms and assessment information	6 months if the individual doesn't moved in 8 years after leaving MHA
Residents' and Tenants' care records	8 years after leaving MHA
Residents' and Tenants' finance records	7 years
Accident and incident records	10 years
Photos, videos and quotes	5 years
Your views, surveys, etc	3 years

## 8. Your Rights in relation to your Personal Information

Under the Data Protection legislation you have the following rights:

- **the right to be informed** – covered by this Privacy Notice;
- **the right of access** – you have the right to make a Subject Access Request asking for information about, or copies of, the information we hold and the way it is used;
- **the right to rectification** – as soon as you become aware that some information is incorrect let your line manager know or inform the Data Protection Officer;
- **the right to erasure** – request the deletion or removal of personal information where there is no compelling reason for its continued processing;
- **the right to restrict processing** – you can request the we stop any processing if the information we are processing is incorrect;
- **the right to data portability** – you can request the personal information provided by yourself, be exported in to a universal format so it can be imported into another system;
- **the right to object** – to processing relating to marketing and profiling;
- **the right not to be subject to automated decision-making** including profiling.

To exercise any of these rights please contact the person to whom you provided your personal data or MHA's Data Protection Officer (contact details in section 1).

If you are unhappy with the way that MHA has processed your personal data you can raise a complaint with the Information Commissioner's Office (<http://ico.org.uk>). We would appreciate it if you could please let us know if you contact the ICO. If you feel able to contact us before you contact the ICO, we will take your concerns seriously and we promise to work with you to resolve any issues that you have (noting that we will tell you if you should refer the issue to the ICO and that we may also need to tell the ICO).