

# MioCare Group Privacy Notice

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## Who we are

MioCare Group is committed to ensuring that we are transparent about the ways in which we use your personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse.

We provide a broad range of services as well undertaking regulatory and administrative activities.

## What this privacy notice is for

This notice explains how we use your personal information and tells you about your privacy rights and how the law protects you.

Each of our key service areas provide additional information about how we collect and use your information.

These notices explain:

- why we need your information
- categories of personal data
- who else we obtain or receive it from
- the legal basis for collection and the choices you have
- who we share it with and why
- whether decisions which legally affect you are made solely using machine based technologies
- how long we keep your information
- how to exercise your rights

These service specific privacy notices may be accessed here:

[https://www.miocare.co.uk/about/data\\_protection](https://www.miocare.co.uk/about/data_protection)

## Using our website

To find out more about our website terms and conditions <http://www.miocare.co.uk/terms.html>

## Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details.

## What is personal information

Personal information can be anything that identifies and relates to a living person. This can include information that when linked with other information, allows a person to be uniquely identified. For example, this could be your name and contact details.

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

## What we use your information for

Your personal information may be collected and used for one or more of the company's services, regulatory functions and/or administrative activities depending on your relationship with MioCare Group and the nature of your contact with us.

Generally, we may need to use some information about you:

- in delivering services and support by ensuring other statutory or voluntary agencies with whom we are working, are able to deliver 'joined up' services to you
- in planning future services
- for archiving, research, or statistical purposes, including research and evaluation undertaken by us or in combination with others to inform future service planning where the use of fully anonymised information would frustrate the purpose of the research
- administering grants and statutory schemes
- in carrying out our regulatory activities, such as safeguarding and the provision of personal care services
- for managing any online transactions you may elect to make and/or marketing choices or preferences you may have expressed
- keeping track of spending on services
- for managing and checking the quality of our services
- to improve the general experience of our customers and of visitors to our websites
- to help investigate any concerns or complaints you have about our services and for answering enquiries under access legislation
- if you apply for a job or become employed by us
- for ensuring the health and safety of our staff
- in the event of civil disasters and/or emergencies

## Health and Care research and NHS data Opt-out

You have the right to opt-out of your data being used for health and care research, should any research of this nature be undertaken. Our organisation is compliant with the national data opt-out policy by advising you of your right to opt-out.

You can also find out more about how your information is used at:

<https://www.hra.nhs.uk/information-about-patients/> (which covers health and care research); and <https://understandingpatientdata.org.uk/what-you-need-know> (which covers how and why patient information is used, the safeguards and how decisions are made)

To find out more or to register your choice to opt out, please visit:  
[www.nhs.uk/your-nhs-data-matters](http://www.nhs.uk/your-nhs-data-matters)

## Legal basis for processing

We may collect personal information where:

- you, or your legal representative, have given consent
- you have entered into a contract with us
- it is required by law (such as where this is mandated by statute or under a court order)
- it is necessary to perform statutory functions
- it is necessary for employment related purposes
- it is necessary to deliver health or social care services
- it is necessary to protect you or others from harm (e.g. in an emergency or civil disaster)
- it is necessary to protect public health
- it is necessary for exercising or defending legal rights
- you have made your information publicly available
- it is necessary for archiving, research, or statistical purposes
- it is necessary in the substantial public interest for wider societal benefits and is authorised by law
- it is necessary for fraud prevention and the protection of public funds
- it is in our legitimate interests (or those of a third party) provided your interests and fundamental rights do not override this.

## Information sharing/recipients

Your personal information may also be shared with other organisations, such as those who assist us in providing services and those who perform technical operations such as data storage and hosting on our behalf.

These practical arrangements and the laws governing the sharing and disclosure of personal information often differ from one service to another.

For this reason, each of our key service areas provide additional information about how we collect and use your information.

[https://www.miocare.co.uk/about/data\\_protection](https://www.miocare.co.uk/about/data_protection)

In addition, we may seek to collect, process and share your personal data in response to the recent outbreak of Coronavirus, which is above and beyond what would ordinarily be done, so, about our staff, their dependents and the general public, to ensure their safety and well-being. Such information will be limited to what is legal, proportionate and necessary, taking into account of the latest guidance issued by the Government and health professionals, in order to provide the necessary support to those most vulnerable and in need and also to manage and contain the virus.

## How long we keep your data

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Our key service areas provide additional information about how long your information may be retained.

## How we keep your information safe

We are committed to ensuring your personal information is safe and protected from accidental loss or alteration, inappropriate access, misuse or theft.

As well as technical, physical and organisational controls, we recognise that a well-trained, informed and security alert workforce minimises privacy risks from human error and/or threats from malicious actors.

We require our service providers to implement appropriate industry standard security measures and only permit them to process your personal information for specified purposes in accordance with our contractual instructions.

## Data Transfers beyond European Economic Area

We will only send your data outside the European Economic Area ('EEA'):

- with your consent, or
- to comply with a lawful and legitimate request, or
- if we use service providers or contractors in non EEA countries.

If we do transfer your information beyond the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA. We will use one of these safeguards:

- Transfer it to a non EEA country with privacy laws that give the same protection as the EEA. Learn more on the European Commission Justice website. [https://ec.europa.eu/info/law/law-topic/data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection_en)
- Put in place a contract with the recipient that means they must protect it to the same standards as the EEA. More information is available on the European Commission Justice website, [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en)
- Transfer it to organisations that are part of the Privacy Shield. This is a framework that sets privacy standards for data sent between the US and EU countries. It makes sure those standards are similar to what is used within the EEA. You can find out more about the Privacy Shield on the European Commission Justice website [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en)

- If we propose to make a transfer in response to a lawful and legitimate request we will normally tell you in advance unless there are compelling reasons, such as law enforcement or, reasons of safety which justify not doing so.

### Automated Decisions

If we make a decision which legally affects you by using a computerised system or programme that does not involve a human being, our service specific privacy notices will explain this.

Our Guide to exercising you Rights outlines the procedure to ask us for an automated decision to be reviewed by an appropriate officer.

### Find out more about how we use your information

Links to service areas and service level PNs [https://www.miocare.co.uk/about/data\\_protection/](https://www.miocare.co.uk/about/data_protection/)

### What are your rights

You may exercise the rights listed below in relation to the council's use of your personal information. Some rights are absolute and others are not.

To find out more about how these rights apply in particular circumstances, please refer to our Guide to exercising you Rights or alternatively visit the Information Commissioner's web site at <https://ico.org.uk/>

To exercise these rights, please contact the council's Data Protection Officer (DPO).

Barbara Mulvihill  
Data Protection Officer  
Oldham Council  
Civic Centre  
West Street  
Oldham, OL1 1UG

T: 0161 770 1311

E: [DataProtectionOfficer@oldham.gov.uk](mailto:DataProtectionOfficer@oldham.gov.uk)

#### Access:

You may request a copy of the personal information we hold about you.

#### Rectification & Erasure:

You may request that we rectify or delete any of your personal information if you consider it is incomplete, factually incorrect, processed unlawfully or, is unnecessary or no longer needed.

#### Review of automated decision making:

Where we use only an automated system or programme that does not involve a human being, you have the right to request that a decision which legally affects you is reviewed by an appropriate officer.

**Objection:**

You may object, at any time, to your personal information being processed.

This applies to processing:

- carried out in performance of our statutory functions or in the public interest, including 'profiling' [whether or not profiling is partly or fully automated];
- for direct marketing purposes

**Restriction of Processing:**

You may request restriction of processing (quarantining) of your personal information for certain reasons, such as, for example:

- if you have objected to the processing or asked us for erasure and we need time to consider your request and let you know our decision
- you require us to retain your information for the establishment, exercise or defence of your own legal rights

**Data portability:**

In defined circumstances [either where the processing relies on your consent or arises out of a legal contract], you may request we supply a copy of personal information that you have provided to us in a portable and machine readable format

**Right to withdraw consent:**

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time. This will not affect the lawfulness of our processing prior to the withdrawal of your consent.

**How to contact our Data Protection Officer**

If you would like advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council, please contact our Data Protection Officer (DPO)

Barbara Mulvihill  
Data Protection Officer  
Oldham Council  
Civic Centre  
West Street  
Oldham, OL1 1UG

T: 0161 770 1311

E: [DataProtectionOfficer@oldham.gov.uk](mailto:DataProtectionOfficer@oldham.gov.uk)

Whether you are exercising your rights or raising a concern, you will normally need to include documents that prove your identity as well as a clear and precise description of your request/concern.

We will process requests in accordance within the legislative framework and the statutory time scales and inform you should an extension of time be necessary.

More information about how to exercise your rights is available here

[https://www.miocare.co.uk/about/data\\_protection/](https://www.miocare.co.uk/about/data_protection/)

If you would like to know more about data protection or are not satisfied with the way we have answered a request from you or handled your personal information, you have the right to make a complaint to the Information Commissioner who may be contacted at:

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

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

**Telephone:** 0303 123 1113 or 01625 545745

**Fax:** 01625 524510

You do not have to raise a complaint with us first but we would encourage you to contact our DPO so we can consider your concerns as quickly as possible.