** Johnson Amoo Consultancy Limited**

 **(t/a Desire Care)**

 **PRIVACY NOTICE**

This privacy notice tells you what to expect us to do with your personal information.

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## Contact details

### Telephone

+44(0)1283777300 / +44(0)7846198918

### Email

info@desire-care.com / amoojg@yahoo.co.uk

## What information we collect, use, and why

We collect or use the following information **to provide patient care, services, pharmaceutical products and other goods**:

* Name, address and contact details
* Gender
* Date of birth
* 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)
* Records of meetings and decisions
* Call recordings

We also collect the following information **to provide patient care, services, pharmaceutical products and other goods**:

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

We collect or use the following personal information **for the prevention, detection, investigation or prosecution of crimes**:

* Name, address and contact details
* Video recordings of public areas (including corridors, waiting rooms and outside spaces to which some or all members of the public have access)
* Audio recordings of public areas (including corridors, waiting rooms and outside spaces to which some or all members of the public have access)
* Witness statements and contact details
* Relevant information from previous investigations

We also collect the following information **for the prevention, detection, investigation or prosecution of crimes**:

* Racial or ethnic origin
* Religious or philosophical beliefs
* Health information

We collect or use the following information **for safeguarding or public protection reasons**:

* Name, address and contact details
* Emergency contact details
* Health information (including medical conditions, allergies, medical requirements and medical history)
* Information about care needs (including disabilities, home conditions, dietary requirements and general care provisions)
* Relevant information from previous investigations
* Records of meetings and decisions

We also collect the following information **for safeguarding or public protection reasons**:

* Racial or ethnic origin
* Religious or philosophical beliefs
* Health information

We collect or use the following personal information **to comply with legal requirements**:

* Name
* Contact information
* Identification documents
* Health and safety information
* Safeguarding information
* Criminal offence data

We also collect the following information **to comply with legal requirements**:

* Racial or ethnic origin
* Religious or philosophical beliefs
* Health information

We collect or use the following personal information **for information updates, marketing or market research purposes**:

* Names and contact details
* Address
* Marketing preferences
* Website and app user journey information
* IP addresses
* Personal information used for administration of the research
* Personal information used for the purpose of research
* Personal information used for medical investigations
* Records of consent, where appropriate

We also collect the following information **for information updates, marketing or market research purposes**:

* Racial or ethnic origin
* Religious or philosophical beliefs
* Health information

We collect or use the following personal information for **dealing with queries, complaints or claims**:

* Names and contact details
* Address
* Payment details
* Account information
* Purchase or service history
* Video recordings of public areas
* Audio recordings of public areas
* Video recordings of private or staff only areas
* Audio recordings of private or staff only areas
* Call recordings
* Witness statements and contact details
* Relevant information from previous investigations
* Customer or client accounts and records
* Information relating to health and safety (including incident investigation details and reports and accident book records)
* Correspondence

We also collect the following information **for dealing with queries, complaints or claims**:

* Racial or ethnic origin
* Religious or philosophical beliefs
* Health 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 in brief set out 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 exemptions which means you may not receive all the information you ask for. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#roa).
* **Your right to rectification** - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rtr).
* **Your right to erasure** - You have the right to ask us to delete your personal information. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rte).
* **Your right to restriction of processing** - You have the right to ask us to limit how we can use your personal information. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rtrop).
* **Your right to object to processing** - You have the right to object to the processing of your personal data. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rto).
* **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. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rtdp).
* **Your right to withdraw consent** – When we use consent as our lawful basis you have the right to withdraw your consent at any time. [You can read more about this right here](https://ico.org.uk/for-organisations/advice-for-small-organisations/create-your-own-privacy-notice/your-data-protection-rights/#rtwc).

If you make a request, we must respond to you without undue 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

Our lawful bases for collecting or using personal information **to provide patient care, services, pharmaceutical products and other goods** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information **for the prevention, detection, investigation or prosecution of crimes** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information **for safeguarding or public protection reasons** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information **to comply with legal requirements** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information **for information updates, marketing or market research purposes** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* Vital interests – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

Our lawful bases for collecting or using personal information for **dealing with queries, complaints or claims** are:

* Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
* Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
* Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
* **Vital interests** – collecting or using the information is needed when someone’s physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.

## Where we get personal information from

* Directly from you
* Regulatory authorities
* Family members or carers
* Social services
* Publicly available sources
* Councils and other public sector organisations
* Relevant regulatory authorities
* Previous employers

## How long we keep information

We store data for 3 to 5 years as per our retention policy.

## Who we share information with

### Others we share personal information with

* Legal bodies or authorities
* Local authorities or councils
* Relevant regulatory authorities

## Duty of confidentiality

We are subject to a common law duty of confidentiality. However, there are circumstances where we will share relevant health and care information. These are where:

* you’ve provided us with your consent (we have taken it as implied to provide you with care, or you have given it explicitly for other uses);
* we have a legal requirement (including court orders) to collect, share or use the data;
* on a case-by-case basis, 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; or
* If in Scotland – we have the authority to share provided by the Chief Medical Officer for Scotland, the Chief Executive of NHS Scotland, the [Public Benefit and Privacy Panel for Health and Social Care](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.informationgovernance.scot.nhs.uk%2Fpbpphsc%2F&data=05%7C02%7CSharice.Griffiths%40ico.org.uk%7Cfeed70f88eea46e825fa08dc48e56353%7C501293238fab4000adc1c4cfebfa21e6%7C0%7C0%7C638465397245676897%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=mga0Vhe9Dbw9%2BpCYtgyW%2F1BIRZ3kiOCFk8lh9zFJjDY%3D&reserved=0) or other similar governance and scrutiny process.

## National data opt-out

We comply with England’s national data opt-out because we’re using confidential patient information for purposes beyond individual care. 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).

## How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

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](https://ico.org.uk/make-a-complaint/)

## Last updated

01 July 2024