

TBL Privacy Policy

Introduction

TBL are committed to protecting and respecting your privacy and personal data. TBL recognise that handling your personal data in line with current data legislation such that personal information is dealt with legally, securely, efficiently and effectively enables TBL to deliver the best possible care/input. This policy sets out the basis for processing and sharing privileged personal and sensitive information held and processed by Tania Brown Ltd. The information we collect will be used to fulfil only necessary services and enable us to operate lawfully, efficiently and effectively.

As a case management provider and expert witness reporter Tania Brown Ltd (referred to here as “TBL”, “us” or “we”) collects and processes both *personal data* and *sensitive personal data* relating to anyone who receives case management or expert witness services (for the purpose of this policy referred to as our “clients”). In the course of our activities, we collect, store and process personal and special category information about clients, case managers, employees and workers (for the purpose of this policy referred to as “staff”), suppliers and other third parties.

Tania Brown Ltd is a *data controller* for the purposes of the Data Protection Laws.

Purpose

TBL processes personal information in relation to its clients, its staff, work-seekers, as well as customer related data. TBL processes personal information for purposes including:

- for the purposes of providing employment with TBL or with TBL clients.
- for the purposes of conducting a contracted expert assessment report.
- for the purposes of conducting a contracted accurate assessment and producing a personalised plan of case management intervention.
- for the purposes of delivering a contracted personalised case management intervention required to address clients’ particular health, social, vocational, care and rehabilitation needs.
- For the purposes of co-ordinating a range of inputs as part of contracted case management intervention including introducing and monitoring therapeutic intervention.
- for the purposes of completing a care plan and risk assessment for staff to follow, and initiating intervention with support workers/rehabilitation assistants as contracted case management intervention.
- to comply with any legal requirements, pursue our legitimate interests and to protect our legal position.
- for Staff administration.
- for the purposes of accounting, financial management and records.

We may also use or share your information to ensure public safety; to investigate concerns or complaints; or to audit, evaluate and plan so as to maintain the highest standards of service.

At no time will TBL share personal information with any 3rd party for the purpose of marketing, advertising or statistical analysis.

Privacy aims - data protection principles

When processing your information we must comply with six data protection principles of good practice, we must ensure that the personal information we hold about you is:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- Adequate, relevant and limited to what is necessary
- Accurate and kept up to date
- Kept for no longer than is necessary for the purposes for which the *personal data* are processed;
- Processed in a manner that ensures appropriate security.

The information we collect

The type of information that we process will depend on our relationship with you.

The following types of data may be collected for **clients**: (please note that this list is not exhaustive):

- **Full name;**
- **Date of birth;**
- **Address and telephone numbers;**
- **Next of kin and family details and relationships;**
- **Email address;**
- **Financial information, including bank details, benefits, National Insurance and tax information;**
- **Details of legal, deputyship, medical and rehabilitation team;**
- **Details of your preferences, abilities and goals;**
- **Details of any difficulties you experience;**
- **Employment and/or daily occupation information;**
- **Education information;**
- **Court information;**
- **Details of accident / injury and how it affects your life.**

The following special categories of data may also be collected:

- Medical, rehabilitation, social care history and records;
- Racial or ethnic background;
- Physical or mental health conditions;
- Religious beliefs, or other beliefs of a similar nature;
- Political views and union membership;
- Proceedings relating to family / welfare matters;
- Sexual orientation;
- Data held on children;
- Gender identity;
- Details of any offence committed, or alleged to have been committed, by them, or against them.

For **professional contacts** (including solicitors and therapists and those who contact us through our website), we may collect:

- Your name
- Email address
- Company name
- Job title
- IP address

The following information may be collected for **employees, Support Workers, or job applicants**:

- Full name;
- Date of birth;
- Address and telephone numbers;
- Next of kin and family details;
- Email address;
- Financial information, including National Insurance and tax information;
- Details of legal, deputyship, medical and rehabilitation team;
- Bank details;
- Employment information;
- Education and qualification information;
- Training records
- Details of current & previous jobs/positions held
- Financial information
- Passport/visa declaration
- Driving licence declaration
- Details of references
- Details of criminal records
- Details of working patterns

- IP address
- Medical, rehabilitation, social care history and records;
- Racial or ethnic background;
- Physical or mental health conditions;
- Religious beliefs, or other beliefs of a similar nature;
- Political views and union membership;
- Proceedings relating to family / welfare matters;
- Sexual orientation;
- Data held on children;
- Gender identity;
- Details of any offence committed, or alleged to have been committed, by them, or against them.

We may, in further dealings with you, extend this information to include services used, and subscriptions, records of conversations and agreements and payment transactions.

The information we share/disclose

TBL may share personal and sensitive information of our clients that is collected with: the data controller, client or client's representative, instructing solicitor/insurer, appointed deputy, and with family members for the performance of our contract with the client or client's representative.

We may seek information or share clients' information in order to fulfil our contract with our client or client's representative with: the case manager's line supervisor, NHS and medical professionals, social services, rehabilitation professionals, care agencies, support workers or rehabilitation assistants.

In the course of providing contracted case management services to clients we may also share their information with other organisations which includes (but is not an exhaustive list):

- Housing, property or accommodation agencies or services
- Providers of local community services
- Holiday companies
- Providers of leisure activities
- Domestic services
- Insurance companies
- the Department of Work and Pensions
- the Driver Vehicle Licensing Authority
- Providers of specialist disability equipment or services

We may share information in order to invoice for our service and complete accounting procedures.

We may share information with providers of IT and system administration services to our business.

We may share information with our professional advisers (including solicitors, bankers, auditors and insurers).

We may share information with HM Revenue & Customs, the Information Commissioner's Office, the Care Quality Commission, other regulators and authorities who require reporting of processing activities in certain circumstances.

Where we have concerns for your welfare, we may share information with your GP, social work department and the police.

Only information deemed as absolutely necessary will be shared.

Lawfully processing your information

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. We will use your personal information in one or more of the following circumstances:

- where we need to do so to fulfil the **contract** for services we have entered into with you, or your representative
- where we need to comply with a **legal obligation**, such as with the Care Quality Commission
- where it is necessary for our **legitimate interests** (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.

We may also occasionally use your personal information where we need to protect your **vital interests** (or someone else's vital interests).

When processing we will always ensure that the data shared is safeguarded, relevant and limited to what is necessary.

Whilst we seek your agreement regarding the case management input you receive from us, we do not rely on your consent to share or process information about you in the course of providing the service. From time to time, we may wish to use your data for another reason, such as research or training, in which case we will see your express consent for this purpose.

Protecting your information

TBL takes precautions, including administrative, technical, and physical measures, to safeguard Personal and Sensitive Data against loss, theft, and misuse, as well as against unauthorized access, disclosure, alteration, and destruction.

TBL uses industry-standard efforts to safeguard the confidentiality of Data, including encryption, firewalls and SSL (Secure Sockets Layer). We have implemented reasonable administrative, technical, and physical security controls to protect against the loss, misuse, or alteration of your Data. We have robust systems and procedures in place to ensure your information is stored and shared securely.

In addition to your case manager, other personnel at TBL may have access to your information in order to fulfil managerial, administrative, human resources, accounts and payroll duties. All those with access to your personal data are duty bound to keep it confidential and secure. Should the need arise there is a protocol in place to contain, deal with and report any data breaches to the Information Commissioner's Office (ICO). To ensure your data is fully protected under GDPR rules we do not transfer information to any service outside the European Economic Area.

We will only store your personal information for as long as we are legally obliged to. This may include a period after our involvement with you ends, if this is the case, we will archive the information securely until such time as it may be securely and effectively destroyed or permanently erased from our IT systems. In some circumstances we may anonymise your data so that it no longer shows your identification, in which case we may retain such information for a longer period.

Your rights in relation to personal data

As a data subject you have the right to access and control the data that we hold about you. With regards to your personal information you can:

- Request access from the data controller to your personal information.
- Request correction or deletion if our information is inaccurate, incomplete or unnecessary
- Withdraw consent (where we process data based on you having given consent)
- Data portability - request the data we hold be passed to another service
- Request restriction of our processing of your personal data where:
 - The individual challenges the accuracy of the *personal data*;
 - The *processing* is unlawful and the individual opposes its erasure;
 - TBL no longer needs the *personal data* for the purposes of the *processing*, but the *personal data* is required for the establishment, exercise or defence of legal claims; or
 - Object to *processing* (on the grounds of a public interest or legitimate interest) pending the verification whether the legitimate grounds of the company override those of the individual.
- Object to your personal data being processed based on a public interest or a legitimate interest. You are also able to object to the *profiling* of your data based

on a public interest or a legitimate interest. TBL shall cease *processing* unless it has compelling legitimate grounds to continue to process the *personal data* which override the individual's interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

If you wish to exercise any of your legal rights, please contact our Data Protection Lead by writing to the address below or by emailing janettewynn@taniabrown.com. If you are unhappy or concerned about the way we manage your data, you should address this with your case manager in the first instance and, if necessary, in writing to our data protection lead. If your concerns are not resolved to your satisfaction or you believe we are not complying with the laws and regulations relating to the use/storage of the information you give us, or that we collect about you, you can lodge a complaint with the Information Commissioner's Office (ICO) via their website.

For the purpose of UK data protection laws, the data controller is as follows:

Data Controller: Tania Brown Limited (TBL)
Unity House, Westwood Park Drive, Wigan, WN3 4HE
Tel: 01257 473967 Email: info@taniabrown.com

Data Protection Lead: Janette Wynn