

REHAB WITHOUT WALLS
INFORMATION NOTICE FOR PARENTS

Data controller (“RWW”): Rehab Without Walls, 27 Presley Way, Crownhill
Milton Keynes MK8 0ES

Controller’s representative: Melanie Bristow, Director of Operations

Introduction

Rehab Without Walls (RWW) collects information about a child, so that through the process of providing case management we can identify, coordinate, and put in place the best possible rehabilitation and care packages for them.

RWW is committed to being transparent about how it handles a child’s personal information, how it protects the privacy and security of their personal information and meets its data protection obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018. The purpose of this information notice is to make the child and those with parental responsibility aware of how and why we will collect and use a child’s personal information both during, and after their relationship with RWW. We are required under the GDPR to notify you of the information contained in this privacy notice.

RWW has appointed a data compliance lead to oversee compliance with this privacy notice. If you have any questions about this privacy notice or about how we handle your personal information, please contact Melanie Bristow on (01908) 560041, or by email on melanie.bristow@rehabwithoutwalls.co.uk.

Data protection principles

Under the GDPR, there are six data protection principles that RWW must comply with. These provide that the personal information we hold about your child must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits a child’s identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

RWW is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

What types of personal information do we collect about a child?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn’t include anonymised data, i.e. where all identifying particulars have been removed. There are also “special categories” of personal information which require a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life or sexual orientation and genetic and biometric data.

RWW collects, uses and processes a range of personal information about a child. This includes:

- their contact details, including their name, address, telephone number and email address
- their emergency contact details
- next of kin information
- their date of birth
- their gender
- details of their GP
- details of their personal injury solicitor
- details of their financial deputy
- details of their accident or injury
- information about their family
- information about any care they may be receiving or will need to receive
- details of their education

RWW may also collect, use and process the following special categories of a child's personal information (as applicable):

- information about their health, including any medical conditions, medical reports and related correspondence
- information about their racial or ethnic origin, religious or philosophical beliefs and sexual orientation

How do we collect a child's personal information?

RWW may collect personal information about a child in a variety of ways. It is collected during the instruction process, either directly from a child and their parent(s), or from the person referring the child to RWW for case management, such as a solicitor or financial deputy. We may also collect personal information from other external third parties, such as a child's GP and other healthcare professionals involved in their rehabilitation.

We will also collect additional personal information throughout the period that the child is a client of RWW.

The child's personal information may be stored in different places, including in their client file, and in other IT systems, such as the e-mail system.

Why and how do we use your child's personal information?

We will only use a child's personal information when the law allows us to. These are known as the legal bases for processing. We will use a child's 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 to provide case management services to a child
- 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 their interests or their fundamental rights and freedoms do not override our interests.

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

We need all the types of personal information listed under "*What types of personal information do we collect about a child?*" primarily to enable us to perform our contract to provide case management services and to enable us to comply with our legal obligations.

The purposes for which we are processing, or will process, a child's personal information are to:

- enable us to maintain accurate and up-to-date contact details
- performance of our contracted case management or expert role

Please note that we may process a child's personal information without your consent, in compliance with these rules, where this is required or permitted by law.

What if you fail to provide personal information about a child?

If certain personal information when requested or required is not provided, we may not be able to perform the contract we have entered into to provide case management, or provide an expert report or we may be prevented from complying with our legal obligations.

Why and how do we use a child's sensitive personal information?

We will only collect and use a child's sensitive personal information, which includes special categories of personal information and information about their health and criminal offences, when the law allows us to.

In this case, we will first provide those with the parental responsibilities with full details of the personal information we would like and the reason we need it, so that they can properly consider whether they wish to consent or not. It is entirely their choice whether to consent. Those with parental responsibility can withdraw consent at any time.

We may also process these special categories of personal information, and information about any criminal offences, where we have your explicit written consent.

The purposes for which we are processing, or will process, these special categories of a child's personal information, and information about any criminal convictions and offences, are:

- to be able to carry out a full assessment of a child's rehabilitation and care needs
- to enable us to make referrals to relevant healthcare professionals
- to enable us to make referrals to care agencies
- to enable us to make referrals to relevant specialist services, such as architects for housing adaptations or vehicle suppliers for adapted vehicles
- to make referrals for safeguarding

Where RWW processes other special categories of personal information, i.e. information about a child's racial or ethnic origin, religious or philosophical beliefs and sexual orientation, this is done only for the purpose of equal opportunities monitoring and in line with our data protection policy. Personal information that RWW uses for these purposes is either anonymised or is collected with explicit written consent from those with parental responsibility, which can be withdrawn at any time. It is entirely the choice of those with parental responsibility whether to provide such personal information.

We may also occasionally use a child's special categories of personal information, and information about any criminal offences, where it is needed for the establishment, exercise or defence of legal claims

Change of purpose

We will only use a child's personal information for the purposes for which we collected it. If we need to use a child's personal information for a purpose other than that for which it was collected, we will provide those with parental responsibility, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process the child's personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

Who has access to a child's personal information?

A child's personal information may be shared internally within RWW, including with members of the RWW management team, the case managers team, the administrative team, the accounts department, the case manager's line manager, if access to a child's personal information is necessary for the performance of their roles.

RWW may also share a child's personal information with third-party service providers (and their designated agents), including:

- healthcare professionals
- a child's GP
- care agencies
- educational professionals
- providers of specialist disability equipment or services
- we may also need to share a child's personal information with a regulator (such as with the Care Quality Commission) or to otherwise comply with the law.

We may share a child's personal information with third parties where it is necessary to administer the contract we have entered into, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

How does RWW protect a child's personal information?

RWW has put in place measures to protect the security of a child's personal information. It has internal policies, procedures and controls in place to try and prevent their personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to a child's personal information to those employees, and other third parties who have a business need to know in order to perform their job duties and responsibilities. You can obtain further information about these measures from our data compliance lead (details on page 6).

Where a child's personal information is shared with third-party service providers, we require all third parties to take appropriate technical and organisational security measures to protect the child's personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. We only allow them to process a child's personal information for specified purposes and in accordance with our written instructions and we do not allow them to use the child's personal information for their own purposes.

RWW also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and those with parental responsibilities of a suspected breach, where we are legally required to do so.

For how long does RWW keep your child's personal information?

RWW will only retain a child's personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, health and safety, or reporting requirements.

RWW will generally hold a child's personal information only for the duration of their contract with the company.

Personal information which is no longer to be retained, will be securely and effectively destroyed or permanently erased from our IT systems and we will also require third parties to destroy or erase such personal information where applicable.

In some circumstances we may anonymise a child's personal information so that it no longer permits their identification. In this case, we may retain such information for a longer period.

A child's rights in connection with their personal information

It is important that the personal information we hold about a child is accurate and up to date. Please keep us informed if their personal information changes, e.g. a change of their home address, during their contract with RWW. RWW cannot be held responsible for any errors in a child's personal information in this regard, unless those with parental responsibilities have notified RWW of the relevant change(s).

As a data subject, a child has a number of statutory rights. Subject to certain conditions, and in certain circumstances, those with parental responsibilities have the right to:

- request access to a child's personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about a child and to check that we are lawfully processing it
- request rectification of a child's personal information - this enables any inaccurate or incomplete personal information we hold about a child to be corrected
- request the erasure of a child's personal information - this enables those with parental responsibilities to ask us to delete or remove a child's personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- restrict the processing of a child's personal information - this enables those with parental responsibilities to ask us to suspend the processing of a child's personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- object to the processing of a child's personal information - this enables those with parental responsibilities to ask us to stop processing a child's personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to their particular situation which makes those with parental responsibilities decide to object to processing on this ground
- data portability - this gives those with parental responsibilities the right to request the transfer of a child's personal information to another party so that it can be reused across different services for a child's own purposes.

If those with parental responsibilities wish to exercise any of these rights, please contact our data compliance lead. We may need to request specific information from you in order to verify your identity and check your right to access the personal information of a child or to exercise any of your other rights. This is a security measure to ensure that a child's personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where a person with parental responsibilities has provided their consent to the processing of a child's personal information for a specific purpose, they have the right to withdraw their consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact our data compliance lead. Once we have received notification that you have withdrawn your consent, we will no longer process the child's personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that RWW has not complied with a child's data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Transferring personal information outside the European Economic Area (EEA)

RWW will not transfer a child's personal information to countries outside the EEA.

Changes to this privacy notice

RWW reserves the right to update or amend this privacy notice at any time, including where RWW intends to further process a child's personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue those with parental responsibilities with a new privacy notice when we make significant updates or amendments. We may also notify those with parental responsibilities about the processing of a child's personal information in other ways.

Contact

If you have any questions about this privacy notice or how we handle a child's personal information, please contact our **data compliance lead** as follows:

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27 Presley Way
Crownhill
Milton Keynes
MK8 0ES

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