

GDPR Procedure and Policy

Policy Statement

This document outlines the policy and procedures VRCARE SOLUTIONS uses when handling data. All staff should familiarise themselves with this document and it should be read by all staff at least once a year, and when it gets amended, to refresh their knowledge. It is important that all staff understand this document, so should you have any questions, please speak to your line manager immediately.

Policy Aims

- Lawful, fair and transparent use of personal data.
- Using personal data for the purpose for which it was collected.
- Ensuring personal data is adequate and relevant.
- Ensuring Personal data is accurate.
- Ensuring personal data is only retained for as long as it is needed.
- Ensuring personal data is kept safe and secure.

1. Data Protection Principles

VRCARE SOLUTIONS

Ltd is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary for relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to the implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures."

2. General provisions

- a. This policy applies to all personal data processed by VRCARE SOLUTIONS.
- b. This policy may affect the following groups: All Staff; Service Users; Commissioners

- c. The Responsible Person shall take responsibility for VRCARE SOLUTIONS's ongoing compliance with this policy.
- d. This policy shall be reviewed at least annually.
- e. VRCARE SOLUTIONS shall register with the Information Commissioner's Office as an organisation that processes personal data.

3. Lawful, Fair and Transparent Processing

- a. To ensure its processing of data is lawful, fair and transparent, VRCARE SOLUTIONS shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to VRCARE SOLUTIONS shall be dealt with in a timely manner.

4. Lawful purposes

- a. All data processed by VRCARE SOLUTIONS must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests (see ICO guidance for more information).
- b. VRCARE SOLUTIONS shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the VRCARE SOLUTIONS's systems.

5. Data Minimisation

- a. VRCARE SOLUTIONS shall ensure that personal data are adequate, relevant and limited to what is necessary for relation to the purposes for which they are processed.
- b. VRCARE SOLUTIONS will carry out regular Audits to ensure it complies with GDPR requirements
- c. An initial Privacy Impact Assessment template will be provided and used to carry out audits

6. Accuracy

- a. VRCARE SOLUTIONS shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.
- c. Staff training will be carried out for those handling personal data and may include setting up Data Protection Officers if it is a requirement
- d. VRCARE SOLUTIONS will share this policy with all staff.

7. Archiving / Removal

- a. To ensure that personal data is kept for no longer than necessary, VRCARE SOLUTIONS shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. VRCARE SOLUTIONS shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, VRCARE SOLUTIONS shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO (more information on the ICO website).

A policy and procedure for breach notification will be circulated to all staff, together with a process map for VRCARE SOLUTIONS to follow if a breach of GDPR takes place will be published.

Key Question: What impact would these have on the business?

Persons handling personal data should be aware of the following:

- Compliance to GDPR is MANDATORY;
- Personal data is protected better by GDPR;
- VRCARE SOLUTIONS will adopt an appropriate and proportional approach. What is right and necessary for VRCARE SOLUTIONS may not be right for another Organisation.
- Compliance reduces the risk for fines;
- All members of staff must understand the contents of this policy;
- VRCARE SOLUTIONS will appoint a person who will have overall responsibility for managing GDPR.

Procedure

- All staff should review the GDPR policies and procedures and guidance that will be produced over the next few months as well as receive training.
- VRCARE SOLUTIONS will nominate a person or team to be responsible for data protection and GDPR compliance.
- Nominated person should ensure all staff understand the policies and procedures provided, including how to deal with a Subject Access Request and what to do if a member of staff breaches GDPR.
- Carry out an audit of the personal data currently held by VRCARE SOLUTIONS.
- Any personal data that VRCARE SOLUTIONS no longer needs will be securely deleted or destroyed based on the results of the audit conducted, taking into account any relevant guidance, such as the Records Management Code of Practice for Health and Social Care 2016.
- Where necessary a Fair Processing Notice to Service Users will be sent out.

- Consent must be obtained from each Service User in line with GDPR regulations (the Consent Form provided can be used for this purpose).
- VRCARE SOLUTIONS will ensure that processes and procedures are in place to respond to requests made by Data Subjects (including Subject Access Requests) and to deal appropriately with any breaches or potential breaches of GDPR.
- The nominated Individual will maintain a log of decisions taken and incidents that occur in respect of the personal data processed by VRCARE SOLUTIONS.

Key Question: What rights do people affected by this service have?

People affected by this service have the following rights:

- Right to see what information we have about you;
- Right to be forgotten;
- Right to object to certain types of processing;
- Right to have amendments done regarding their personal data;
- No information will be held without the prior consent in line with GDPR requirements;
- Confidentiality policies will be adhered too as well as the GDPR policy;
- Personal data held will always be protected

Outstanding Practice

- Staff training in GDPR policies and processes.
- Conduct regular reviews and audits of personal data to ensure continued compliance.
- Conduct Privacy Impacts Assessments on each process to identify any potential risks and adjust accordingly.
- Further reading is recommended:

1. The Data Protection Act 2018
2. The General Data Protection Regulation 2016 (EU) 2016/679
3. Information Commissioner's Office, (2018), Guide to the General Data Protection Regulation (GDPR) [Online] Available from: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
4. The Records Management Code of Practice for Health and Social Care 2016 has been issued by the Information Governance Alliance for the Department of Health. It is available on the NHS Digital website <https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

Monitoring and Review

The Company Secretary will check this policy is working properly and they will review it at least once a year. We will make improvements to the policy wherever we can.

Employees are invited to suggest any ways the policy can be improved.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

After reading this Policy, you should be able to:

- Understand what GDPR Procedure and Policy is and how the GDPR Procedure and Policy operates;
- Understand how GDPR Procedure and Policy operates at VRCARE SOLUTIONS and have an awareness of the actions we take in preventing, identifying and reporting concerns;
- Understand the role you play in GDPR Procedure and Policy

If you have not understood any of these points, please ask your Line Manager or trainer for further help.

Policy Review

A Director will review this policy at least once a year to make any updates needed.

Authorisation and Signature

This Policy is the authorised version agreed by the Directors of VRCARE SOLUTIONS

All employees are expected to follow this policy and failure to do so could result in disciplinary action.

Vineed Antony

Director's Signature

VINEED ANTONY

Director