



Review Sheet



Last
Reviewed
24 May 2025



Last
Amended
6 Jun 2024



This policy will be reviewed as needs require or at the following interval:
Annual

Business Impact:



Minimal action required. Circulate information amongst relevant parties.

Reason for this Review:

Scheduled review

Changes Made:

No

Summary:

This Website Privacy and Cookies Policy and Procedure has been reviewed with no changes required at this time as guidance remains stable while the Data Protection and Digital Information Bill is progressed. The Further Reading section has been updated to reference additional relevant policies and procedures.

Relevant Legislation:

- Data Protection Act 2018
- UK GDPR
- The Privacy and Electronic Communications (EC Directive) Regulations 2003

Underpinning Knowledge:

- Author: Information Commissioner's Office, (2018), Cookies and similar technologies [Online] Available from: <https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guide-to-pecr/cookies-and-similar-technologies/> [Accessed: 24/05/2025]
- Author: Information Commissioner's Office, (2021), UK GDPR guidance and resources [Online] Available from: <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/> [Accessed: 24/05/2025]

Suggested Action:

- Encourage sharing the policy through the use of the QCS App
- Share 'Key Facts' with relevant staff

Equality Impact Assessment:

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



1. Purpose

1.1 To provide a template Website Privacy Policy that Topioneer Care Limited can adapt to use on their website.

1.2 By using the template Website Privacy Policy provided, Topioneer Care Limited will ensure that the policy on their website is UK GDPR compliant.

1.3

Key Question

Quality Statements

WELL-LED

QSW5: Governance, management and sustainability

1.4 Relevant Legislation

- Data Protection Act 2018
- UK GDPR
- The Privacy and Electronic Communications (EC Directive) Regulations 2003



2. Scope

2.1 Roles Affected:

- All Staff

2.2 People Affected:

- Service Users
- Website Users

2.3 Stakeholders Affected:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS



3. Objectives

3.1 To provide assurance that Topioneer Care Limited has a Website Privacy Policy in place for users of its website that is UK GDPR compliant.

3.2 To establish ways of working in terms of the use, storage, retention and security of personal data.

3.3 To ensure that all data subjects, including Service Users, understand the ways in which their personal data is collected and processed by Topioneer Care Limited via its website. Topioneer Care Limited acknowledges that it may require additional privacy policies in

relation to data subjects other than website users, and understands that template external and employee privacy policies have also been provided.



4. Policy

4.1 Topioneer Care Limited understands that if it operates a website, it needs to ensure its Website Privacy Policy complies with UK GDPR. Topioneer Care Limited will use the Website Privacy Policy template as a template for its updated version.

Topioneer Care Limited understands that the Website Privacy Policy only needs to be uploaded to its website if personal data is collected via the website.

Topioneer Care Limited will consider using the Website Privacy Policy template to inform all website users about how their personal data is processed. Topioneer Care Limited may wish to consolidate this Website Privacy Policy with the Template Privacy Policy - External that has also been provided.

4.2 Topioneer Care Limited understands that the Website Privacy Policy template can be found in the UK GDPR suite within QCS Compliance Centre.

Topioneer Care Limited understands that terms in square brackets are optional (depending on whether or not they apply to Topioneer Care Limited).

Topioneer Care Limited must review the Website Privacy Policy in its entirety to determine which elements are applicable to its website, and which are not relevant.

For example:

- If the template Website Privacy Policy refers to personal data that is not collected by Topioneer Care Limited via its website, Topioneer Care Limited can remove this
- If the website of Topioneer Care Limited does not use cookies, they will delete references to cookies and the Cookie Policy
- If Topioneer Care Limited does not transfer personal data outside of the UK and EEA, they will delete the section entitled "Where we store your personal data"
- If Topioneer Care Limited is not required to appoint a Data Protection Officer, they will delete references to the Data Protection Officer
- Topioneer Care Limited may consider replacing Data Protection Officer references with 'Privacy Officer' instead, referencing the person nominated to have day-to-day responsibility for data protection and UK GDPR; or
- If Topioneer Care Limited uses personal data collected via its website in a way that is not described in the Privacy Policy, it must consider incorporating additional sections

This Website Privacy Policy directs users to a webpage with a contact form or contact details if they wish to contact Topioneer Care Limited. Topioneer Care Limited will consider whether to provide an alternative contact method instead, such as an email address and/or phone number.

If Topioneer Care Limited has any concerns or queries in respect of the template Website Privacy Policy, they must seek legal advice.

4.3 UK GDPR has changed the way cookies should be incorporated into websites and what information about the cookies should be provided. This means that Topioneer Care

Limited must explain what cookies will be set and what the cookies achieve.

Topioneer Care Limited must obtain consent from individuals to store or use cookies that are not strictly necessary for the website to function properly. Such consent must comply with UK GDPR, which means that Topioneer Care Limited cannot rely on implied consent to the use of cookies.

Topioneer Care Limited will ensure that it uses a cookie banner or other appropriate consent process on its website to obtain consent to the use of cookies in line with this policy and that if no consent is obtained, no cookies will be set other than strictly necessary cookies.

Topioneer Care Limited understands that strictly necessary cookies may be enabled by default and the user should not be able to disable strictly necessary cookies, but information should still be provided about strictly necessary cookies within the cookie policy of Topioneer Care Limited.

4.4 Topioneer Care Limited must, therefore, update its processes for collecting consent for cookies. In practice, this means:

- Users must take a clear and positive action to consent to non-essential cookies
- The websites and apps of Topioneer Care Limited must tell users clearly what cookies will be set and what they do, including any third-party cookies
- Pre-ticked boxes or any equivalents, such as sliders defaulted to 'on', cannot be used for non-essential cookies
- Non-essential cookies must not be set on landing pages before the user's consent is gained
- Users must be given the option to 'reject all' cookies within a popup cookie banner (with the exception of strictly necessary cookies)

Consent is not required for cookies that are defined as 'strictly necessary' or that fall within the communication exemption. 'Strictly necessary' cookies are those that are essential to providing the service requested by the user. Such cookies must be essential to fulfil their request. Those that are simply helpful or convenient, but not essential, or that are essential for the purposes of Topioneer Care Limited, will still require consent.

Topioneer Care Limited must note, in particular, that cookies used for analytical purposes or those used for marketing and advertising will always need consent as they are considered to be non-essential.

Topioneer Care Limited should read the ICO's cookie guidance for further information on the types of cookie that require consent.



5. Procedure

5.1 Topioneer Care Limited will consider whether or not it collects personal data via its website (for example, via enquiry forms, requests to be sent newsletters, requests for provision of services) and whether it needs a Website Privacy Policy. Topioneer Care Limited acknowledges that the use of cookies may constitute processing of personal data via the website.

5.2 Topioneer Care Limited will adapt the Website Privacy Policy before uploading it to its website to ensure that all aspects of the Website Privacy Policy are relevant and reflect the ways in which Topioneer Care Limited processes personal data collected via its website.

5.3 Topioneer Care Limited will use Template Privacy Policy - External and Template Privacy Policy - Employees to inform all other data subjects, including Service Users, about how Topioneer Care Limited processes personal data other than personal data collected via the website.



6. Definitions

6.1 Data Subject

- The identified or identifiable individual about whom Topioneer Care Limited has collected personal data

6.2 Data Protection Act 2018

- The Data Protection Act 2018 is a United Kingdom Act of Parliament that updates data protection laws in the UK. It sits alongside the UK General Data Protection Regulation and implements the EU's Law Enforcement Directive

6.3 UK GDPR

- The UK GDPR is the retained EU law version of GDPR that forms part of English law
- **General Data Protection Regulation (GDPR)** (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union

6.4 Personal Data

- Any information about a living person from which that person can be identified directly or indirectly including but not limited to names, email addresses, postal addresses, job roles, photographs, CCTV, online identifiers and special categories of data as defined in section 6.7

6.5 Process or Processing

- Doing anything with personal data, including but not limited to collecting, storing, holding, using, amending or transferring it. Topioneer Care Limited does not need to be doing anything actively with personal data - at the point Topioneer Care Limited collects it, it is processing it

6.6 Special Categories of Data

- A term for personal data that is sensitive and personal in nature. Special categories of data include but are not limited to medical and health records (including information collected as a result of providing health care services), Care Plans, generic and biometric data and information about a person's religious beliefs, ethnic origin and race, sexual orientation, trade union membership and political views

6.7 Cookies

- Cookies are small text files sent from a website and stored on a user's computer, either temporarily or permanently. They are designed to hold a modest amount of data specific to a particular client so that a website can identify the user and can be used in a number of ways such as to analyse traffic to a website, support users logging in or track users' browser activity

6.8 ICO

- The Information Commissioner's Office



7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The Website Privacy Policy applies to personal data collected via the website of Topioneer Care Limited



8. Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- Personal data provided to Topioneer Care Limited via its website will be processed in accordance with the Website Privacy Policy at Topioneer Care Limited



Further Reading

Please find the forms below in the Forms section of the GDPR suite of policies within QCS Compliance Centre:

- Cookie Example Policy Statement
- Website Privacy Statement
- Template Privacy Policy - External
- Template Privacy Policy - Employees

BBC - What do I need to know about cookies?

<https://www.bbc.co.uk/usingthebbc/cookies/what-do-i-need-to-know-about-cookies/#:~:text=Cookies%20are%20small%20text%20files,We%20use%20them%20to%3A&text=To%20deliver%20advertising%20to%20websites,remembering%20your%20preferences%20and%20settings.>



Outstanding Practice

To be "outstanding" in this policy area you could provide evidence that:

- Topioneer Care Limited ensures it uses an appropriate popup cookie banner to seek consent to the use of cookies in line with legislative requirements
- Topioneer Care Limited ensures that the Website Privacy Policy is supplemented by additional privacy policies on the basis of the Template Privacy Policy - External and the Template Privacy Policy - Employees
- Topioneer Care Limited ensures that clear links are available to the privacy policy on its website and that, if a person inputs personal data into the website, they are directed to the policy and required to accept its terms
- Topioneer Care Limited has modified the template Website Privacy Policy to ensure that it includes all information relevant to the collection of personal data via its website and has uploaded a copy to its website

- The wide understanding of the policy is enabled by proactive use of the QCS App



Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Cookies Example Policy Statement - GDPR08	When Topioneer Care Limited has no information on the use of cookies on its website (a "Cookie Policy"). It can be used with the Website Privacy Statement.	QCS
Website Privacy Policy Statement - GDPR08	To be used on a website if the website processes personal data.	QCS
Pop Up Cookie Banner	To seek consent to the use of cookies where cookies other than strictly necessary cookies are used on a website	QCS

Cookies Example Policy Statement - GDPR08

COOKIES WEBSITE STATEMENT

Cookies are small text files which a website may put on your computer or mobile device when you first visit the website. The cookies will help the website recognise your device the next time you visit. Web beacons or other similar files can also do the same thing. We use the term 'cookies' in this policy to refer to all files that collect information in this way.

We use cookies to distinguish you from other users of the website. This helps us to provide you with a good experience when you use the website and also allows us to improve the services we provide to you.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are essential in order to enable you to move around the website and use its features, such as accessing secure areas of the website. Disabling them may mean you are not able to access parts of our website
- **Analytical or performance cookies.** *We use these cookies to collect information about how visitors use the website, for instance, which pages visitors go to most. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily. Some of these cookies are known as analytic cookies which allow us to monitor website traffic using industry accepted third parties. [If you do not use analytical or performance cookies, you can delete this policy entry]*
- **Functionality cookies.** These cookies are used to recognise you when you return to our website and to remember changes you have made to things such as text size, fonts and other parts of the website you can change so we can personalise our content for you. **[If you do not use functionality cookies, you can delete this policy entry]**
- **Targeting cookies.** *We use these cookies to record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may share this information with third parties for this purpose. [If you do not use targeting cookies, you can delete this policy entry]*

For more details on the specific cookies we use, why we use them and when they will expire, please see **Part 1 of Appendix 1** of this Cookie Policy.

[Please note that third parties (such as advertising networks and providers of external services) may also use cookies on the website, over which we have no control. These cookies are likely to be analytical cookies, performance cookies or targeting cookies. **Part 2 of Appendix 1** of this Cookie Policy provides a list of the

third parties who may use these cookies and the reasons for which they use them.]
[If you do not use third parties for these services, you can delete this policy entry.]

Most browsers accept cookies automatically, but you can change your cookie preferences by adjusting your browser settings to refuse the setting of all or some cookies if you prefer. You can usually do this by visiting the 'options' or 'preferences' menu on your browser. Please note, however, that if you do this and choose to block all cookies (including essential cookies), we cannot guarantee that your experience will be as fulfilling as it would otherwise be, and you may not be able to access all or parts of our website.

Where we collect personal data as part of our use of cookies on the website, we will do so in accordance with our Privacy Policy ***[insert hyperlink to Privacy Policy]***.