20e Privacy Notice

Version Number	Amendments Made	Date
1	Previous Privacy Notices and Policy amalgamated into this one notice by Hope and May	November 26
2		

Approved by	Brendan Dunphy
Date of Issue	November 26
Review due (date)	November 28

This Privacy Notice explains when and why we collect personal information about you, how we use it and the conditions under which we may disclose it to others. Your personal data is defined as any information that can directly or indirectly identify you. This notice also explains how we keep your data safe and secure and includes information you need to know about your rights and how to exercise them. If you have any questions regarding our Privacy Notice and our use of your personal data, or would like to exercise any of your rights, please get in touch via the following information:

Contact us at:

Admin – info@thelowdownnorthampton.co.uk or call 01604 634385

Who are we?

We are The Lowdown Northampton and for the purposes of UK Data Protection Law, we are registered with the ICO. We are a mental health charity that provides free and confidential support services in Northamptonshire.

Personal data collected, how and why we collect it, and on what lawful basis.

Please click on the relevant appendices below:

Appendix 1 – Human Resources

Appendix 2 – Service Users

Appendix 3 – Fundraising and Marketing

Your Rights

Under data protection laws in the UK and EU, you have certain rights over the personal information that we hold about you. If you would like to exercise your rights, please get in contact with any of the details listed above. Here is a summary of the rights we think apply:

Right to be Informed

You have the right to be informed as to how we use your data and under what lawful basis, we carry out any processing. This Privacy Notice sets this information out however if you would like further information, please get in touch.

Right of Erasure – also known as the right to be forgotten

You may ask us to delete some or all your information we hold about you. Sometimes where we have a legal obligation, we cannot erase your personal data.

Right to Object

You have the right to object to processing where we are using your personal information such as where it is based on legitimate interests or for direct marketing.

Inaccurate personal information corrected

Inaccurate or incomplete information we hold about you can be corrected. The accuracy of your information is important to us, and we are working on ways to make this easier for you to review and correct the information that we hold about you. If any of your information is out of date or if you are unsure of this, please get in touch through any of the contact details listed in this notice.

Right of restriction

You have a right to restrict the processing of some or all your personal information if there is a disagreement about its accuracy, or we are not lawfully allowed to use it.

Right to access your information

You have a right to request access to a copy of your personal information that we hold about you, along with the information on what personal information we use, why we use it, who we share it with, how long we keep it for and whenever it has been used for automated decision making. You can make a request for access free of charge and proof of identity is required.

Automated decision making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. You have the right to question the outcome of automated decisions that may create legal effects or create a similar significant impact on you.

Portability

You can ask us to provide you or a third party with some of the personal information that we hold about you.

Right to withdraw consent

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data

Transferring your information outside of the United Kingdom

Where personal data is stored outside of the UK and the EEA, safeguards to protect personal data may include but are not limited to the UK Addendum used in conjunction with the EU Standard Contractual Clauses (SCCs), or UK International Data Transfer Agreement (IDTAs). Such safeguards will be subject to Transfer Risk Assessments (TRAs).

Complaints procedure

If you are unhappy with how we handle your personal data, you have the right to raise a complaint with us.

You can contact us by using the details mentioned above. Please provide:

- Your name and contact details
- A clear description of your concern
- Any relevant dates or reference numbers

What Happens Next?

1. We will acknowledge your complaint within 30 days of receiving it.
2. We will investigate your concerns.
3. We may contact you if we need further information.
4. We will respond as soon as possible and without undue delay.

Our response will explain:

- What we have found
- Whether any action has been taken
- What happens next

If You Are Not Satisfied

If you remain unhappy with our response, you have the right to complain to the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113
Website: https://ico.org.uk

Accessibility

If you require this information in an alternative format, please contact us and we will be happy to assist.

Changes to our Privacy Notice

This privacy notice is kept under regular review. If we make any significant changes to the way in which we process your information, we will let you know by either reaching out to you or posting a banner on the website.

APPENDIX 1 – Human Resources

Freelancers, Job applicants and current and former employees, trustees, volunteers, students

1. **How and when do we collect information about you?**

You provide several pieces of data to us directly during the recruitment period and subsequently upon the start of your employment/engagement. In some cases, we will collect data about you from third parties, such as employment agencies or former employers when gathering references. We may sometimes collect additional information from third parties, including former employers, the Disclosure and Barring Service etc.

2. **What types of information is collected about you and who provides it?**

We keep several categories of personal data on our employees/volunteers/students/freelancers/job applicants/ trustees in order to carry out effective and efficient processes. Specifically, depending on your type of engagement with The Lowdown, we may process the following types of data:

- personal details such as name, address, phone numbers
- name and contact details of your next of kin
- race, ethnicity, religious beliefs, sexual orientation and political opinions
- your photograph, your gender, marital status
- footage of the organisation events where you may appear
- information of any disability or other medical information you have disclosed

- right to work documentation
- qualifications
- copy of driving licence
- information gathered via the recruitment process such as that included in a CV, cover letter or application form, references from former employers, details on your education and employment history etc
- National Insurance number, bank account details and tax codes
- information relating to your employment with us (e.g. job title, job description, salary, terms and condition of the contract, annual leave records, appraisal and performance indication, formal and informal proceedings involving you such as letters of concern and disciplinary and grievance proceedings.
- internal and external training modules/courses undertaken
- information on time off from work including sickness absence, family related leave etc.
- IT equipment use and allocation including telephones and internet access
- Trade union membership
- We may also process special category of data which include health information, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, genetic and biometric data. We also process criminal records information if the role involves DBS check.

3. How is the information used?

We are required to use your personal data for various legal and practical purposes for the administration of your contract of employment or your volunteer/trustee/placement agreement, without which we would be unable to employ you. Holding your personal data enables us to meet various administrative tasks, legal obligation or contractual/agreement obligation. We process information in relation to the DBS for our safe recruitment practices.

4. Lawful basis for processing

We mainly use 'contractual obligation' as a lawful basis for processing personal data for employees, job applicants and freelancers. We use 'legitimate interest' for processing information on trustees and volunteers. We may also have legal obligation in order to process and share your data, for example we need to share salary information to HRMC or use some of your data to enrol a new employee on a pension scheme.

We may rely on our legitimate interest in processing activity such as keeping supervision and appraisal records; using your image, bio and videos/pictures of the organisations' events where you may appear on our website or marketing/fundraising materials to promote the charity.

Some special categories of personal data, such as information about health or medical conditions is processed in order to carry out employment law obligations (such as those in relation to colleagues with disabilities and for health and safety purposes). We may also process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief for the purposes of equal opportunities monitoring, for which we rely on substantial public interest along with equality of opportunity. To process health information in case of reasonable adjustments, we rely on employment law along with health or social care purposes.

When processing criminal records (for example, in order to perform DBS check), the organisation relies on the lawful basis of legitimate interest along with preventing or detecting unlawful acts. When processing special category of data and criminal records, we rely on additional conditions of the UK GDPR and DPA 2018.

5. **How long and where do we keep your data?**

We create and maintain an employment "file" for each staff member. The information contained in this file is kept secure in a secure location or in our HR software and is only used for purposes directly relevant to your employment. This is password protected and has controlled access.

We only keep your data for as long as we need it for, which will be at least for the duration of your employment/engagement with us though in some cases we will keep your data for a period of 6 years after your employment/engagement has ended. If you've applied for a vacancy but your application hasn't been successful, we will keep your data only for 12 months.

Some data retention periods are set by the law. Retention periods can vary depending on why we need your data. Please get in touch by contacting us using the details above if you want to know more about retention period.

Data is destroyed or deleted in a secure manner as soon as the retention date has passed.

6. **Confidentiality - who do we share your data with?**

Personal Data in relation to your salary is shared with HRMC as part of our legal obligation. Personal Data may be shared with third parties for the following reasons: for the administration of payroll, to our pension provider (NEST), to execute HR functions and administering other employee benefits (such as the Childcare Voucher Scheme) and sharing information with professional bodies such as the BACP, our regulators, for example, CQC, the Charity Commission etc. We share such information on the basis of legal obligation and legitimate interest.

APPENDIX 2 – Service Users

1. **How we collect information about you?**

We may collect the following information about you when you engage with us: name, date of birth, contact details, gender, next of kin and emergency contact details, personal history, difficulties being faced, safeguarding information, name and address of the family GP and school, information relating to the involvement of any other organisation relevant to the service The Lowdown provides (CAMHS

or social services). We may collect special category data such as race, ethnicity, sexual orientation, religious beliefs and health information. We may also take your photographs for use on our website and newsletter but only with your permission or that of your parent/caregiver.

This information is provided to us by you, parents/caregivers or third parties such as GP, schools or social services. We may also collect information through case studies.

2. **How is your information used?**

We may use your personal information to

- Carry out a thorough assessment of your needs and provide our services;
- Provide an appropriate service which best meets your needs;
- Provide progress reports to funders;
- Monitor and manage risk;
- Assess any safeguarding concerns;
- Conduct evaluations;
- Collate anonymised or pseudonymised statistical information for funders, the charity and delivery partners.

3. **Lawful basis for processing**

To process your information, we rely on the following lawful basis:

- For communicating with you about our services or contacting your next of kin, and to provide our services to you based on your needs, we rely on legitimate interest, substantial public interest read with conditions from the data protection legislation.
- For processing information in the situations involving safeguarding concerns, we rely on vital interest, or legitimate interest read with substantial public interest and conditions from the Data Protection Act.
- To provide evidence of appropriate use of funds to funding bodies, we rely on legitimate interest along with archiving, research and statistics, or we share statistical anonymous information.
- To use your photographs in our newsletter and website, along with using your information for case studies, we rely on consent. For contacting you with our marketing updates, we rely on consent.

4. **How long do we keep your data for?**

We retain the personal data of all service users for a period in line with our retention periods. If you would like to know more about this, please contact us at the email address above. Some data retention periods are set by the law. Data is destroyed or deleted in a secure manner as soon as the retention date has passed.

5. **Confidentiality, data sharing and safeguarding**

- We do not share personal information about you with anyone outside the charity without consent unless the law and our policies allow us to do so.
- When sharing information with funders, we will provide information anonymously.
- To comply with our duty of care and safeguarding, we may need to pass some information raising safeguarding concern with the authorities. In such circumstances, we apply vital interest and legitimate interest as our lawful basis. Data subjects' rights and other UK GDPR provisions may be restricted when concerning personal data processed in these circumstances. Exceptions and exemptions are applied on a case-by-case basis.
- Notes for any service accessed within the agency are kept on the same database system. Should you access multiple Lowdown services your notes may be visible to several Lowdown workers; however, they are ethically and legally obliged only to access notes where there is a relevant and appropriate reason to do so including, but not limited to: appointment booking, recording support and for safeguarding purposes. Access to notes is recorded via an internal audit log that is routinely monitored; they are also bound by organisational confidentiality.

Should you wish to further restrict access to your records please email info@thelowdownnorthampton.co.uk.

APPENDIX 3 – Fundraising and Marketing

Information we collect:

1. When you donate

Information is provided by you via a donation form on our website. The information gathered may be: name, email address, Gift Aid sign up, company name if donation made by an organisation, donation details, reasons to engage and postal address.

This information allows us to process your donation, and deal with any potential enquiry. We rely on our legitimate interest to process this data. If you agree that we can claim Gift Aid on your donations, we are legally required to keep a record of the claim and your Gift Aid declaration. If you are donating using a third party, please also refer to the privacy notice published on their websites.

2. When you sign up to our events

Information is mainly provided by you via our website forms, via third party platforms (e.g. Eventbrite) or in person during the events by paper forms. The information gathered may be: name, email address, company name if applicable, donation/payment details, reasons to engage, postal address, email address contact preference.

This information allows us to administer your sign up, process payments, and deal with any potential enquiry. We rely on the legitimate interest to process this data.

During these types of events, we may also take photographs and video recording of people attending where you may be included. This information allows us to showcase our work and have an effective external communication. We rely on our legitimate interest to process this data. If you are signing up to an event using a third party, please also refer to the privacy notice published on their websites.

3. When you show interest in supporting us (e.g. through a gift in your will or a pledge) and you decide to contact us

Information is provided mainly by yourself, via online forms or phone/email conversation with us. The information gathered maybe: occupation, title, details of any correspondence had with us, date of birth, fundraising appeals responses, event participations with us, details of your reasons to engage with us. This information allows us deal with your enquiry and show you how to get engaged. We rely on our legitimate interest to process this data.

4. Marketing Communications:

Your contact details may be used to provide you with information about our services or our fundraising opportunities via email, text or other electronic message. We will only send you fundraising and marketing communications by email, text or other electronic message if you have provided your consent, or if you have been involved in a commercial transaction with us. You may opt-out of our fundraising and marketing communications at any time by clicking the unsubscribe link at the end of our e-marketing communication. Alternatively, you can let us know by using any of the contact details listed at the top of this notice.