



## **PRIVACY NOTICE**

The Partners for Inclusion Group is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you. It also sets out how we use that information, and other relevant information about your data.

This notice applies to people whom the Organisation supports.

### **Data controller details**

Partners for Inclusion Group is a data controller and data processor, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows: Partners for Inclusion Group, West Kirk, 84 Portland Street, Kilmarnock, KA3 1AA, 01563 825555

### **Data protection principles**

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

### **Types of data we process**

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- bank details

- tax codes
- National Insurance number
- details of your criminal record
- health and wellbeing records
- information in line with multi-disciplinary health and social care teams involved in your service

### **How we collect your data**

We will obtain personal information from you to ensure we provide the individualised service that meets your needs.

### **Why we process your data**

The law on data protection allows us to process your data under a number of lawful basis as detailed below:

- where we have a contractual obligation in doing so
- where we have a legal obligation in doing so
- where we have legitimate interests in doing so
- in respect of vital interests where the processing is necessary to protect someone's life
- where something is done in the public interest
- where you have provided consent

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carry out the contract with local authority to provide an individualised service to you
- ensure compliance with our regulators including Care Inspectorate

### **Special categories of data**

Special categories of data is personal data which is deemed more sensitive, and so needs more protection. Such categories include:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent. Consent, once given, may be withdrawn at any time.

### **Sharing your data**

Your data will be shared with colleagues within the Organisation where it is necessary for them to undertake their duties. This includes, for example, your team to enable them to support you in a way that makes sense to you.

We share relevant data with third parties eg local authority in order to carry out the contract around your service provision.

### **Protecting your data**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

Where we share your data with third parties, we provide written instructions to them to ensure that your data are held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

### **How long we keep your data for**

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of the service we provide to you, though in some cases we will keep your data for a period after your service has ended. Retention periods can vary depending on why we need your data and our legal obligation to maintain appropriate records. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the Partners for Inclusion Group website. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once we no longer provide you with a service we will retain and securely destroy your

personal information in accordance with our data retention policy **OR** applicable laws and regulations.

### **Automated decision making**

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. We should be updated if your personal information changes.

### **Your rights in relation to your data**

The law on data protection gives you certain rights in appropriate circumstances, in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice.
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request.
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it.
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct.
- the right to portability. You may transfer the data that we hold on you for your own purposes.
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests.
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason or legal obligation for doing so.

If you wish to exercise any of the rights explained above, please contact John O'Brien

**Making a complaint**

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

**Data Protection Officer**

The Organisation's Data Protection Officer is John O'Brien. He can be contacted on *01563 825555*.

**Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact John O'Brien**