

AGE UK ISLINGTON

## PRIVACY POLICY – SERVICE USERS

### KEEPING YOUR DATA SAFE

At Age UK Islington we are committed to keeping your personal data safe and secure, and handling it in accordance with our legal obligations. For users of our charity's services this Privacy Policy sets out in detail the purposes for which we process your personal data, who we share it with, what rights you have in relation to that data and everything else we think it's important for you to know

### WHO ARE WE?

Age UK Islington is a registered charity providing services to help people maintain and improve their wellbeing. We provide a range of different types of services. In the main these are provided free of charge.. This is because the money to pay for them comes via service contracts and funding agreements we hold with statutory organisations and grant making trusts. These contracts and funding agreements include various undertakings in relation to, for example, the intended beneficiaries of a particular service, the level or duration of the service to be provided. As a condition of receiving the funding we are also required to provide monitoring information and other evidence of the performance of our services in meeting the intended purposes of the funding..

This means that when you use our services, we ask you to share some of your personal data with us, and we collect information about how you use our services, so that we can personalise the service for you and make decisions about the best way to support you within the resources that we have available. We also combine this data with information that other service users have given us so that we can develop and provide more relevant services to people in the future.

You can find out more about Age UK Islington, our charity objects and the range of services we provide on our website here <https://www.ageuk.org.uk/islington/>

You can also view the charity's Annual Reports via a special section on the website <https://www.ageuk.org.uk/islington/about-us/independent-charity/>, or, via the Charity Commission website here [here](#).

### WHO'S IN CONTROL?

It's important that you understand who is responsible for keeping your data safe. We are the "controller" of all personal data collected and used for the purposes of providing Age UK Islington services and for any other purposes set out in this Privacy Policy. This means that we are responsible for deciding how and why your data is used and for ensuring that your data is handled legally and safely.

In line with these responsibilities, which are set out in General Data Protection Regulations (Regulations), when processing 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 service history with us and 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 lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate)

“Personal data”, or “personal information”, means any information relating to an identified, or identifiable individual in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Under the Regulations there are “special categories” of sensitive personal data, meaning data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, genetic data, and biometric data which require a higher level of protection.

## **WHO DOES THIS PRIVACY POLICY APPLY TO?**

This data protection compliance statement (privacy notice) applies to service users across the range of services provided by the charity.

## **DETAILS OF INFORMATION WE WILL HOLD ABOUT YOU**

The list below identifies the kinds of data that we will hold about you:

- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- date of birth
- gender
- information about people you are living with, your marital or other relationship status
- information about dependants, next of kin and their details
- information about people who may be providing care and support to you
- information about people you may be providing care and support to
- national Insurance number or nhs number
- information included on any referral form from a statutory organization involved in your care and support
- information required for equal opportunities monitoring including about ethnic origin
- internal information relating to your service history with us
- information related to use of our services and/or attendances at events and activities
- internal service information including measurements against indicators of level of need and requirements of our service contracts and funding agreements
- information and relevant communications regarding episodes of support
- information about your use of our information and communications systems

The following list identifies the kind of data that that we will process and which falls within the scope of “special categories” of more sensitive personal information:

- information about your health, including any medical conditions and disabilities
- information about your ethnicity

## METHOD OF COLLECTION OF PERSONAL INFORMATION

Your personal information may be obtained in a number of ways and at different times. This can include when you contact us for the first time, or, as a result of a service application (referral) process, or as a result of us contacting you (to see how you are, for example). Further information may be collected directly from you when you complete forms at the start of some services, or, during the course of a particular service episode, or at the conclusion of an episode of support.

Your information can be provided in a variety of ways, including directly from you, via a practitioner in another organization or via a family member who may be providing care for you

Data may be collected during the course of your engagement with us to enable its continued existence or development.

## PROCESSING INFORMATION ABOUT YOU

We will only administer personal information in accordance with the lawful bases for processing set out in the Regulations. At least one of the following will apply when we process personal data:

- consent: You have given clear consent for us to process your personal data for a specific purpose.
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract.
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations).
- vital interests: the processing is necessary to protect someone's life.
- public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
- legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests.

## LAWFUL BASES FOR PROCESSING YOUR PERSONAL INFORMATION

There may be more than one valid reason for processing your personal information. We consider the primary reasons and main bases for which we will process the data contained in the list above are

1) to enable us to comply with our **legal obligations** and  
2) for the **legitimate interests** of our own and those of certain third parties (including but not restricted to our funders). In processing personal information about you on the basis of our legitimate interests, we will do so provided your fundamental rights do not override these interests, and, provided there is no good reason to protect your interests.

In certain specific areas of service activity, including where there are other kinds of third parties involved, to further protect your interests we will process the data based on **consent**.

The circumstances in which we will process your personal information on the basis of our **Legal Obligations** are listed below

- making decisions about who to offer the charity's services to, having regard to the legal requirements

in our charity constitution. These include the stated objects of the charity, the defined area of benefit and the duties and powers associated with its governance and regulation for the wider public benefit

The circumstances in which we will process your personal information on the basis of our **Legitimate Interests** are listed below.

- making decisions about who to offer the charity's services to, having regard to our contractual obligations to funders and third parties, and the overall resources we have available
- following on from the above, in the event we are able to offer you a service or services, making decisions and carrying out internal processes related to the type of service or activity provided; including making temporary or permanent changes and adjustments as required
- making decisions over time about which service is best suited to support you, taking into account your changing health and wellbeing support needs and the resources we have available to enable us to respond and support you safely, efficiently and effectively
- carrying out individual case work and other supporting processes, including communications, making up the established practice of the organisation's services and activities
- location information related to our area of benefit as a charity, as well as to the terms of our funding agreements, and to the services and activities we provide
- responding to requests from third parties such as a health or social care professional who may have made a referral on your behalf, or, be involved in providing care or support to you.
- maintaining comprehensive up to date records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points are available in the event of an emergency
- maintaining regular contact with you over time via relevant organisation communications regarding our services and other potential services and activities that may be of benefit to you
- effectively monitoring both your service history with us and our performance in supporting you, in order plan and make changes and adjustment with regard to both of these if the need arises
- analyzing the efficiency and effectiveness of our services over time and for particular individuals or groups of individuals, in order to meet the reporting requirements built into our funding agreements, and to plan for and improve the work of the charity for the future.
- offering a method of recourse for you against decisions made about you via a complaints procedure
- implementing an effective service management system including monitoring the type and level and results of services we have provided and subsequent actions to be taken including the making of reasonable adjustments
- providing information in support of Safeguarding processes
- organization/business planning and restructuring exercises
- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access

The circumstances in which we will process your information on the basis of your **Consent** are listed below

- communicating with family and others involved in your support
- making referrals to other organisations' services and activities on your behalf
- making applications to other grant-making services on your behalf
- opportunities to be involved in wider area research, including focus groups and other initiatives seeking to improve local services
- specific mailings and other communications

## **LAWFUL BASIS FOR PROCESSING "SPECIAL CATEGORIES" OF SENSITIVE DATA**

“Special categories” of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- consent: You have given clear consent for us to process your personal data for a specific purpose.
- contract: The processing is necessary for a contract we have with you, or because we have asked you to take specific steps before entering into a contract.
- legal obligation: The processing is necessary for us to comply with the law (not including contractual obligations) and meets the obligations under our data protection policy.
- vital interests: the processing is necessary to protect someone’s life.
- public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law and meets the obligations under our data protection policy. (For example in the case of equal opportunities monitoring)
- legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests

Occasionally, special categories of data may be processed where you are not capable of giving your consent, where you have already made the information public or in the course of legitimate business activities or legal obligations and in line with the appropriate safeguards.

Examples of the circumstances in which we will process special categories of your particularly sensitive personal information are listed below (this list is non-exhaustive):

- in order to protect your health and safety
- to administer terms of specific grants and associated application processes
- In order to fulfill equal opportunity monitoring or reporting obligations
- In order to fulfill Safeguarding obligations

Where appropriate, we may seek your written authorisation to process special categories of data. Upon such an occasion we will endeavor to provide full and clear reasons at that time in order for you to make an informed decision. In any situation where consent is sought, please be advised that you are under no obligation to comply with a request. Should you decline to consent you will not suffer a detriment in terms of our services to you.

## **INFORMATION ABOUT CRIMINAL CONVICTIONS**

We do not anticipate that we will process information about criminal convictions.

## **AUTOMATED DECISION-MAKING**

Although our service processes involve some automated systems (for instance, alerting a service manager if we have not made contact with you for a certain period) we will not make any decisions about you without human involvement.

## **SHARING DATA AS PART OF OUR SERVICE TO YOU**

Your data will be shared with colleagues within the organization where it is necessary for them to undertake

their duties. This includes, for example a paid or volunteer case worker, service area manager, Operations Director or administrator involved in constructing reports to e.g. our funders

It may be necessary for us to share your personal data with a third party or third party service provider (including, but not limited to, contractors, agents or other associated/group companies) within, or outside of, the European Union (EU). Data sharing may arise due to a legal obligation, as part of the performance of a contract or in situations where there is another legitimate interest (including a legitimate interest of a third party) to do so.

The list below identifies which activities are carried out by third parties on our behalf:

- IT services
- Insurance providers

Data may be shared with 3<sup>rd</sup> parties in the following circumstances:

- to adhere with a legal obligation
- in the process of obtaining advice and help in order to adhere with legal obligations

If data is shared for reasons under our control, we expect third parties to adhere and comply with the GDPR and protect any data of yours that they process. In these cases we do not permit any third parties to process personal data for their own reasons. Where they process your data it is for a specific purpose according to our instructions.

We do not anticipate that we will transfer data to other countries.

## **ONWARD (EXTERNAL) REFERRALS AND SHARING**

As part of our service for you we may make onward referrals to other organization services and products.

Where we do this if it involves the transfer of personal information about you we will ask you for your consent to share this information. This is because after we have made the referral and transferred your information it is the receiving service or organization that is responsible for the control of the personal information that we have passed to them, and, for any additional personal information they may obtain from you subsequent to or prior to the referral we have made to them. Please note that this means that we are not able to guarantee the processes and systems they operate to protect your data.

In any situation where consent is sought to make a referral, please be advised that you are under no obligation to comply with a request. However, whilst this will not result in a detriment to you from the point of view of our support. In these cases we can give you the contact details of the service or organization for you to contact yourself, if that is what you prefer.

## **DATA SECURITY**

As part of our commitment to protecting the security of any data we process, we have put the following policies and procedures in place.

- Information Security Policy
- Risk Assessment Policy & Procedures
- Remote Access & Bring Your Own Device (BYOD) Policy
- Access Control & Password Policy

- Clear Desk & Screen Policy
- Data Protection Policy & Procedure
- Asset Management Policy

In addition, we have put further security measures in place to avoid data from being accessed, damaged, interfered with, lost, damaged, stolen or compromised. In cases of a breach, or suspected breach, of data security you will be informed, as will any appropriate regulator, in accordance with our legal obligations.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

## DATA RETENTION

We anticipate that we will retain your data for no longer than is necessary for the purpose for which it was collected.

Our association with you may continue for several years, during which time your need for or use of our services may increase or decrease, depending on your changing circumstances and needs. The primary reason why we do not put a defined time period for retention of your data is so that you can recontact us effectively at a future date.

We may also continue to use data without further notice to you. This will only be the case where any such data is anonymised and you cannot be identified as being associated with that data

Occasionally we may decide not to continue retaining your data. In arriving at this decision we will take into account the following:

- Quantity of the data
- nature
- sensitivity
- risk of harm
- purpose for processing
- legal obligations

## YOUR RIGHTS IN RELATION TO YOUR DATA

We commit to ensure that any data we process is correct and up to date. It is your obligation to make us aware of any changes to your personal information.

In some situations, you may have 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.
- **Right to request access.** You have the right to access the data that we hold on you. To do so, you should make a subject access request
- **Right to request correction.** If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.

- **Right to request erasure.** 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.
- **Right to object to the inclusion of any information.** In situations where we are relying on a legitimate interest (or those of a third party) you have the right to object to the way we use your data where we are using it.
- **Right to request the restriction of processing.** You have the right to ask us to stop the processing of data of your personal information. We will stop processing the data (whilst still holding it) until we have ensured that the data is correct.
- **Right to portability.** You may transfer the data that we hold on you for your own purposes.
- **Right to request the transfer.** You have the right to request the transfer of your personal information to another party.

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 for doing so.

If you wish to exercise any of the rights explained above, please contact the Support Services Manager who will process your request.

### **Consequences of your failure to provide personal information**

If you neglect to provide certain information when requested, it may affect our ability to enter into or continue with a service arrangement with you, and it may prevent us from complying with our legal obligations.

## **CHANGE OF PURPOSE FOR PROCESSING DATA**

We commit to only process your personal information for the purposes for which it was collected, except where we reasonably consider that the reason for processing changes to another reason and that reason is consistent with the original basis for processing. Should we need to process personal information for another reason, we will inform you of this and advise you of the lawful basis upon which we will process.

Important note: We may process your personal information without your knowledge or consent, in compliance with the above rules (see above section - **lawful basis for processing your personal information**).

## **WHAT IF THIS POLICY CHANGES?**

We may make changes to this Privacy Policy from time to time. Any changes we make will be posted on our website. We may also notify you by email if significant changes are made.

## **QUESTIONS OR COMPLAINTS**

It is the responsibility of our Data Protection Lead (DPL) to oversee compliance with this statement. Should you have any questions regarding this statement, or how we process your personal information, please contact Andy Murphy on [amurphy@ageukislington.org.uk](mailto:amurphy@ageukislington.org.uk)

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.

---

**Policy Version:** V2.0  
**Date:** 25/05/2018

**Age UK Islington**