

# **AGE UK LEWISHAM AND SOUTHWARK PRIVACY NOTICE FOR ALL DATA SUBJECTS**

## **PURPOSE**

This Privacy Notice demonstrates our commitment to protecting the privacy and security of your personal information. It contains information regarding how we collect, store, and use personal data or personal information about you in accordance with the Data Protection, Privacy and Communications Regulation 2020 (UK GDPR) and all other UK data protection legislation currently in force.

Pursuant to that legislation, 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 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 lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate)

Age UK Lewisham and Southwark (AUKLS) is a “data controller”. This means that we are responsible for determining the purpose and means of processing personal data relating to you. In this notice, 'we', 'us', 'our' means:

Age UK Lewisham and Southwark, A registered charity 296862 with a registered address at 11 Scovell Road, London, SE1 1QQ. We work to improve the lives of older people in the London Boroughs of Lewisham and Southwark, working towards a future in which older people are valued, safe and empowered to make choices about their lives. We are registered with the Information Commissioner’s Office (ICO) who regulator information rights in the UK as a Data Controller No. Z5337230.

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

The personal information we collect, store, and use about our service users, employees, volunteers, website visitors, employee or volunteer applicants/enquirers might include:

- personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- date of birth
- your photograph
- gender
- marital status
- your pension, salary, benefits, and annual leave when you are employed by us
- dependents, next of kin and their details
- national Insurance number

- bank account details if you donate to us, if you are a client and we are processing a payment from you, or your payroll records and tax codes if you are employed by us
- If you work with us, we will collect information included on your CV including references, education history and employment history
- documentation relating to your right to work in the UK
- medical or health information including whether or not you have a disability
- your ethnicity, sexual orientation, religion
- If you visit our website, we will collect your IP address and information regarding which pages are accessed and when

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 criminal convictions and offences
- information about your ethnicity
- information about your sexual orientation
- information about your religion

## **METHOD OF COLLECTION OF PERSONAL INFORMATION**

Your personal information is 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. We would do this if you were a service user to see how you are, or we would contact you for marketing purposes, this would only be done by your consent to do so. Your information may be obtained if you were looking to be employed by us, we may collect information via an employment agency or a third party who undertakes background checks. Further information will be collected directly from you when you complete forms at the start of your employment, such as your next of kin details, or if you were going to donate to us via our website, we may collect your bank details. Data may be collected during the course of your engagement with us to enable its continued existence or development.

## **LAWFUL BASIS FOR PROCESSING YOUR INFORMATION**

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

- **Specific and Informed Consent:** Where you have provided your Consent to use your personal information for a certain purpose, such as to send you marketing by email.
- **Performance of a Contract:** Where we are entering into a contract with you, for example where you may purchase a ticket to an event we have organised.
- **legal obligation:** We will use this condition to process personal information where we are required by law, such as employment purposes.
- **vital interests:** Where it is necessary to protect your life or your health. An example would be in the case of a medical emergency by an individual attending one of our events.
- **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: Where it is necessary to achieve our and others objectives with good reason. As long as we can demonstrate that the use is fair and with your reasonable expectations. This might include but is not limited to:
  - To send you communications through the post which we believe might be of interest to you;
  - To personalise, enhance or modify and improve our services and communications to you to benefit our customers;
  - When you enroll in (or are referred into) one of our services;
  - To process and answer referral or contact forms you fill in on our website or if you call us;
  - To understand how people interact with our website, the effectiveness of our services or promotional and marketing campaigns, and our advertising.

Whenever we use Legitimate Interest to process data, we perform a Legitimate Interest Balancing assessment (LIA) to enable us to consider any potential impact on you (both positive and negative), and your rights under data protection laws. Your information will not be processed if our interests do not override your fundamental rights and freedoms according to law. You may object to such processing activities.

## **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.

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 in the workplace
- to assess your physical or emotional fitness to work
- If you are employed by us, we may monitor and manage sickness absence, family leave or other absences from work (including time off for dependents)
- If you were enrolling in one of our services, to administer terms of specific grants and associated application processes
- In order to fulfill equal opportunity monitoring, reporting or 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 contractual 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**

Information regarding criminal convictions may be processed in accordance with our legal obligations. Occasionally we may process such information to protect yours, or someone else’s interests and you are not

able to give your consent, or we may process such information in certain circumstances, for example, if you were to be employed by us or volunteer. We do not anticipate that we will process information about criminal convictions about service users.

## **AUTOMATED DECISION-MAKING**

We do not make any decisions about you without human involvement, nor conduct any profiling.

## **SHARING DATA**

Your data will be shared with colleagues within the Company where it is necessary for them to undertake their duties. This includes, for example if you were employed by us your line manager and service area manager/Head of Services for their management of you, the HR function with the Finance Team for administering payment under your contract of employment. If you were a service user, we may share your information with a third-party service provider.

We do not 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) outside of the 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, such as recording donations or when we outsource human resource or other business-related processes. It may also arise due to a legitimate interest of a third party.

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

- payroll
- pension providers/administrators
- IT services
- Human resource or legal advice
- insurance providers

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

- in the process of regular reporting activities regarding our performance,
- with regards to a business or group reorganisation, sale or restructure,
- in relation to the maintenance support and/or hosting of data
- to adhere with a legal obligation
- in the process of obtaining advice and help in order to adhere with legal obligations

Age UK Lewisham and Southwark uses Legitimate Interest as the most appropriate basis for collecting, processing and storing the personal data of our service users. The rationale for this is that in order to effectively deliver services individuals would have a reasonable expectation that a certain amount of data would need to be provided to enable an assessment of need to be carried out and the appropriate package of support be provided to the service user.

When you enroll in one of our services, as part of our service for you we may make onward referrals to other organisations' services and products.

Where we do this if it involves the transfer of personal information about you, we may 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 organisation for you to contact yourself, if that is what you prefer.

If data is shared, we expect third parties to adhere and comply with the UK GDPR and protect any data of yours that they process. 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.

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.

If you are using one of our services, 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. We will therefore retain records for 7 years from your last interaction with us so you can recontact us effectively at a future date.

If you apply to work or volunteer with us and were unsuccessful, we will store your data for up to 365 days once the recruitment process ends.

At the end of the retention period, upon conclusion of any contract we may have with you, or until we are no longer legally required to retain it, it will be reviewed and deleted, unless there is some special reason for keeping it. Occasionally, we may 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

We record such retention periods in our Records of Processing Activities (RoPAs) and review these decisions regularly.

## **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 request access to 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 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.

- **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. The accuracy of your information is important to us, and we are working on ways to make this easier for you to review and update the information we hold about you. If any of your information is out of date or you are unsure of this, please contact us through any of the contact details listed in this privacy notice.
- **Right to request erasure.** 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 to the inclusion of any information.** In situations where we are relying on a legitimate interest (or those of a third party) or sending you direct marketing, 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 can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form so it can be easily transferred.

Please note that in some rare circumstances, we will be unable to uphold and acknowledge some of these rights in accordance with Exemptions outlined in The Data Protection Act 2018 (DPA).

If you wish to exercise any of the rights explained above, please get in contact via any of the contact details listed in section 'Questions or Complaints' in this privacy notice.

### **Fundraising and marketing communications**

Your contact details may be used to provide you with information about our services or our fundraising opportunities on behalf of our clients. We will only send you fundraising and marketing communications by email and telephone if you have explicitly provided your consent. You may opt-out of our fundraising and marketing communications at any time by clicking the unsubscribe link at the end of our marketing emails. Alternatively, you can get in touch via any of the contact details listed in "Questions or complaints" section below. Your contact details may be used to provide you with information about our newsletter or our fundraising opportunities to support us, or other marketing campaigns.

When you give us consent to receive marketing and fundraising communications, we will monitor consent and ensure that you still wish to receive such communications by occasionally reaffirming your consent with us. Our approach is designed to uphold your privacy and information rights, to respect your choices, and to ensure we are not intrusive.

### **Post**

We may use our Legitimate Interest to send you fundraising or marketing communications by post. If you prefer not to hear from us this way, please get in touch and let us know by any of the contract details listed in the "Questions or complaints" section below.

### **Phone/Email/Text**

If you have provided us with your telephone number or email address, for example, when you contacted us directly and expressed interest in our charity, we may get in contact with you via phone, email or text to provide you further information about our services. If the nature of your enquiry relates to marketing or fundraising, we will ask for your consent to continue to process your data.

### **Withdrawing your Consent**

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.

### **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**).

### **QUESTIONS OR COMPLAINTS**

It is the responsibility of our Data Protection Officer (DPO) to oversee compliance with this statement. Should you have any questions regarding this statement, or how we process your personal information, please contact Rajvi Patel

Email: [rajvi.patel@ageuklands.org.uk](mailto:rajvi.patel@ageuklands.org.uk)

Address: Age UK Lewisham and Southwark, Stones End Centre, 11 Scovell Road, London, SE1 1QQ

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 via any of the contact details listed below:

Telephone: 0303 123 1113

Head Office Address: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK 9 5AF

Fax: 01625 524510

Online: <https://ico.org.uk/make-a-complaint/>

### **REVIEW OF THIS POLICY**

Any changes we make to this policy in the future will be posted on this website so please check this page occasionally to ensure that you're happy with any changes. If we make any significant changes, we'll make this clear on our website.

We keep this policy under regular review. This policy was last updated 22<sup>nd</sup> August 2023.