**Ealing Advice Service (EAS) – Client Privacy Notice**

**Introduction**

The Ealing Advice Service is a consortium of charities working in partnership to deliver advice, guidance and information to residents of the borough of Ealing. The consortium is collectively referred to as ‘EAS’, ‘we’, ‘us’ or ‘our’ in this client privacy notice and privacy policy.

The current partners are:

* Ealing Mencap (Lead Partner and Data Controller)
* Age UK Ealing
* Nucleus
* Deaf Plus
* MIND Ealing and Hounslow
* Ealing Centre for Independent Living (ECIL)
* PESTS
* Family Action
* Havelock Family Centre
* Centre for Armenian Information and Advice

These are correct on the 1st of April 2019, they will be updated as any changes occur.

EAS is not a legal entity and does not have a legal structure, however, it is administered by Ealing Mencap, and as lead partner is the data owner and acts as overall data controller, and along with the guidance of the steering group, establishes the procedures, systems and umbrella policies to ensure the service and employees delivering the service adhere to the 2018 Data Protection Act.

When you give permission for data to be stored, front-line EAS staff from the organisations above will have access to your personal data:

EAS respects your privacy and is committed to protecting your personal data. You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), which is the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would however appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance, using the details above.

You can contact us at:

EAS

Age UK Ealing Ealing Mencap (lead partner)

135 Uxbridge Road Enterprise Lodge, Stockdove Way

London W13 9AU Greenford UB6 8TJ

Tel: 020 8567 8017 Tel: 02085669575

Data Protection Officer: Lesley Dodd, Ealing Mencap CEO

 lesley.dodd@ealingmencap.org.uk

ICO registration: Z9804035

When you ask us to provide advice or information to you, we will out of necessity ask you questions about you and your personal circumstances in order to help you. This Privacy Notice aims to inform you about how we will look after your personal data during the course of offering you advice and support, and also after the help we have given has finished. It is important that you read this privacy notice so that you are fully aware of how and why we are using your data.

**Our aim is to ask you when you first approach us for advice and support to acknowledge the terms of this privacy policy. However, we fully recognise that this subject may be difficult for some of our clients to understand. If we are unable to discuss the implications of data protection and your rights with you, we will do our utmost throughout our relationship to ensure that we fully respect all the rights and protections that you have by law.**

Please do not send us any of your information if you do now want it to be used in the ways described in this privacy notice.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data change during your relationship with us.

**1. Scope of this Privacy Policy and Privacy Notice**

This Privacy Policy applies when you ask us to provide you with information, advice or support.

**2. The data we collect**

‘Personal data’ is any information about an individual from which that person can be identified. It does not include anonymised data where identifying characteristics have been removed.

During the course of our work for you, we may collect, use and store data received from you in order for us to provide information, advice, help and support to you. The list below gives examples of such data, but it is not an exhaustive list:

**Data from you as our client**

* **Identity Data**
	+ which may include your name, username or similar identifier, marital status, title, date of birth and gender.
	+ individuals connected to you (such as family members, dependents, carers)
	+ parties providing services to you
* **Contact Data** which may include address, email addresses and telephone numbers
* **Financial Data** which may include information about your financial circumstances, benefits and allowances
* **Profile Data** which may includeinformation about your health, physical emotional and mental wellbeing, personal circumstances, family circumstances, and your particular needs
* **Individuals Connected to you** such as (but not limited to)
	+ name, address and contact details, including email address and telephone number
	+ dates of birth and gender
	+ details of their qualifications, skills, experience,
	+ information about remuneration, including benefit entitlements
	+ information about entitlement to work in the UK
	+ details of working patterns (days of work and working hours) and attendance at work
* **Special Category Data**
	+ Information about your ethnic origin, gender, sexual orientation, health and religion or belief.
	+ Information about any criminal record
	+ Information about your (or a person connected to you) medical or health conditions, including disabilities or special needs

You have the right to ask us to stop processing your personal data or to remove it from our records entirely at any point in the process. However, if you decide either to do this, or to refuse to provide us with your personal data, we may not be able to provide you with the information advice or help you seek.

We will notify you at the time if this is the case.

**3. How your personal data is collected**

We envisage that the greater amount of personal data we process during the course of providing services to you will be provided to us by you.

However, we may also use different methods to collect data from and about you. These might include third parties or publicly available sources of information

If any of the data that we have collected is incorrect, you can request correctionof this data. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**4. How we store and keep your data safe**

The consortium stores and processes data on a single, secure database - Advice Pro. Data is accessible only to employees and select volunteers who are directly working within EAS.

Advice Pro stores data and has backup facilities based in the UK (Aberdeen and Dundee). We do not currently transfer personal data outside of the EEA.

Personal data relating to children under the age of 13 will only be stored with the consent and permission of their parent, guardian or other individual with a legal responsibility for making decisions on their behalf in accordance with Article 8 of GDPR. If a child over the age of 13 is not competent to exercise their own data protection or consent to processing then personal data will only be stored if an individual with parental responsibility acts on their behalf.

We strive to maintain appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, consortium partners, volunteers and other third parties who have a legitimate need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We will maintain procedures to deal with any suspected personal data breach and will notify you and the ICO of a breach where we are legally required to do so

Clients accessing EAS give permission for consortium partners to store and process their data **for the purposes of the EAS service only.** Information held is the overall property of the license holder (Ealing Mencap on behalf of EAS) but it can be requested by clients at any time.

In the event that a consortium partner is no longer part of the sub-contracting arrangement, data relating to a client will not be copied or migrated without their consent. If consent has been gained, the organisation or client will approach Ealing Mencap to request the data that has been stored and, if necessary, request deletion of historical data.

**5. How we use your personal data**

We will only use your personal data when the law allows us to. In the course of providing services to you, we anticipate using your personal data to:

* Meet your needs for advice, information, help and support
* Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
* Where we need to comply with a legal or regulatory obligation
* Establish, exercise or defend our legal rights
* Provide and/or improve our products and services
* Monitor and analyse the services this charity provides

Generally we do not rely on consent as a legal basis for processing your personal data. You have the right to withdraw consent at any time by contacting us. You can use the contact details provided on the first page of this policy notice.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish further explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us using the details in this notice.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. See Appendix 1 for

a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

Personal data stored for the purposes of delivery of EAS will only be used in relation to advice and support that we provide for you. It will not be used by consortium partners to market services, make suggestions or recommendations unrelated to your advice inquiry.

This Privacy Policy only applies to data given as part of the EAS service, if you have provided data to consortium partners outside the delivery of the Ealing Advice Service you will need to refer to their own privacy policy.

We will not share your personal data with any other company for marketing purposes.

**Opting out**

You can ask us to stop contacting you with services at any time by **contacting us** using the information in this policy notice.

**6. Disclosures of your personal data**

Any third party joint data controllers or third party data processors we engage in the normal course of our business are required by us to respect the security of your personal data and to treat it in accordance with the law. They are only permitted to process your personal data for specified purposes and in accordance with our instructions.

You may request the transferof your personal data to you or to a third party.

**7. Data retention**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

By law we have to keep basic information about our clients (including Contact, Identity, Financial and Transaction Data) for six years after they cease being clients and unless you ask us otherwise, we will automatically delete your data.

You have the right to ask us to delete or remove personal data where there is no good reason for us continuing to process it. We may not always be able to comply with your request of erasure for specific legal reasons, which will be notified to you if applicable at the time of your request.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes. In this case we may use this information indefinitely without further notice to you. This is the method we use to provide reports to funders.

**10. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out below you should contact us using the information on the front page of this policy notice.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us to confirm your identity and to ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Where you are an existing client, depending on the nature and extent of your request, we may be unable to continue acting for you.

We will respond to all legitimate requests within 40 days of your request.

You have a right to:

* **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. You can get information and help about how to make a data subject access request from the Information Commissioner’s Office website ([www.ico.org.uk](http://www.ico.org.uk)) or from Ealing Mencap’s Data Protection Officer.
* **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data in order to offer information of advice which we feel might generally be of benefit to you. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information that overrides your rights and freedoms.
* **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

This privacy statement was produced in July 2019, and will be reviewed periodically to keep the information contained within it up to date and legally compliant.

**Appendix 1.**

The table below shows what we have identified to be our legitimate interest in holding your personal data.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

|  |  |  |
| --- | --- | --- |
| **Purpose/Activity** | **Type of data** | **Lawful basis for processing including basis of legitimate interest** |
| To register you as a new client | (a) Identity (b) Contact | To provide information and advice to you. |
| To identify services that will help meet your needs and queries | (a) Identity (b) Contact (c) Financial (d) Transaction (e) Personal circumstances | (a) Performance of our services for you (b) Necessary for our legitimate interests  |
| To provide services to you and to manage our relationship with you  | (a) Identity (b) Contact (c) Profile (d) (Possibly) Marketing and Communications | (a) Performance of our services for you (b) Necessary to comply with a legal obligation(c) Necessary for our legitimate interests (to keep our records updated and to study client needs and how well we respond to them) |
| Migration of historical data from services delivered by a consortium partner prior to 1/4/19 | (a) Identity (b) Contact (c) Technical (d) Usage (e) Profile(f)Personal circumstances(g) Financial | (a) Performance of our services for you (b) Necessary to comply with a legal obligation (to ensure safety of staff and clients)(c) Necessary in order to protect the vital interests of the data subject or of another natural person (to ensure safety of staff, clients and others) |

*Please be aware that at the time of writing (5/8/19) consortium partners are using database licenses owned by individual organisations; however all consortium partners will be using the Advice Pro database to record information by October 2019*