

Yarrow Privacy Notice for friends, families and other workers

We have developed this Privacy Notice as we understand that the privacy and security of your personal information is an important issue to you and we are committed to protecting your privacy.

This Privacy Notice is for:

- ✓ Volunteers
- ✓ Agency staff
- ✓ Applicants
- ✓ Students
- ✓ Next of Kin (to the people we support)
- ✓ Other contacts such as family and friends (to the people we support)
- ✓ Families and Carers
- ✓ Next of Kin (to staff)
- ✓ Other contacts such as family and friends (to staff)

We process your personal data in accordance with the General Data Protection Regulation (GDPR), and the Data Protection Act (DPA), or for other lawful reasons.

We collect personal information from you when you communicate with us. We may also collect personal data which relates to you from third parties. We ensure that prior to processing your personal data for any purpose, that the law allows us to do this.

However, if no lawful reason applies to the form of processing we undertake, we can only undertake such processing with your consent. In such circumstances, you may withdraw your consent to our processing that particular personal data.

We may continue to process your personal data after you leave Yarrow, e.g. for financial reasons, including any pension payments.

Identity & contact details of the Data Protection Officer

We have appointed a Data Protection Officer (DPO) to oversee compliance with Data Protection Law. The DPO also:

- ✓ informs/advises the organisation on data protection law and practices
- ✓ acts as point of contact for the data subjects and the Information Commissioners Office (ICO)
- ✓ advises on Data Protection Impact Assessments
- ✓ maintains due regard to the risk associated with processing data, taking account of nature, scope and context of processing
- ✓ co-operates with supervisory authority (ICO) on behalf of the organisation

Our Data Protection Officer is:

Diana Cadogan, Director of Organisational Development

Keeping your data secure

Yarrow values your privacy and confidentiality.

We undertake to treat any personal information (which means data from which you can be identified, including your name, address, email addresses and the like) that you provide to us, or that we obtain from other people, in accordance with this Privacy Notice and the provisions of the GDPR/DPA, or any amendment to it.

We will make every endeavour to ensure the security of your information by using:

- Locked filing cabinets kept in secure office accommodation.
- Secure computer systems - any records held electronically will be protected by appropriate security arrangements that prevent unauthorised access.

To prevent unauthorised access and to maintain data accuracy, Yarrow uses reasonable physical, electronic and managerial procedures to safeguard and secure the information it collects. Yarrow recognises the importance of safeguarding personal information in our possession from theft, inappropriate use or improper distribution. It should, however, be recognised that no organisation can absolutely protect personal information at all times.

Yarrow have a General Data Protection Regulation Policy and supporting documents.

We have put in place procedures to deal with any suspected or actual data security breach and will notify you where we are legally required to do so.

Privacy of your information

Personal data is information that can identify an individual e.g. name, address, date of birth. Sensitive data is personal information such as your health, racial or ethnic origin, and philosophical or religious beliefs.

Yarrow will safeguard your privacy and only collect the information we need in order to work with you. Yarrow will ensure that the information we collect is kept confidential and handled responsibly and in accordance with legal requirements. We will ensure data is kept up to date and reviewed regularly, to ensure data is both accurate and not kept longer than necessary.

All personal and sensitive information is treated as strictly confidential, unless we have your consent or the law permits us to share it in any way.

Data Protection Law

We collect personal information from you when you communicate with us. We may also collect personal data which relates to you from third parties. We ensure that prior to processing your personal data for any purpose, that the law allows us to do this.

We process your personal data in accordance with GDPR/DPA, or for other lawful reasons.

Data Protection law says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.

6. Kept securely.

The kind of information we hold about you

Your records may include the following information:

- Basic details about you, such as your name, address, date of birth NHS number, banking details and National Insurance number.
- Recruitment records, including references and DBS checks where necessary.
- Ongoing employment details.
- Next of kin details, any other family/friends emergency contact details.
- Pay and pension information, including payments to HMRC and DWP.
- Annual leave, sickness and any other types of leave.
- Learning, development and training records, including appraisals.

This list is not exhaustive.

Sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection e.g. information about your health. 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:

- Where it is needed to assess the support you need to work with us.
- Where we need to carry out our legal obligations.

We do not need your consent if we use special categories of your personal information to carry out our legal obligations.

How we will use information about you

Yarrow processes your personal data for various things, which may include for your:

- Recruitment
- Pay and pension
- Leave (paid and un-paid)
- Learning, development and training

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- Appraisal
- Health and safety

Also, for other reasons, such as for:

- Monitoring of equal opportunities
- Audit purposes
- Detecting or preventing fraud
- Statutory and regulatory compliance

Purposes & legal basis to use your information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- 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 protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

Some other purposes and legal basis to process data may include:

Purposes	Legal basis
Recruitment	Eligibility to work in the UK: Asylum & Immigration Act 1996
DBS checks	Rehabilitation of Offenders Act 1974
Paying your salary, and any expenses	Wages Act 1996 Equality Act 2010 (supersedes Equal Pay Act)
Paying your tax to HMRC on your behalf	Taxes Management Act 1970
Paying your national insurance to DWP on your behalf	National Insurance Contributions Act 2015

Purposes	Legal basis
	Financial VAT Act 1994
Managing payments in to your pension	Wages Act 1996 Equality Act 2010 (supersedes Equal Pay Act)
Calculating and monitoring all periods of leave (paid and un-paid)	Wages Act 1996 Equality Act 2010 (supersedes Equal Pay Act)
HR Workforce & Information	Office for National Statistics (ONS) - HR Pay & Pension data Statutory return to Central Government Department - Gender Pay Gap data Equality Act 2010 - equality data
Employee Relations Monitoring the mandatory training that you need to complete Conducting annual appraisals Keeping records of any grievance that you raise Keeping records of any disciplinary about you	Employment Act 2008
Reportable incidents in the workplace to the Health and Safety Executive (HSE)	Health and Safety at Work Act 1974
Prevention, apprehension and prosecution of any serious crime	Crime and Disorder Act 1998

Consent

In the limited circumstances where you may have provided your consent to hold and use your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

To withdraw your consent, please contact our Data Protection Officer (DPO), at Yarrow's central office. Once we have received notification that you have withdrawn

your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so.

Keeping your personal information up-to-date

Always tell us when your information changes, such as your address, home telephone number, next of kin/emergency contact details, or if you feel we should add something about you to your records.

Data sharing

We may share your personal information with third parties where required by law, or where we have another legitimate interest in doing so, for example to:

- ✓ HMRC, to pay your tax on your behalf
- ✓ DWP, to pay your national insurance on your behalf
- ✓ a future employer, if you ask us to provide a reference for you

There would be sanctions to Yarrow, and an impact on you, if we did not provide the data.

Sometimes, we have to provide information for other statutory reason, such as to the:

- ✓ Police, for crime and disorder reasons
- ✓ Health and Safety Executive, for workplace health, safety and welfare, and for research into occupational risks

Transferring information outside the European Union (EU)

Yarrow do not routinely transfer data outside of the EU. There are some exceptions to this e.g. if you ask us to provide a reference for you to a company outside of the United Kingdom or the EU.

How long we keep your information for

We will only retain your personal information 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.

We may continue to process your personal data after you leave Yarrow for a short period, e.g. for financial reasons.

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.

To determine the appropriate retention period for personal data, we follow the ***Records Management Code of Practice for Health and Social Care 2016***, which is a guide to use in managing records, based on current legal requirements and professional best practice.

You can see this at: <https://www.gov.uk/government/publications/records-management-code-of-practice-for-health-and-social-care>

The rights you have with respect to your data

Under certain circumstances, by law you have the right:

1. to be **informed**

This enables you to be informed how we process your data, by way of this Privacy Notice.

2. of **access**

This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

3. to **rectification**

This enables you to have any incomplete or inaccurate information we hold about you corrected.

4. to **erasure**

This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.

5. to **restrict processing**

This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

6. to **data portability**

This enables you to transfer your electronic personal information to another party.

7. to **object**

This enables you to object where we are processing your personal information for direct marketing purposes.

8. in relation to **automated decision making & profiling**

This enables you to be told if we process your data using automated software.

For more information about your rights this, please see:

<https://ico.org.uk/>

<https://ico.org.uk/for-the-public/>

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

Right of Access

You have the right to see the information we hold on you by making a 'Subject Access Request'. You will need to apply for your records in writing. We will provide copies of your records within one calendar month.

In general, we will provide access to everything we hold about you. Certain exemptions may apply, which means we have to withhold information that may cause you or anyone else harm.

You will not have to pay a fee to access your personal information). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

To make a request, you can apply to the:

Director of Care and Support

By email: Raj.mungur@yarrowhousing.org.uk

By post: Raj Mungur, Yarrow, 216 Goldhawk Road, London W12 9NX

Please give as much information as possible to help us respond to your request, including:

- Your full name, address and contact telephone number
- Proof of identity

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- Details of the specific information you require and any relevant dates

Who you can raise a concern or a complaint to

If you are concerned in any way how Yarrow process your data, you can speak to:

- ✓ your line manager
- ✓ the DPO
- ✓ the Information Commissioner

The ICO contact details are:

<https://ico.org.uk/>

Your Responsibilities

It is important that you understand your responsibilities in respect of our staff, service users and others right to privacy. All paid Yarrow staff are contractually bound by the Yarrow General Data Protection Regulation Policy.

Monitoring

We will review our Privacy Notices regularly in order to continuously improve our services and performance.

Equality and Diversity

For Yarrow diversity is about respecting the differences of our staff and individual service users, others, and partners, ensuring that all people that come into contact with us have access to the same high standards of behaviour and service.

For further information

If you have a question about your information you can discuss this with your line manager.

If you have any other concerns relating to this Privacy Notice, please contact our Data Protection Officer by:

email diana.cadogan@yarrowhousing.org.uk

or by writing to:

Diana Cadogan Director of Organisational Development,

Yarrow, 216 Goldhawk Road, London W12 9NX

Our Data Protection Officer will manage your query.

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Changes to this Privacy Notice

Yarrow may, in its sole discretion, amend this Privacy Notice at any time without direct notice to you. We suggest that to protect your interests you visit our website and check the Privacy Notice on a periodic basis.