



Disability Positive is a charity providing services, opportunities and voice to people with lived experience of disability and long-term conditions, and their families, and we are the Data Controller.

We value the personal information you provide to us and we don't want to use it in a way that you wouldn't expect. This privacy notice explains how we protect your privacy and how you can control how we use your data.

You can contact our Data Protection Officer if you have any questions about how we handle your data, if you want to change the way in which we use your data or you think we could improve our privacy information. Data Protection Officer, Disability Positive, Senson House, Denton Drive, Northwich, Cheshire, CW9 7LU.

dpo@disabilitypositive.org

01606 331853

Who are 'you'

In this privacy notice, whenever you see the words 'you', it refers to anyone external to Disability Positive, whom we have a relationship with, including but not limited to:

- A subscriber or user of any Disability Positive service or project, including chargeable and free-to-access services and projects
- Donor, funder, partner, supplier or contractor

This policy does not cover Disability Positive's internal relationships, which include: trustees, volunteers, placements, interns, or employees, or applicants to any such position; which are covered separately under our HR Privacy statement.

Your Personal Data:

The personal and special category data we hold about you is processed for legitimate, statutory, and contractual reasons to provide you with services. We need this information to manage and maintain delivery of the specific activities you are engaged with, such as any of our chargeable and free-to-access services or projects, membership or donations. We will never collect any unnecessary personal data from you and do not process your information in any way, other than as specified in this notice.

Examples of personal data that we hold:

- We hold names, home addresses, home telephone numbers, mobile telephone numbers, email addresses, dates of birth, demographic information and information about your circumstances in the performance of a contract or service.
- We may use your name and date of birth along with other information held on record to verify your identity when contacting our office or logging in to our client portal.
- We record information about your communication needs and requirements to ensure our services are accessible. We hold your contact details so we can communicate effectively with you, and to keep you informed about other services we offer which may be useful to you.
- We record factual case notes on any interactions or conversations with us.
- We hold correspondence we have sent you and ones you have sent us
- We may record information to help us comply with any contract performance/monitoring requirements, details of your opinions and wishes, complaints and changes in circumstances.
- We may carry out insight and satisfaction surveys to help us to monitor our performance and to improve our services to our customers.
- As part of our legal obligation for business accounting and tax purposes, we keep financial records about the amount of money you have paid us, any outstanding debts and associated action, and any money we have paid to you. Depending on your chosen method of payment, we may hold your bank account details.

- We may hold additional information about you if you are engaged with some of our advice and support services, for example in connection with the following specific services:
 - Arrangement of Care and Support: we may hold information about your next of kin, health/medical information, care and support needs in order to develop a support plan on your behalf and to ensure you can meet your care needs in a way that suits you.
 - Advocacy: we may hold information about your family details, health/clinical or social care history, health plans, social care summary of needs, mental health act status, any Court of Protection decision. We collect this information to understand your care and support needs/advocacy needs so we can represent your views and wishes.
 - Community Engagement: we may hold information about your emergency contact, health/medical information, care and support needs in order to develop a support plan to ensure we can meet your individual needs during group activities, in a way that suits you.
 - Payroll service: we hold information about your National Insurance number, your care account bank details and details of your care/support staff (your employees), including their names, addresses, NI numbers, dates of birth, and hourly rate so we can process payslips for your care/support staff on your behalf and deduct relevant fees and HMRC/pension liabilities to ensure you operate legally and appropriately as an employer, as set out in the payroll agreement.
 - Supported Banking service: we hold financial information about your care bank account with us, National Insurance number, details of any financial contribution to your care, details of your care/support staff (your employees) including their names, addresses, NI numbers, dates of birth, payslips and their bank details. We may also hold details of any care agencies you are using to provide care, so we can transfer wage payments to your employees or make payments to a care agency on your behalf, and so we can pay relevant fees and HMRC/pension liabilities to ensure your care account is managed effectively, as set out in the supported banking agreement.

This list is not exhaustive, as we hold records of most contact(s) we have with you, or about you, and we process this information so we can deliver services to you.

Providing information to us

Generally the information we hold will have been provided by you on a referral or enquiry forms or when we communicate with you; including by filling in forms on our website, or by filling in digital and paper forms; engaging in our chargeable and free-to-access services or projects; participating with our social media accounts (including Facebook, Twitter, Instagram and LinkedIn); by entering a competition, promotion or survey; by donating to Disability Positive; by corresponding with us (by phone, email or post) or by joining as a member.

We may also hold information provided by third parties where this is relevant to your circumstances e.g. from social workers, health professionals and service delivery partners.

We will only ask for personal information that is appropriate to enable us to deliver our services. In some cases, you can refuse to provide your details if you deem a request to be inappropriate. However, you should note that this may impact our ability to provide some services to you if you refuse to provide information that stops us from doing so.

Website Cookies

Our web site uses cookies which you can disable using your browser options. Cookies are small data text files that are sent from a server computer during a browsing session. Cookies are typically stored on your computer's hard drive and are used by web sites to simulate a continuous connection to that site. In order to make our site more responsive to your needs we use cookies to track and manage information relative to your specific interests. In this way we can tailor our site to your needs, deliver a better and more personalised service and track the pages on our site that you visit.

The use of cookies automatically identifies your browser to our computers whenever you interact with our site. You should note that if you do disable cookies, you may not be able to access all the services on our website.

Lawful Basis for Processing Personal Data

Our legal basis for processing your information include:

- **Contract** - the processing is necessary for a contract we have with you or with a Local Authority or Clinical Commissioning Group
- **Legal Obligation** - the processing is necessary for us to comply with the law
- **Vital Interests** - the processing is necessary to protect someone's life
- **Legitimate interests** - the processing is necessary for our legitimate interests, or the legitimate interests of a third party
- **Consent** - you have given clear consent for us to process your personal data for a specific purpose

Sharing Personal Data

Normally, only our employees will be able to see and process your personal information. However, there may be times when we will share only the relevant information with third parties. All processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, the data protection laws and any other appropriate confidentiality and security measures.

Sensitive information about health, sexual life, race and religion for example is subject to particularly stringent security and confidentiality measures. This is known as 'special category data'. Where necessary or required, we may share your personal information as follows:

- With statutory organisations e.g. social services or health commissioners, as a provider commissioned to undertake delivery of a contract, by a Local Authority and/or a Clinical Commissioning Group.
- With service delivery partners who we have a legal subcontracting arrangement/partnership agreement with, in order to deliver a service to you.
- With statutory organisations e.g. social services or health professionals as necessary for exercising statutory functions. Section 251b of the Care Act 2014 states that the providers of health and social care services have a duty to share information when it is likely to facilitate the provision of an individual's health and care service in England.
- With other organisations who carry out services on behalf of Disability Positive. For example, if we use a mailing house to distribute letters or with a Domiciliary Care agency that we may contact to provide you with personal care/one to one support, or with a training provider, who will deliver training requested by you.
- With relevant outsourced suppliers who enable Disability Positive to deliver effective services. For example, Third-party cloud hosting; IT infrastructure providers who host our website and IT systems and provide IT support in respect of the website and IT systems; and a data archiving provider for the secure storage of archived paper based personal data files.
- With our Auditor(s) to comply with our regulatory and compliance obligations. For example, our Accountancy service or the Advice Quality Standard.
- With police and other relevant authorities in relation to the prevention or detection of crime and fraud.

This list is not exhaustive as there are other circumstances where we may also be required to share information, for example:

- To meet our legal obligations
- In connection with legal proceedings (or where we are instructed to do so by Court Order)
- To protect the vital interests of an individual (in a life or death situation).

Children's Data

Children's data is collected and processed in accordance with the information above. Parents or guardians are expected to ensure that children they are responsible for are aware of how their personal data will be processed by us.

Personal Data of Third Parties

In the case of third-party information we hold (e.g. care/support staff/employees, or family members), we expect the lead contact (who has engaged in the service with us) to share this privacy information with all those whose personal data they provide to us. Third parties will be made aware of our privacy statement.

How Long We Keep your data for

We keep your data for as long as you are using a particular support service; and then in accordance with our Information Asset Register (which will be no longer than 7 years). When we are no longer required to keep your data, it will be securely destroyed or deleted.

Safeguarding Measures

We take your privacy seriously and take every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorised access, alteration, disclosure or destruction and have several layers of security measures in place, including: -

- SSL, TLS, encryptions
- restricted access
- IT authentication
- firewalls
- anti-virus/malware etc
- data archiving conforms to ISO/IEC 27001:2013

International Transfers

We do not envisage transferring or storing any information about or relating to you to anyone who is located outside of the European Economic Area.

Your Rights Right of Access

You have the right of access to information we hold about you. If you would like to exercise this right, please do so in writing. The request can also be done via an email or over the phone. If this is the case, we will still need to collect all the necessary information and complete a Data Subject Access Request Form on your behalf. If you are seeking specific information for example information about a particular matter at a particular time, it helps if you can give as much detail as possible in your written request. If someone is requesting information on your behalf, they will need written confirmation from you giving your consent for us to release the information. We will also need proof of ID (both yours and theirs). We have one month to provide you with the information you've asked for (although we will try to provide this to you as promptly as possible). In response we will provide you with a copy of the personal information we hold that relates to you.

Right to Rectification or Erasure

If you feel that any data that we hold about you is inaccurate you have the right to ask us to correct or rectify it. You also have a right to ask us to erase information about you where you can demonstrate that the data we hold is no longer needed by us, or if you withdraw the consent upon which our processing is based, or if you feel that we are unlawfully processing your data. Your right of rectification and erasure extends to anyone we have disclosed your personal information to. We will take all reasonable steps to inform those with whom we have shared your data about your request for erasure.

Right to Restriction of Processing

You have a right to request that we refrain from processing your data where you contest its accuracy, or the processing is unlawful and you have opposed its erasure, or where we don't need to hold your data anymore but you need us to in order to establish, exercise or defend any legal claims, or we are in dispute about the legality of our processing your personal data.

Right to Portability

Under certain circumstances you have a right to receive any personal data that you have provided to us in order to transfer it onto another data controller where the processing is based on consent and is carried out by automated means called a data portability request.

Right to Object

You have a right to object to our processing of your personal data where the basis of the processing is our legitimate interests including but not limited to direct marketing.

Right to Complain

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter. Data Protection Officer, Disability Positive, Sension House, Denton Drive, Northwich, Cheshire, CW9 7LU
dpo@disabilitypositive.org
01606 331853

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioners Office (ICO) Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
0303 123 1113
www.ico.org.uk

Changes to this Privacy Notice

We may change this privacy notice from time to time, but if we change it in a way which significantly alters the terms upon which you have agreed, we will post notice of the change on our website and you will be deemed to have accepted such changes. This privacy notice was last updated August 2020