



## **SEND and You Privacy Notice**

### **Your privacy**

SEND and You is committed to protecting your privacy when you use our services. The Privacy Notice below explains how we use information about you and how we protect your privacy.

We are registered as a Data Controller with the Information Commissioner's Office. If you have any concerns or questions about how we look after your personal information, contact [admin@sendandyou.org.uk](mailto:admin@sendandyou.org.uk) or call 0117 9897725.

### **Privacy Notice - Why we use your personal information**

#### **Do you know what personal information is?**

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person. For example, this could be your name and contact details.

#### **Did you know that some of your personal information might be 'special'?**

Some information is 'special' and needs more protection due to its sensitivity. It is often information you would not want to be widely known and is very personal to you. This is likely to include anything that can reveal your:

- sexuality and sexual health
- religious or philosophical beliefs
- ethnicity
- physical or mental health
- trade union membership
- political opinions
- genetic/biometric data
- criminal history

## **Why do we need your personal information?**

We may need to use some information about you to understand your needs and provide you with a better service, and in particular for the following reasons:

- Internal record keeping to help deliver services and support our service users
- to manage and improve those services we provide to you – for example, acting on the comments we receive from evaluation forms
- to train and manage the employment of our workers who deliver those services
- to help investigate any worries or complaints you have about our services
- keep track of spending on services
- check the quality of services – at times we may need to share anonymized information with our funders for reporting purposes
- help with research and planning of new services
- We may send information which we think may be useful to you by email (local events/support groups/organisations etc.). We will always ask for your permission before we add your details to our e- share list. We may also contact you to provide service user feedback on our services.

## **How the law allows us to use your personal information**

There are a number of legal, legitimate or lawful reasons why we need to collect and use your personal information. Generally we collect and use personal information in circumstances where:

- you have entered into a contract with us
- it is necessary to perform our services to you
- it is necessary to protect someone in an emergency
- it is required by law
- it is necessary for employment purposes
- it is necessary to deliver health or social care services
- you have made your information publicly available
- it is necessary for legal cases
- it is to the benefit of society as a whole
- it is necessary to protect public health
- it is necessary for archiving, research, or statistical purposes
- you, or your legal representative, have given consent

If we have consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent, contact [admin@sendandyou.org.uk](mailto:admin@sendandyou.org.uk)

We only use what we need! Where we can, we will only collect and use personal information if we need it to deliver a service or meet a requirement. When you contact us by telephone, email or by joining as a member we will ask for the following information:

- name
- age of your child or young person, with their consent
- contact information including email address, contact address and phone number
- demographic information such as postcode and diversity information
- other information relevant to your enquiry

Non sensitive details (email address etc.) when transmitted normally over the internet cannot be guaranteed to be 100% secure. Whilst we take all possible means to protect your personal information, we cannot guarantee the security of any information you transmit electronically to us.

If we do not need personal information; we will either, keep you anonymous if we already have it for something else, or we will not ask you for it. For example, in a survey, we may not need your contact details we will only collect your survey responses.

If we use your personal information for research and analysis, we will always keep you anonymous or use a different name unless you have explicitly agreed that your personal information can be used for that research.

***We do not sell your personal information to anyone else.***

### **What you can do with your information**

The law gives you a number of rights to control what personal information is used by us and how it is used by us. You can ask for access to the information we hold on you. We would normally expect to share what we record about you with you whenever we assess your needs or provide you with services.

However, you also have the right to ask for a copy of all the information we have about you and the services you receive from us. When we receive a request from you in writing, we must give you access to everything we have recorded about you, however, we cannot let you see any parts of your records that contain:

- confidential information about other people
- data a professional thinks will cause serious harm to you or someone else's physical or mental wellbeing; or
- if we think that giving you the information may stop us from preventing or detecting a crime.

This applies to personal information that is in both paper and electronic records. If you ask us, we will also let others see your record (except if one of the points above applies).

If you cannot ask for your records in writing, we will make sure there are other ways that you can. If you have previously agreed to us logging your personal information, you may change your mind at any time by writing to us or emailing us at [admin@sendandyou.org.uk](mailto:admin@sendandyou.org.uk)

You can ask to change information you think is inaccurate. You should let us know if you disagree with something written on your file. We may not always be able to change or remove that information but we will correct factual inaccuracies and may include your comments in the record to show that you disagree with it.

You can ask to delete information (right to be forgotten). In some circumstances, you can ask for your personal information to be deleted, for example:

- Where your personal information is no longer needed for the reason it was collected in the first place.
- Where you have removed your consent for us to use your information and where there is no other legal, legitimate or lawful reason for us to keep it.
- Where there is no legal reason for the use of your information.
- Where deleting the information is a legal requirement.
- Where your personal information has been shared with others, we will do what we can to make sure those using your personal information comply with your request for erasure.

Please note that we cannot delete your information where:

- we are required to have it by law.
- it is used for freedom of expression.
- it is used for public health purposes.
- it is used for, scientific or historical research, or statistical purposes where it would make information unusable.
- it is necessary for legal claims.

You can ask us to limit what we use your personal data for. You have the right to ask us to restrict what we use your personal information for where:

- you have identified inaccurate information, and have told us of it.
- where we have no legal reason to use that information, but you want us to restrict what we use it for rather than erase the information altogether.

When information is restricted, it cannot be used other than to securely store the data and with your consent to handle legal claims and protect others, or where it is for important public interests of the UK.

Where restriction of use has been granted, we will inform you before we carry on using your personal information.

You have the right to ask us to stop using your personal information. However, if this request is approved this may cause delays or prevent us from delivering a service to you. Where possible we will always seek to comply with your request, but we may need to hold or use information because we are required to by law.

You have the right to ask for your personal information to be given back to you or another service provider of your choice in a commonly used format. This is called data portability.

However, this only applies if we are using your personal information with consent (not if we are required to by law) and if decisions were made by a computer and not a human being.

It is likely that data portability will not apply to most of the services you receive from SEND and You. You can ask to have any computer made decisions explained to you, and details of how we may have 'profiled' you.

You have the right to question decisions made about you by a computer, unless it's required for any contract you have entered into, required by law, or you have consented to it.

You also have the right to object if you are being 'profiled'. 'Profiling' is where decisions are made about you based on certain things in your personal information. For example, your health conditions.

If SEND and You uses your personal information to profile you, in order to deliver the most appropriate service to you, you will be informed. If you have concerns regarding automated decision-making, or profiling, please contact us at [admin@sendandyou.org.uk](mailto:admin@sendandyou.org.uk) and we will be able to advise you about how we are using your information.

### **Who do we share your information with?**

We use a range of organisations to either store personal information or help deliver our services to you. Where we have these arrangements there is always an agreement in place to make sure that the organisation complies with data protection law.

Sometimes we have a legal duty to provide personal information to other organisations. We may also share your personal information when we feel there is a good reason that is more important than protecting your privacy. This does not happen often, but we may share your information:

- in order to find and stop crime and fraud; or if there are serious risks to the public, our staff or to other professionals.
- to protect a child in line with our Safeguarding Policy.
- to protect adults who are thought to be at risk, for example if they are frail, confused or cannot understand what is happening to them – in line with our Safeguarding Policy.

For all of these reasons the risk must be serious before we can decide to override your right to privacy. If we are worried about your physical safety, or feel we need to take action to protect you from being harmed in other ways, we will discuss this with you and, if possible, get your permission to tell others about your situation before doing so.

We may still share your information if we believe the risk to others is serious enough to do so. There may also be rare occasions when the risk to others is so great that we need to share information straight away. If this is the case, we will make sure that we record what information we share and our reasons for doing so. We will let you know what we have done and why, if we think it is safe to do so.

### **How do we protect your information?**

We will do what we can to make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code, or what is called

a 'cypher'. The hidden information is said to then be 'encrypted'.

- Pseudonymisation, meaning that we will use a different name so we can hide parts of your personal information from view. This means that someone outside of SEND and You could work on your information for us without ever knowing it was yours.
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it.
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong.
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

### **Where in the world is your information?**

The majority of personal information is stored on systems in the UK. However, there are some occasions where your information may leave the UK, either in order to get to another organisation, or if it is stored in a system outside of the European Union or European Economic Area.

We have additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We will take all practical steps to make sure your personal information is not sent to a country that is not seen as 'safe' by either the UK, or EU Governments.

If we need to send your information to an 'unsafe' location, we will always seek advice from the Information Commissioner first.

### **How long do we keep your personal information?**

There is often a legal reason for keeping your personal information for a set period, so we try to include all of these in our Corporate Retention & Disposal Schedule. For each service, the schedule lists how long your information may be kept for. This ranges from months for some records to decades for more sensitive records.

### **Cookies and how you use this website**

To make this website easier to use, we sometimes place small text files on your computer or device (for example your iPad or laptop) called cookies. Most big websites do this too.

They improve things by:

- remembering the things you've chosen while on our website, so you don't have to keep re-entering them whenever you visit a new page
- remembering data you've given (for example, your address) so you don't need to keep entering it
- measuring how you use the website so we can make sure it meets your needs

By using our website, you agree that we can place these types of cookies on your device.

We do not use cookies on this website that collect information about what other websites you visit (often referred to as privacy intrusive cookies).

Our cookies are not used to identify you personally. They are just here to make the site work better for you. You can manage and/or delete these files as you wish.

To learn more about cookies and how to manage them, visit [www.aboutcookies.org](http://www.aboutcookies.org).

### **How you use our website**

We use Google Analytics to collect information about how people use this site. We do this to make sure it is meeting peoples' needs and to understand how we can make the website work better.

Google Analytics stores information about what pages on this site you visit, how long you are on the site, how you got here and what you click on while you are here.

We do not collect or store any other personal information (e.g. your name or address) so this data cannot be used to identify who you are.

We also collect data on the number of times a word is searched for and the number of failed searches. We use this information to improve access to the site and identify gaps in the content and see if it is something we should add to the site.

Unless the law allows us to, we do not:

- share any of the data we collect about you with others'
- use this data to identify individuals.

### **Other people's cookies**

We sometimes use videos, content and feeds from other websites. These websites place cookies on your device when watching or viewing these pages.

### **Turning off cookies**

You can stop cookies being downloaded on to your computer or other device by selecting the appropriate settings on your browser. If you do this you may not be able to use the full functionality of this website.

There is more information about how to delete or stop using cookies on [AboutCookies.org](http://AboutCookies.org). You can also opt out of being tracked by Google Analytics.

### **Contact form**

When completing a contact form on our website you will need to click the consent box to agree to your information being uploaded to our confidential data management system. This also gives us permission to contact you by email in response to your enquiry.

### **Social Media**

If you send us a private or direct message through social media you will receive an auto-

response asking you to contact us by phone, email or by using a contact form. The message will then be deleted and it will not be shared with any other organisations.

### **Links to other websites**

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, we no longer have any control over that website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should always exercise caution and look at the privacy statement applicable to the website you have visited.

## **Complaints**

All complaints are taken seriously and details of the complaint are recorded. This would normally contain the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint and to check the level of service we provide. We do compile and publish statistics showing information about the number of complaints we receive, but not in a format which identifies anyone.

We usually have to disclose the complainant's identity to whomever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying them to be disclosed, we will try to respect that. However, it may not always be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for 2 years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

For more information on our complaint policy and process please see our website.

### **How to contact us:**

If you have any worries or questions about how your personal information is handled please contact

[admin@sendandyou.org.uk](mailto:admin@sendandyou.org.uk) or write to

Head of Service  
SEND and You  
3<sup>rd</sup> Floor  
Royal Oak  
House Royal  
Oak Avenue  
Bristol  
BS1 4GB

### **Where can I get independent advice?**

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information  
Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (if you prefer to use a national rate number). Alternatively, visit [ico.org.uk](http://ico.org.uk) or email [casework@ico.org.uk](mailto:casework@ico.org.uk).