

Privacy Notice

For Clients



Introduction

Yellow Door takes your confidentiality and privacy rights very seriously. This notice explains how we collect, process, transfer and store your personal information and forms part of our accountability and transparency to you under the General Data Protection Regulation (GDPR) 2018.

Why do we collect information and what do we do with it?

Yellow Door is responsible for any personal information we collect or receive, which under Data Protection Legislation makes us what is known as the 'Data Controller'. Yellow Door collects information about you and/or other individuals (the Data Subjects) such as partners, children, siblings, other people in the household (such as adults with caring responsibilities, step-children) and other wider family members (e.g. Grandparents). We may collect this information either directly from you or it may be shared with us by someone else (a third party). This might be from a GP, school or other organisation that we work with or service you use.

We collect and record information about the work we do and the people we are in contact with. This helps us to make decisions about the services we provide, ensures we comply with the law and means we can be held accountable for what we do. Yellow Door provides a range of services and shares information within the organisation where this supports best practice.

What information do we collect?

At the point of contact with us, information will be recorded about you and will be kept on 'file' – either on computer and/or as a paper record. This can include personal information such as your name, date of birth and contact details. As we have further contact with you this information can include details of discussions, letters and records of telephone calls, which are added to your file as they happen, along with any reports and information about you from other people who may support you. We may also collect details of events and interventions.

We also collect information from clients about their gender, ethnicity, sexual orientation, religion and whether they consider themselves to have a disability – these are called 'Special Category' information. This is so we can ensure we are aware of any specific needs, and also adjustments that may be necessary for our clients to engage with us. We also use this information when reporting to our funders to monitor our effectiveness in meeting the need of all the communities we work with. When we report this special category information for this purpose, it is always anonymous.

We will use the information we collect for the purposes of:

- providing a safe and effective service to you and/or your family including responding to enquiries or concerns and highlighting or referring you to additional help or services available to you;
- ensuring we meet our duties, including those imposed by the Equality and Health & Safety Acts;
- complying with any legal obligations imposed upon us (for example, responding to a court order);
- monitoring your progress and the impact of our work with you;
- protecting you and other people;
- planning for and reporting on our service;
- evaluating and improving the quality of our services, policies and procedures;
- complying with the submission of funding or contractual monitoring requirements, where data is used, this will always be anonymized (cannot be identified to a specific person);
- to maintain records, and account for our decisions in case of investigation or complaint;
- establish, exercise or defend legal claims; and
- ensuring compliance with our obligations under the accuracy principle of the General Data Protection Regulation (Article (5)(1)(d)), making sure our records about you and/or your family are up to date.

What allows us to collect, use, share and store information about you?

We will process your personal information fairly and lawfully by:

- a) Only using it if we have a lawful reason and when we do, we make sure you know how we intend to use it and tell you about your rights;

We do not rely on consent to use your information as a 'legal basis for processing'. We rely on 'Legitimate Interest', meaning we will process your data to pursue our legitimate interests as a therapeutic and advocacy service provider, in ways which might reasonably be expected to provide you with a service and which do not materially impact your rights, freedom or interests. This means the only information we process is so that we can offer you a safe service and also meet our regulatory requirements.

This means we can use your personal information in certain circumstances without seeking your consent. Whilst you do have the right to say 'NO' to our use of your information this could have an impact on our ability to provide you with care and it may be that there is some information we will need to keep in order to meet regulatory requirements.

- b) Only collecting and using your information to provide you with your care and treatment and will not use it for anything else that is not considered by law to be for this purpose.

We may also process your data under 'Legal compliance' if the law requires us to, as we may share your data with them. For example, we pass on your contact details to HMRC if you claim Gift Aid on your donation to us, or if information is requested by a Court.

Even though we might have a lawful basis for processing your information, we still need to make sure that the information we process is necessary, relevant and proportional to the task we are completing which is providing you a service.

We also collect certain information about you which is considered more sensitive and is known as 'Special Category' information. This includes things such as your ethnicity, religion or race. If we process this type of information we need another lawful basis from both the GDPR and the new Data Protection Act (2018). This is usually 'consent' we will ask for your consent to take this information however once given as it is anonymized you cannot withdraw consent. We are usually able to offer you a service without this

information.

How do we store information about you?

The information provided to us will be held within the Yellow Door's case management system/database which is encrypted and password protected. These are hosted internally on our secure server based in the UK. No information leaves the European Economic Area (EEA).

Relevant paper documents (such as hand written letters, paper forms) are filed in secure cabinets at all times, and only accessible by those with a legitimate need.

Yellow Door takes its data security responsibilities seriously and has policies and procedures in place to ensure your personal data is:

- prevented from being accidentally or deliberately compromised;
- accessed, altered, disclosed or deleted only by those authorised to do so;
- accurate and complete in relation to why we are processing it;
- continually accessible and usable with daily backups; and
- protected by levels of security 'appropriate' to the risks presented by our processing.

How long do we keep information about you?

All client information records are kept securely and will be held by us for a specified length of time, depending on the type of service that we have provided; after this time they will be destroyed securely.

Some of these times are specified by law, but where there is no relevant legislation setting this requirement the times given are agreed by us based on necessity, good practice and current sector practice, which are regularly reviewed. These time periods are set out in policy documents called retention schedules (NB: in the past some records may not have been kept for as long).

If you would like to see a copy of the retention schedule for the services provided by Yellow Door please get in contact with us.

Who might we share your information with?

Yellow Door may work with other organisations and agencies (such as GPs, Health services, Police, schools/academies/ colleges, other Local Authorities, voluntary or charitable organisations) to ensure that the right services can be made available to you. Where it is not possible for us to provide you a service directly or to get the right information to work out the best picture of you or your family's needs to inform planning and delivery of services we will share information with these other services. Without this information it is unlikely we are able to offer you a service. When we do share information we usually let you know what we will share and that it is only information relevant to offering a safe service.

If there is no other lawful basis allowing us to share information, we will obtain your permission (your consent) to share personal information about you with other people and organisations. For example for research purposes.

In certain circumstances, the law requires us to share information with other agencies (for example the Police or Courts). If the law requires Yellow Door to share information then we do not need to seek your consent to do so, we may also share your information without consent when, if using our professional judgement, we believe there is reason to, for example in attempting to gain your consent it is likely serious harm would come to someone, (this would be protecting yours or another person's vital interests).

We will never share your information for marketing or insurance purposes.

Your rights and accessing your information:

You have a right to see the information we hold about you, both on paper or electronic, except for information that:

- Has been provided about you by someone else if they haven't given permission for you to see it
- Relates to criminal offences
- Is being used to detect or prevent crime
- Could cause physical or mental harm to you or someone else

Please note that under the GDPR, there is a right to erasure but the right to erasure does not provide an absolute 'right to be forgotten'. Due to the nature of our work with clients we would not be able to continue to work with you if you chose to do this, and it would also not be possible for anonymised data already used in reports to be extracted and deleted. There may also be some elements of your data that we would need to keep in order to meet our regulatory requirements.

You also have the right to request access to the records we hold about you and this is referred to as a Subject Access Request (SAR).

To make a request there is an application form available, which has been created to assist you in helping you think about what information you are trying to obtain. The application form can be requested from your worker or alternatively, or by contacting us.

Making changes to your records:

If factual details are wrong we will change them when you give us evidence of the correct information. In the first instance you should contact your worker and provide them with the opportunity to correct any factual errors. However, a disagreement in opinion would not be counted as factually inaccurate. If you disagree with what is written in the records, we will add your account of events to the file but the existing entry would not be removed.

We have one month to make any necessary changes to the records and we will write to you to tell you what action has been taken, including if we are refusing the request. We can extend the one month period by a further two months if your request is complex or large in size but if this happens we will write to you explaining this.

Further information:

If you have any questions relating to the content of this booklet, or require this publication in a different format, such as large print or another language, please contact us .

Further information regarding how we handle personal information, your data rights, how to raise a concern about the way we are processing your information and the Yellow Door Data Protection Officer is also available within our full Data Protection Policy. This policy is available upon request.

You can also raise any concerns you may have directly to the Information Commissioner's Office, as the supervisory authority, at www.ico.org.uk/concerns.

Contact us:

Postal address:	Yellow Door 30 Brookvale Road Southampton SO17 1QR
Telephone:	023 8063 6312
Data Protection Email:	dpo@yellowdoor.org.uk