

May 2018

## **Dorset Advocacy**



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### **Client Privacy Notice March 2018**

#### **Our commitment to you**

At Dorset Advocacy, we are passionate about helping people to speak up, secure their rights, and get the services and opportunities they need. We are honoured to help around 4000 people every year to hold large organisations to account – and we recognise that we are accountable to you too. When you ask Dorset Advocacy for support, you are trusting us with your personal information. This document tells you how we use your information and how we keep it safe; above all it tells you about your rights and the ways you can object or complain if you feel we have got things wrong.

#### **Who is processing your information?**

Dorset Advocacy is the data controller for your information. Our full details are:

Dorset Advocacy  
13-15 Jubilee Court  
Paceycombe Way  
Dorchester  
DT1 3AE

Registered Charity no. 1096040

#### **Why do we need to hold information about you?**

Your advocate is there to understand your situation, to help you understand the choices you have, and to help you speak up so that you get the best solution for you, if possible. In order for this to happen, we need to keep records about you and about the help we are giving you. Through keeping these records, we can:

- Check that our work with you is of the best possible quality
- Record the difference that advocacy has made for you, so that we can make our work even more effective in future
- Make sure that, if your advocate is unavailable for any reason, another advocate can continue our work with you

#### **What legal right have we to use information about you?**

The law says we can only process your data if we have proper reasons for doing so. We may process your data for some or all of the following reasons:

1. We have your consent. For example, we can only send you news about Dorset Advocacy, or fundraising requests, if we have your freely given consent.

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2. We have a legal obligation to process your data. This applies when we have to share information with Safeguarding authorities, and when we provide Appropriate Adults
3. We are carrying out a Public Task. This applies to our statutory advocacy services, such as Independent Mental Capacity Advocacy (IMCA) and advocacy under the Care Act.
4. We have a legitimate interest. This means that using your personal information is essential to the running of our services.

In many instances, we may also need to hold information about your health. This is special category information, and we must have an additional reason to hold this. This reason will be:

9(2)(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3

and/or

9(2)(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Our Appropriate Adult service processes personal information on the basis of Legal Obligation (Article 6), Article 9(2)(g) set out above, and Official Authority.

### **What kinds of information about you will we hold and use?**

We will hold the following types of information about you

- Your name, date of birth and contact details
- Records of all our contacts with you
- Records of contacts with other people or agencies that we have made on your behalf
- Records relating to you that other agencies have shared with us
- Any feedback that you give us about the work we have done with you
- Records of the difference that advocacy has made for you
- Records of your preferences in relation to news and fundraising requests from Dorset Advocacy

In order to ensure that we meet the needs of all sections of the community, we may also ask you for information about your ethnic origin, religious beliefs and sexual orientation. We will only hold this demographic information if we have your consent to do so (other arrangements are in place for people who lack capacity to give this consent.)

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

We may share your personal information with:

1. Agencies with whom we negotiate on your behalf; for example, the National Health Service (NHS)
2. Our database providers. Dorset Advocacy uses a number of online databases; we have strict agreements with the providers of these databases that they can only use your information in ways for which we have permission, and in line with the purposes set out in this notice.
3. Partner agencies. Some of our work is delivered in partnership with other organisations. Where this is the case, we will always have a data sharing agreement with the organisation that says that they must conform with this Privacy Notice.
4. Legal and Safeguarding authorities. We may need to share your information without your consent if we believe that the law is being broken, or that a child or adult in need is at risk.
5. Local authority and NHS funders. Some of our funding contracts say that the local or NHS authority that is giving us funding has a right to inspect our records. They must comply with their own privacy obligations if they do so.

Dorset Advocacy never transfers personal information outside the UK.

### **How long will we keep your information?**

We will keep your information for a period of 6 years after we complete our work with you. We do this so that we can check our records if there is a complaint about or investigation into our work.

### **What are your rights?**

You have the following rights:

- **The right to be informed how we will use your information**  
This notice gives you this information
- **The right to see the information we hold about you, and to ask for a copy of this information**  
We will not charge you for providing this information, so long as you do not make repeated requests. We will normally provide the information within one month of your request.
- **The right to have inaccurate or incomplete information corrected, and to restrict our use of any information that you believe is incorrect**  
We will respond within one month of your request to tell you if we are going to correct the information
- **The right to be 'forgotten'**  
You can ask us to erase all the personal information we hold about you. We do not have to comply with every request to be forgotten; if we do not agree with your request, we will tell you why not. We do not have to erase information if we have a legitimate interest in keeping it.
- **The right to object**  
Where we rely on legitimate interests or the carrying out of a Public Task as the basis for using your information, you can object to us holding and using your information. We will

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then stop using your information, unless we can demonstrate that we have very strong reasons to continue doing so.

**Where did we get your information from?**

If you did not give us your personal information directly, we will tell you at our first point of contact with you how we got this information.

**What if you feel we have not upheld your rights and our responsibilities?**

If you are unhappy about any aspect of our information handling, please contact our Information Governance Lead:

Admin Manager

Dorset Advocacy

Tel. 01305 251033

[clare@dorsetadvocacy.co.uk](mailto:clare@dorsetadvocacy.co.uk)

If you are still not happy, you can ask Clare for a copy of our Complaints Procedure in order to make a formal complaint, or you can contact the independent regulator:

The Information Commissioner's Office

Tel. **0303 123 1113**

<https://ico.org.uk/global/contact-us/live-chat>