 **Privacy notice – Day Services**

You have a legal right to be informed about how the Together Trust uses any personal information that we hold about you. To fulfil this, we provide a ‘privacy notice’.

Personal information is any information that relates to you that can be used directly or indirectly to identify you. This includes information such as your name, date of birth and address as well as information relating to your care package and behaviour records. This may also include sensitive personal information, such as your religion, medical details, photos and video recordings.

This notice explains how we collect, store and use personal data about individuals at our day care services, like you.

**About us**

**The Together Trust** is a charity that offers care, support and special education to children, adults and families.

### The Together Trust provides a number of innovative and vibrant **Day Services** for adults with learning disabilities, autism and/or complex health needs.

The Together Trust has a Data Protection Officer under the GDPR who can be contacted; By email:[dataprotection@togethertrust.org.uk](mailto:dataprotection@togethertrust.org.uk)

Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE

**The personal data we hold**

We hold personal information about you to make sure we can support you when you use one of our Day Services. For the same reasons, we get information about you from some other places too including; local authorities; health agencies; police; education providers and commissioned delivery partners.

Personal data that we may collect, use, store and share (when appropriate) includes, but is not restricted to:

* Name, address, identification documents
* Date of birth and sex.
* Relationships Information, Next of kin
* Referral/Assessment Information
* Safeguarding information/Child Protection information. Confidential child protection/Safeguarding records may be held and do not need consent from a Parent/Guardian.
* Details of any support received, including care packages and plans
* Photographs

We also collect, use, store and share (when appropriate) information about you that falls into "special categories" of personal data. This refers to information, which is more sensitive to you and therefore needs greater protection from us. This includes, but is not restricted to:

* Information about your characteristics, like your ethnic background or any religion
* Information about any medical conditions you have

**Why we use this data**

We use this data to:

* Support you and monitor your progress
* Monitor and report on care to local authorities
* Protect individual welfare
* To notify you of changes to our facilities, events, staff and other role-holders
* Deliver service planning
* Assess the quality of our services
* Prevent/Detect crime

**Use of your personal data in automated decision making and profiling**

We do not currently put your personal information through any automated decision making or profiling process. This means we do not make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain how we do this to you, including your right to object to it.

**Why are we allowed to use this information?**

We only collect and use personal data when the law allows us to. Most commonly, we process it where:

* We need to comply with a law (i.e. under the Health and Social Care Act 2012)
* We have a contractual agreement with yourselves or the local authority to provide you with this service
* We have a legitimate interest to use your data. There will be a minimal impact on your privacy and we have a strong reason to use it (i.e. to improve our service care)

Less commonly, we may also process personal data in situations where:

* We have obtained you or your parents’/guardian’s consent to use it in a certain way
* We need to protect yours (or another persons’) vital interests (i.e. in a medical emergency).

Where we have obtained consent to use individuals personal data (i.e. photographs), this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

**Our basis for using special category data**

For ‘special category’ data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

* We have obtained your consent to use your information in a certain way
* We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
* The information has already been made obviously public by you
* We need to use it to make or defend against legal claims
* We need to use it for health or social care purposes, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
* We need to use it for public health reasons, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
* We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

**Collecting this information**

While the majority of information we collect about individuals is needed, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is needed or optional. If it is needed, we will explain the possible consequences of not providing it to us.

**How we store this data**

We keep personal information about you while you are attending our community centres. We may also keep it after you leave if this is necessary, in order for us to comply with our legal responsibilities.

In general, we will try to keep data only for as long as we need it and will securely destroy it afterwards.

You can request our full retention schedule by contacting our [Data Protection Officer](mailto:dataprotection@togethertrust.org.uk).

**Who we share data with**

We do not share information about you with any third party without consent, unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information with:

* Our local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and care targets and contractual duties
* Your family and representatives
* Our regulator The Care Quality Commission (CQC)
* Suppliers and service providers – (such as IT systems or cloud storage providers). We have a contract with these services to make sure your personal data will be kept securely and only in agreement with the Together Trust’s rules.
* Survey and research organisations
* Multi-disciplinary healthcare professionals
* Professional advisers and consultants
* Police forces, courts, tribunals

**Transferring data internationally**

If we ever have to transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

**Individual’s rights regarding personal data**

You have a right to make a request to see the personal information that we hold about you. This is called a ‘subject access request’.

Someone else can access this on your behalf if you give permission or we believe it is in your best interests for your information to be accessed by your parent/carer.

If we do hold information we will:

* Give you a description of it
* Tell you why we are holding and using it, and how long we will keep it for
* Explain where we got it from, if not from you
* Tell you who it has been, or will be, shared with
* Let you know whether any automated decision-making is being applied to the data, and any consequences of this
* Give you a copy of the information within 30 days

You also have the right for their personal information to be passed electronically to other organisations in certain circumstances.

**Other rights**

You also have other rights regarding how your personal data is used and kept safe. This includes the right to:

* Say that you don’t want your personal information to be used
* Stop it being used to send you marketing materials
* Say that you don’t want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
* In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
* Make a complaint to the Information Commissioner’s Office or claim compensation if the data protection rules are broken and this harms you in some way

The Together Trust has produced a guide [‘Know you rights’](https://www.togethertrust.org.uk/sites/default/files/Know%20your%20rights%20V2.pdf) to explain these in more detail.

To exercise any of these rights, please contact our [Data Protection Officer.](mailto:dataprotection@togethertrust.org.uk)

**Complaints**

We take any complaints about our collection and use of your personal information very seriously.

If you think that our collection or use of your personal information is unfair, misleading or inappropriate, or have any other concern, please raise this with us in the first instance by contacting our Data Protection Officer.

You can also make a complaint to the Information Commissioner’s Office:

* Report a concern online at <https://ico.org.uk/make-a-complaint/>
* Call 0303 123 1113
* Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane,

Wilmslow, Cheshire, SK9 5AF

**Contact us**

If you have any questions or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

* By email: [dataprotection@togethertrust.org.uk](mailto:dataprotection@togethertrust.org.uk)
* Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE