

Appendix 9a

DATA PROTECTION PRIVACY NOTICE

1. THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

Where necessary, we will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Next of kin and emergency contact information.
- Information about your use of our information and communications systems.
- Credit/debit card details (if you are making a purchase or donation)
- Sensitive Personal Information
- Photographs.

We may also collect, store and use more sensitive types of personal information, such as health-related information.

2. HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about clients directly from clients. We collect personal information about clients who are under 18 years from their parents/guardians. We also receive health information from GPs when they are referring patients for our service.

3. HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. In some cases, we will only use your personal information where we have your consent or because we need to use it in order to fulfil a contract with you.

However, there are other lawful reasons that allow us to process your personal information and one of those is called 'legitimate interests'. This means that the reason that we are processing information is because there is a legitimate interest for us to process your information.

We will use personal information to:

- provide you with a service
- administer your donation or support your fundraising (including processing Gift Aid);
- keep a record of your relationship with us
- respond to queries, requests and complaints

- send you correspondence and communicate with you
- understand how we can improve our services by carrying out evaluations
- generate reports on our services and our work
- safeguard our staff and volunteers
- establish, defend, or enforce legal claims
- conduct due diligence
- administer our website, perform data analysis, generate statistics and surveys
- meet our legal obligations, for example a contract or our obligations to regulators, government and law enforcement bodies

4. HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

Information in relation to a person's health is sensitive information and we are required by law to have further justification for collecting, storing and using such information. Consequently, we have in place an appropriate policy document and safeguards which provide a higher level of protection for the processing of such data. We may only share (delete process) sensitive data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations.
3. Where it is needed in the public interest.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

5. DO WE NEED YOUR CONSENT?

In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

6. IF YOU FAIL TO PROVIDE PERSONAL INFORMATION

If you fail to provide certain personal information when requested, we may not be able to provide you with a service or we may be prevented from complying with our legal obligations such as to ensure the health and safety of our staff. A staff member will explain the reasons why it is important we receive such information, and how the lack of co-operation may impact upon our ability to provide a service. Should you again decide not to provide the required information then the matter will be referred to the General Manager for a decision as to whether a service can be safely provided.

7. CHANGE OF PURPOSE

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for

an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

8. INFORMATION ABOUT CRIMINAL CONVICTIONS

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

We envisage that we will hold information about criminal convictions where in the normal course of your duties you will have access to any of the following classes of person:

- persons under the age of 18 or over the age of 65;
- persons suffering from serious illness or mental disorder of any description;
- persons addicted to alcohol or drugs;
- persons who have a visual or sensory impairment or are non-verbal
- other persons who are substantially and permanently handicapped by illness, injury or congenital deformity.

We will only collect information about criminal convictions if it is appropriate and where we are legally able to do so. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

9. AUTOMATED DECISION-MAKING

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

10. DATA SHARING

Information may be shared with 3rd parties on a lawful basis for processing, i.e. legal obligation or vital interest.

- We may have to share your data with third parties, including third-party service providers.
- You will be informed of any need to share information with a 3rd party and in most circumstances, we will seek your consent to do so. Where your data is shared with third parties, we will seek to share the minimum amount, and any 3rd party will also be required to meet GDPR requirements of their organisation.

11. WHY MIGHT YOU SHARE MY PERSONAL INFORMATION WITH THIRD PARTIES?

- We may share your personal information with third parties in order to ensure you are provided with an appropriate service.
- We may also share your personal data with third parties if we are under a duty to

disclose or share your personal data in order to comply with any legal obligation, or to protect the rights, property or safety of our site, our staff, other clients, and others.

12. WHICH THIRD-PARTY SERVICE PROVIDERS PROCESS MY PERSONAL INFORMATION?

Relevant personal information is shared with our Complementary Therapists who are employed on a contract for service basis.

13. HOW SECURE IS MY INFORMATION WITH THIRD-PARTY SERVICE PROVIDERS AND OTHER ENTITIES?

Our Complementary Therapists are required to adhere to all Tara centre policies and procedures. They are required to take appropriate security measures to protect your personal information in line with our data protection policy. We do not allow our third-party service providers to use your personal data for their own purposes.

We have also put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of any suspected breach where we are legally required to do so.

14. DATA RETENTION

How long will you use my information for?

We will only retain your personal information for three years after you have completed with our services, OR for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a client of the Tara Centre we will retain and securely destroy your personal information in accordance with our Retention of Records Schedule (under development) and our Financial Procedures Manual.

15. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we

hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the General Manager in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

16. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the General Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

17. DATA PRIVACY MANAGER

The Tara Centre Board of Director's have delegated the responsibility to oversee compliance with this privacy notice to the General Manager and for the purposes of this

she is appointed a data privacy manager. If you have any questions about this privacy notice or how we handle your personal information, please contact the data General Manager. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), Northern Ireland as the supervisory authority for data protection issues.

18. CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact The General Manager.