

PRIVACY POLICY - POLICIES AND PROCEDURES

1. *Introduction*

- 1.1. The Privacy Policy - Policies and Procedures are guidelines created to safeguard both individuals' and an organization's privacy. They ensure data protection issues are considered when systems, services, products and business practices involving personal data are designed and implemented, and that personal data is protected by default. A privacy policy is a statement that explains in simple language how an organisation or agency handles your personal information. It is a statement or legal document that discloses some or all the ways a party gathers, uses, discloses, and manages a customer or client's data.

2. *Monitoring and Policy Review*

- 2.1. Compliance with the policy will be monitored by the HR.
- 2.2. This policy will be reviewed by the HR on an annual basis and will be updated where necessary.

3. *Who This Policy Applies To*

- 3.1. The Policies and Procedures Privacy policy applies to all employees, volunteers, stakeholders, and staff providing services to service users, their families and/or carers.

4. *Scope of this Policy*

- 4.1. All data subjects (a living individual) whose personal data is collected, in line with the requirements of the UK General Data Protection Regulation (UK-GDPR) 2023.

5. *Responsibilities*

- 5.1 The Person responsible for data (Support Worker) is responsible for ensuring that this notice is made available to data subjects prior to Restitute processing their personal data.
 - All Employees and volunteers of Restitute who interact with data subjects are responsible for ensuring that this notice is drawn to the data subject's attention. All data subjects are required to review this privacy notice and agreeing to the lawful reasons for processing.
 - Data subjects reserve the right to object to processing at any time.

6. *Privacy Notice*

- 6.1. **Restitute supports 3rd party victims of crime and trauma** – the carers and loved ones of people who have survived significant violence, trauma or sexual abuse, exploitation, or violence. We provide support in 3 main areas:
 - Support workers who work individually with 3rd party victims of crime
 - Practical support – problem-solving, funding and supplying goods and services to improve the lives of carers and their families
 - Commissioned counselling through appropriately qualified therapists

In addition, we:

- supply and deliver training, consultancy, and advice to organisations who work with 3rd party victims of crime.
- Influence (campaigning, public and professional awareness, feeding into key local, regional and national strategy and decision making)

7. **Personal Information:**

- 7.1. Restitute is committed to the responsible handling and protection of personal information.
- 7.2. Personal information means any information relating to an identified or identifiable natural person; an identifiable person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that person.
- 7.3. We collect, use, disclose, transfer, and store personal information when needed to provide our services effectively and for our operational and business purposes as described in this privacy notice.

8. **Privacy Notice**

- 8.1. We want to be clear about our privacy practices so that you can make informed choices about the use of your information.
- 8.2. How we use your information. This privacy notice tells you how Restitute will collect and use your personal information to enable us to provide our services. Restitute processes (collects, stores and uses) personal information for the following purposes:
 - Client information for registering clients and assigning them to a support worker, providing support services and practical support
 - Employee and volunteer management
 - Bookings for courses or training. We are committed to ensuring that the information we collect and use is appropriate for these purposes and does not constitute an invasion of your privacy.
- 8.3. **Special Category Information** is a process that may be considered special category information (sensitive personal information).
- 8.4. **Sensitive personal information** is a subset of personal information and is generally defined as any information related to
 - racial/ethnic origin
 - political opinions
 - religious beliefs
 - trade union membership
 - physical or mental health
 - other medical information including biometric and genetic data
 - sexual life preferences

We will only process this information if it is necessary to support you whilst you are a Restitute client or employee. If we wish to pass your sensitive personal information onto a third party we will only do so once we have obtained your written consent unless we are legally required to do otherwise.

- 8.5. **Lawful Processing** We must have a valid lawful basis in order to process your personal information. This ensures that the processing is necessary and applies to one of the purposes listed above. The following information explains what personal information we process and the lawful basis for processing against each purpose.

9. **Provision of Support**

- 9.1. **Lawful basis – Contract** When you come into contact with Restitute we will ask you to provide personal information that is necessary to manage and support (sustain) the services that we provide.
- 9.2. When you contact us, we will update and add notes to our computer systems and files.
- 9.3. Access to your personal information will be limited to volunteers or employees of Restitute requiring information to carry out our business.
- 9.4. We may pass your personal information on to third party service providers contracted by Restitute, or to whom Restitute is contracted to.
- 9.5. Any third parties that we may share your information with are obliged to keep your details securely, and to use them only to fulfil the services they provide on our behalf.

9.6. **Personal details** including:

- Full name,
- DOB,
- gender,
- age,
- health-related issues,
- disabilities and vulnerabilities,
- communication needs,
- next of kin,
- correspondence address,
- diversity information including: nationality, gender, sexual orientation, first language, ethnic origin and religion.

9.7. **Communication with Restitute** including:

- Processing of internal and external mail (external via third party)
- Website bookings
- Service user, Volunteer and employee contact details

9.8. **Financial Details** including:

- Payment details and records
- Supplier records
- Employee payment records Lawful basis – Legitimate Interest
- We process personal information for certain legitimate interests related to the business purposes listed above.

9.9. **‘Legitimate Interest’** means the interest of our company in conducting and managing our business (to enable us to give you the best service in the most secure way).

- Advice by phone, post, text or email
- Whistleblowing for the protection of staff and service users

9.10. **Lawful basis – Legal obligation**

- We process personal information for certain legal obligations.
- This is where the processing is necessary to comply with legislation or the law.
- Safeguarding (protection of service users) and sharing relevant information with social services or police
- Where we require identification for proof of who you are to minimize fraud

9.11. **For the welfare of our service users**

- Liaison with associated welfare services, advice and support
- Emergency contact details of service users, employees and volunteers
- Medical details of service users, employees and volunteers

9.12. **Legal proceedings**

- Share personal information with the Multi Agency Safeguarding Hib (MASH, Children’s or Adults Safeguarding Boards or police

9.13. **Feedback from research and surveys on how we can provide better services**

- Carrying out research
- Contact to complete surveys / feedback forms after you have received a service from us and use information you provide to improve our services
- Communication with our service users to provide updates relating to our business, appointments, and services
- Email or Text service users with the promotion of our services

10. For the management, wellbeing and support of our employees

10.1. Administration management of employment and Restitutes business. This includes information provided voluntarily as well as that collected as part of the recruitment process and during your employee journey. This includes:

- Pre-employment – Name, home address, email, phone no, medical details, next of kin, direct debit details, CV's, emergency contact details, ethnicity details, driving license, birth certificate, marriage certificate, previous address history, previous convictions, NI number
- Right to work in the UK documentation
- Return to work
- Occupational health referrals and reports
- Doctors' certificates
- Conflicts of Interest
- Policies and Procedures: Privacy: Restitute: March 2020: Review – March 2021
- Disciplinary proceedings/details
- Grievance details
- Performance cases
- Sanctions, witness details and statements
- Payroll number & Bank account details
- Pregnancy, maternity & paternity details
- Employee children & partner details
- Sickness details
- Employee journey
- Salary details and bonuses
- Length of service
- Job title and contract type
- Employee changes/updates
- Responses to staff surveys
- Training, qualification and professional membership details
- Office access and operations
- Background checks (DBS) in line with the law Internal directories, employee share-point / NAS sites, internal websites (including H&S injuries) and other business cooperation and sharing tools
- Licence checks
- Court service
- Whistleblowing
- Employee training and sharing of information where necessary to accrediting and awarding bodies and training providers
- Reporting of injuries, diseases and dangerous occurrences (RIDDOR) to HSE

11. For the management of financial services

- 11.1. Processing of Restitute pensions and sharing of relevant information with pension provider or accountant.
- 11.2. Processing of company payroll and sharing of relevant detail with employee bank and / or accountant.
- 11.3. Processing of credit and debit cards (donations) and sharing necessary information with third party and Bank

12. Information, system, network, and cybersecurity

- 12.1. Overall information security operations of Restitute is to prevent unauthorised access, intrusion, misuse of charity systems, networks, computers and information, including:
 - prevention of personal data breaches and cyber-attacks (pen test)
 - detection and investigation of security incidents – processing of personal data of individuals involved in an incident

- website security
- monitoring access to systems and any downloads
- use of information gathered from physical access control systems for investigation incidents
- investigating and reporting of data breaches

12.2. General corporate operations and Due Diligence

- Sharing necessary and relevant personal information with external providers
- Monitoring physical access to offices, and any visitors
- Business intelligence

13. How long will we retain your information?

- 13.1. We will hold your personal information securely while you are a service user, employee or volunteer with us. Records will be held in line with retention legislation, following which we will delete all personal information unless you owe us any money, have ongoing legal proceedings with us, or where there is a logged complaint.
- 13.2. We may also retain personal information regarding qualifications gained, and anonymised data to ensure accurate statistics and data can be reported. We will hold employee data provided from the start of your employee journey and then in line with Data protection regulations, one year for unsuccessful applications and six years following termination of employment for employees.
- 13.3. Once these timeframes have passed we will delete all personal information excluding confirmation of employment dates, or unless otherwise requested by yourself.
- 13.4. Financial records are held for seven years, following which they will be destroyed.

14. How do we secure your information?

- 14.1. Restitute takes data security seriously, and we use appropriate technologies and procedures to protect personal information.
- 14.2. Our data processing, data protection and IT policies and procedures are closely aligned with widely accepted standards and are reviewed annually and updated as necessary to meet our business needs, changes in technology, and regulatory requirements.

15. Policies and procedures

- 15.1. We have measures in place to protect against accidental loss and unauthorised access, use, destruction, or disclosure of data including the following:
- We place appropriate restrictions on access to personal information
 - We implement appropriate measures and controls, including monitoring and physical measures, to store and transfer data securely
 - Data Protection training for all employees who have access to personal information and other sensitive data
 - We take steps to ensure that our employees and volunteers operate in accordance with our data processing policies and procedures and any applicable contractual conditions]
 - We require, third party contractors or sub-contractors to have appropriate agreements in place to ensure personal information is processed in line with the General Data Protection Regulation.

16. Your rights as a data subject (Client of Restitute)

- 16.1. At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:
- Right of access – you have the right to request a copy of the information that we hold about you.
 - Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete.
 - Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records.

- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the data we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to withdraw consent at any time.

17. GDPR gives you greater control over your data held by us

17.1. You may express your rights, in writing or verbally, by addressing your request to Restitute by:

- Email: support@restitute.org
- Writing to, 31 Gipsy Lane, Frostenden, Beccles, Suffolk NR34 7HU
- Calling 07946 557819

17.2. Providing an additional, appropriate security measure, we may need identification or other information to confirm who you are.

17.3. This will clarify your right to access the data and exercise your rights and avoid incorrect disclosures.

17.4. Valid forms of identification may include a passport, driving licence or birth certificate.

17.5. Restitute will respond to your request within one calendar month.

17.6. Normally, no fee will be charged unless the request is excessive.

17.7. If we are unable to fulfil your request (for example, a legal obligation), or need to take longer to process your request, we will explain why.

18. Complaints

18.1. You have a right to lodge a complaint with the supervisory authority:

18.2. Information Commissioner's Office Right to judicial review: if Restitute refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain to the Information Commissioner's Office (ICO) details below:

Information Governance department
Information Commissioner's Office
Wycliffe House Water Lane
Wilmslow
Cheshire
SK9 5AF

18.3. Our professional referral form specifically asks for consent to share this information with us.

- Personal data type: Full Name, DOB, Age, Current Address, Contact Details, Medical Information, Qualification Information, Emergency Contacts, reason for referral
- Source: Anyone making a referral

Last Review Date: September 2024

Next Review Date: August 2025