

PRIVACY NOTICE FOR SERVICE USERS AND SUPPORTERS



1 About this notice

Headway Essex is committed to protecting the privacy and security of our service users' and supporters personal information. This privacy notice sets out:

- what personal data Headway Essex processes about you, the reason it processes that personal data, its legal basis for processing that personal data, and how long it will process it for;
- who to contact in the event that you have any queries relating to your personal data;
- how we use your information;
- who Headway Essex may share your personal data with;
- the extent to which Headway Essex transfers personal data outside the European Economic Area and
- what rights you have in relation to your personal data, and how to exercise them.

Where we refer to “you” or “your”, we are referring to you as a service user or supporter of Headway Essex.

This privacy notice applies to current and former service users and supporters. This privacy notice does not form part of any contract to provide services and we may update this privacy notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2 Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

3 Contact Details

We have included below details of who to contact in the event that you have any queries relating to your personal data.

3.1 Data controller

We, Headway Essex are the data controller. We are a limited company registered in England under company number 2674755, our registered office is at Headway House, 2 Boxted Road, Colchester, Essex, CO4 5JD.

You can contact us on telephone number 01206 845945, by email admin@headwayessex.org.uk or by mail for the attention of the Data Controller at the address above.

3.2 **Our data protection officer is Nicki Bryant**

You can contact the data protection officer via telephone on 01206 854945, by email on nicki.bryant@headwayessex.org.uk or by mail for the attention of the Data Protection Officer at the address above.

4 **Processing of personal data**

4.2 Please find attached at Schedule 1 details regarding the data to be processed, the purpose for which the personal data are intended to be processed, our lawful basis for processing, and how long we keep the personal data.

4.3 Where multiple retention periods apply to one category of data, the retention period will be the longest one (although we will stop using that category of data when the retention period for that purpose expires).

4.4 With regards to the items processed on the lawful basis of our legitimate interests, you may have the right to object to such processing. To exercise your right to object, please see the section titled “Your rights” below. Note however we may not honour your objection where we require that personal data to bring or defend a legal claim.

5 **How we use your information**

We collect and hold personal information relating to you and dependent on the service provided may also receive information about you from others involved with your care e.g. GPs, Hospitals, Social Workers, Carers, family members, local authorities and other third party health professionals. We use this personal data to:

- Support you with your care and rehabilitation needs
- Monitor and report on your progress
- Provide appropriate support and care
- Enable ethnicity and disability monitoring
- Provide training certificates
- Monitor the usage and assess the quality of our services
- To administer fundraising event registrations and process donations.

5.2 We may also process your data for statistical analysis to monitor how the charity is performing and report these findings to funders or potential funders of our services, all data used in this way will be anonymised.

5.3 Where you have given us explicit consent data will be used to keep you informed Charity News, Fundraising, events and volunteering information.

6 **Persons with whom we may share your data:**

In general, access to your personal data will be restricted to those who have a need to access it in order to carry out their duties (for example but not limited to, our Service Managers, care staff and staff and volunteers who act as administrators of the database).

We will not pass on information about you to anyone without your explicit consent, unless we are required by law.

However, we will also share your personal data with the following external third parties in some circumstances:

- regulators and government authorities such as HMRC or the police, if we are required to do so by law or if the regulator or authority requests it and we regard that request as reasonable;
- Where a Safeguarding concern is raised;
- our insurers, legal advisers or other third parties who need access to it in the context of managing, investigating or defending claims or complaints;
- a potential funder/purchaser of Headway Essex which impacts the service(s) you receive (subject to explicit consent, unless the data is anonymised);
- Organisations (for example third-party service providers) that process your data on our behalf and are not allowed to use your data for any other purpose.

7 Transfers outside of the EEA

In certain limited circumstances, we may export personal data outside of the European Economic Area for processing, and we may use third party service providers who do the same.

We only do that if there is a good reason to do it and where adequate safeguards are in place.

8 Your rights

The law gives you certain rights in respect of the personal data that we hold, which you should be aware of:

- 8.2 You have the right to obtain your personal data from us except in limited circumstances. Where we provide it, the first copy will be free of charge, but we reserve the right to charge a small fee for additional requests;
- 8.3 You have the right to require us to rectify any inaccurate personal data we hold concerning you;
- 8.4 Taking into account the purposes of the processing, you may also have the right to have incomplete personal data completed, by means of providing a supplementary statement or otherwise;
- 8.5 You have the right to require us to erase your personal data on certain limited grounds (including where they are no longer necessary for the purpose for which they were collected or where you withdraw your consent and there is no other legal ground for the processing);
- 8.6 Where we process personal data either on the basis of consent or contractual necessity, you provided the personal data to us, and we process that personal data by automated means, you have the right to require us to give you your data in a commonly used electronic format;
- 8.7 You have the right to object to our processing of personal data which we process on the grounds of our legitimate interests, although we do not always have to honour your objection – we can refuse

to cease processing where we have a compelling legitimate ground that outweighs your interests, or if we need the data to bring or defend a legal claim;

8.8 You have the right to require us to restrict the processing of your personal data on certain grounds, including where:

8.8.1 you contest the accuracy of the personal data and want us to restrict processing of your personal data while we verify its accuracy;

8.8.2 the processing is unlawful, but you request a restriction of the processing rather than erasure;

8.8.3 we (as controller) no longer need the data for the purposes of the processing, but you have told us you require us to retain that personal data for you to establish, exercise or defend legal claims; or

8.8.4 you have objected to us processing your personal data on grounds of legitimate interests and want us to restrict processing of your personal data while we consider your objection.

If you would like to exercise any of these rights, please contact us OR the data protection officer using the details set out at the top of this notice.

9 If we can't remedy an issue you have

Should you have any complaints or issue with our treatment of your personal data, you may lodge a complaint with the Information Commissioner's Office (<https://ico.org.uk>).

10 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.

SCHEDULE 1

Relationship to Headway	Type of personal data:	Purpose:	Lawful basis for the processing:	Retention Period
Brain injury Survivor Carer of Brain Injury Survivor	Identity details – name, date of birth	To identify you	To be able to provide services.	7 Years after death, discharge or date of last contact.
	Contact details - Address, contact details (phone, email)	To enable us to contact you	Invoicing	
	Next of Kin/Emergency – name and contact details	A point of contact in case of emergency		
	Ethnicity	Ethnicity monitoring		
	Medical History	To understand the nature of your brain injury or the person you care for		
	Health conditions	To understand other health conditions which may affect the services we provide		
	National Insurance Number	To support benefit claims		
Trainee	Identity details - name	To identify you or provide certification	To be able to provide training	7 Years
	Contact details – address, personal or work (phone, email)	To enable us to contact you and provide training materials	Invoicing	
Headway Supporter, Member Event participant	Identity details - name Contact details – address, personal or work (phone, email)	To enable us to process donations and gift aid.	Gift Aid consent	6 years after last payment made.
		Administration of memberships	To fulfil membership contracts	6 years from the end of the last financial year they relate to.

SCHEDULE 1

		To send event information	Legitimate interest in event participation	18 months after event, in case of insurance claim
Purchaser of Headway Merchandise	Identity details - name Contact details – address, personal or work (phone, email)	To fulfil orders	Legitimate interest	6 years from the end of the last financial year they relate to.