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**PRIVACY POLICY**

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| Drafted | May 2018 (as joint Privacy and Data Protection Policy) |
| Latest date approved by Board | January 2019 |
| Adopted |  |
| Reviewed | February 2022 |
| Date of next review | December 20224  (Or before, in the event of an update to legislation) |

**Overview:**

SARSAS is committed to protecting the privacy of all individuals who use, work for, or support our organisation. This privacy policy explains when, how and why we collect information about individuals, how we use it, the circumstances in which we may disclose it to others and the way we work to keep all information safe and secure.

**Company details:**

* Name: Somerset and Avon rape and sexual abuse support (SARSAS)
* Address: PO Box 2942, Bristol BS1 9EU
* Contact: [Info@sarsas.org.uk](mailto:Info@sarsas.org.uk)
* Charity No. 1126682
* Company Reg No. 6738639
* ICO Reg No. Z3052622
* Appointed Data Protection Officer
  + Name: IG Smart
  + Contact: [dpo@ig-smart.com](mailto:dpo@ig-smart.com)
  + Website: <https://ig-smart.com/>

SARSAS is the data controller for the personal data you provide when you engage us for support services.

**Data we collect and use:**

SARSAS will only collect information that is needed to provide a service. This may include (but is not limited to)

* Name and contact details
* Date of Birth
* Health information relevant to support
* Emergency contact details
* Details of other professionals involved in support
* Equalities information (such as gender, ethnicity, sexual orientation, religious beliefs, health conditions or disability, age). Service users are given the option ‘prefer not to say’
* Any other personal information that a service user chooses to share with us

SARSAS will use only use this information in ways that are lawful and relevant to provide support that has been requested.

**Purposes for using your data**

If you use the helpline, you will not be required to provide any details about yourself. If you use other services, we will only hold minimal information to contact you, for example, to cancel an appointment. From time-to-time, we will check that the information is up-to-date.

If details of counselling sessions are held on record for the benefit of your support, only essential details will be recorded, and they will be stored securely. Any information used for statistical or reporting purposes will be completely anonymised.

If an individual has given explicit consent, we may use information to contact them by post or email with news about our services or to notify services users of important changes or developments.

We may use and analyse information to administer, monitor and develop our services. We may also pass aggregated information on to third parties (including funders) for reporting and analysis purposes, but this will not include any identifying information.

**Working with under 18s**

SARSAS does not need to obtain parental consent when offering preventative or counselling services to individuals aged between 13 and 18. SARSAS recognises that children within in this age group (who have deemed competency) have full rights regarding their data and as such must provide appropriate consent.

We will take steps to ensure the best interests of the child are our primary consideration (UN Convention on the Rights of the Child – Article 3) and do our best to explain data protection and its implications in a language they understand.

We will:

* tell them what we are doing with their data,
* be open about the risks and safeguarding issues involved
* let them know what to do if they’re unhappy.

We will make reasonable efforts to verify the age of any child to ensure they are over 13 (for example: asking for date of birth, year at school).

**Lawful Basis**

SARSAS ensures that a lawful basis is in place for the personal data we process. We will apply at least one of the following lawful bases:

* **Consent:** An individual has given consent for their personal data to be used by SARSAS for a specific purpose. An individual can withdraw their consent at any time.
* **Contract:** The processing is necessary to fulfil a contract SARSAS has with an individual, or to take specific steps to enter a contract with that individual.
* **Legal obligation:** SARSAS has a legal obligation which requires it to process personal data.
* **Vital Interests:** The processing is necessary to protect the vital interests of the data subject or of another natural person.
* **Public Task:** The processing is necessary to perform a task in the public interest or to conduct official functions. SARSAS is unlikely to use this lawful basis as it mostly used by public bodies and entities.
* **Legitimate Interests:** The processing is necessary for SARSAS’ legitimate interests or that of a third party unless the rights and freedoms of data subject override these legitimate Interests.

**Data Subject Rights**

Applicable data protection laws such as the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 afford individuals with various rights. An individual has the right to:

* be informed about how their personal data is used by SARSAS,
* see and obtain copies of personal data held on them,
* amend incorrect or incomplete data,
* delete and/or stop the processing of data (right to erasure/to be forgotten) in certain circumstances,
* restrict processing of personal data in certain circumstances,
* move personal data from one data controller to another.

If you want to exercise any of your rights, please contact [Info@sarsas.org.uk](mailto:Info@sarsas.org.uk) to start this process.

**Third party sharing (people or organisations outside of SARSAS)**

SARSAS will not, without the explicit consent of the data subject, share personal data with any third party unless the sharing is strictly for the performance of SARSAS’ operational functions (e.g., outsourcing of business functions); unless the sharing is required by law or statute; or otherwise, legitimate without consent as set out in the GDPR.

Third parties may include IT providers, payroll bureau, SV alliance partners, medical professionals, professionals providing statutory care, criminal justice professionals.

Situations when it may be necessary to break confidentiality

* when a child or adult with care and support needs is at risk of harm through abuse or neglect (see Child Safeguarding Policy and Safeguarding Adults Policy)
* when there is a serious risk of harm to the service user or others
* when there is a court order or other legal requirements.

The decision on whether to break confidentiality will be decided on a case-by-case basis and always in agreement with the CEO, or in their absence, the Designated Safeguarding Lead (DSL).

When we engage third parties, we will conduct robust third party due diligence to ensure third parties are able to comply with their responsibilities under data protection laws to protect personal data provided to them.

**How we protect your data**

SARSAS has implemented technical and organisational measures to safeguard personal data and sensitive data from unauthorised access, unlawful processing, accidental loss, destruction, or damage. Some of the measures implemented:

* Firewalls are installed and anti-virus software is up-to-date
* Passwords are strong and changed at reasonable intervals
* Data is regularly backed up to ensure its availability
* Mobile devices are password protected
* Only individuals who need access can access data
* Staff, volunteers, and trustees have appropriate training in data security including how to avoid scams and phishing attacks and how to set a strong password.

**International Data Transfers**

[Include information about where personal data is transferred (if this is the case), and what measures are in place to legitimise these transfers and maintain the level of protection of the data. e.g., standard contractual clauses (SCCs)]

**Retention of Data**

SARSAS will not retain personal data for longer than is necessary in relation to the purposes for processing. We normally hold service user case notes for 7 years, but this may vary based on the case and circumstance.

We may also retain personal data as required to comply with legal obligations or where is necessary to defend our legal interests.

**Cookies**

**What are cookies?**

A cookie is a string of information that a website (in this case www.sarsas.org.uk) stores about a website visitor’s computer. When a user visits our website if the cookies are enabled their computer browser provides information to the website www.sarsas.org.uk.

**Why do we collect information from cookies?**

We use cookies track how visitors use our website and what their preferences our to improve how our users engage with our site. We use Google Analytics which uses cookies to track visitor usage. This does not store, save or collect personal information.

**How can you disable cookies?**

If you do not want to share information via cookies, you can change the use of cookies on your computer or device. You will need to access your web browser security settings to block cookies.

**Contact**

If you have any queries, comments, or feedback about how we process your personal data, please contact us at [Info@sarsas.org.uk](mailto:Info@sarsas.org.uk).

If an individual believes that SARSAS has not processed their personal data lawfully or fairly, they can contact the Information Commissioner’s Office to express their concerns. See ICO website [www.ico.gov.uk/concerns](http://www.ico.gov.uk/concerns)