

Learning Disability England Privacy and Data Protection Policy

Update August 2020

Introduction

The law on data protection changed in May 2018, when the new EU-wide General Data Protection Regulation (GDPR) came into force. This new regulation replaced the old Data Protection Act.

The GDPR is meant to give you greater control over how personal information about you is stored and used by organisations like Learning Disability England.

Learning Disability England have looked at all the personal information that we collect and keep about the people who are members, the people who volunteer with us, the people who support us and the people who work for us. We have done this to make sure everyone knows

- what we collect
- why we collect it
- how we use it
- how long we hold on to it for

If you have any queries about our privacy policy please email info@LDEngland.org.uk or call us on 03000 1110444.

It is a fundamental principle for Learning Disability England that all personal information received from any members or partners will be treated by volunteers, staff and trustees as confidential, and will not be disclosed to third parties without consent, other than in specific, exceptional circumstances.

Learning Disability England will ensure that all volunteers, staff and trustees are aware of and comply with its policy on confidentiality and data protection.

We will make sure the most up to date version of this policy is posted on our website, but you should always check you are dealing with the most up to date version.

Who are we?

Learning Disability England is a registered charity set up in 2016 to work with people with learning disabilities, their families and support organisations to make life better with people with learning disabilities.

We are a charity registered in England and Wales (no.1092587)

Our registered offices are at:
c/o Anthony Collins Solicitors,
134 Edmund Street,
Birmingham,
B3 2ES.

For the purposes of this Policy, 'us', 'we' and 'our' refer to Learning Disability England.

What is this policy about?

Learning Disability England is committed to protecting your privacy and being transparent about how we use information relating to you. We will only use the information that we collect about you lawfully. This policy, together with our website terms and conditions, tells you about how we collect, use and store your personal information.

Your rights

Under GDPR, you have 8 specific rights when it comes to your personal information.

1. **The right to be informed** - meaning you should be given clear information about what personal information we keep, why we keep it and how it is used and stored.
2. **The right of access** - meaning you can ask us for a copy of all the personal information we hold about you and you can ask us questions to make sure that we are processing your information legally.
3. **The right to rectification** - meaning that if the personal information we have is wrong or incomplete, you can tell us so that we only keep accurate information that you have chosen to share with us.
4. **The right to erasure** - meaning that you can ask us to erase all your personal information. This is sometimes known as 'the right to be forgotten'. There are some occasions when we may have a legal obligation or legitimate interest to keep certain information about you, even if you no longer want to be on our records, for example in terms of processing financial information, or keeping records in case of a future claim.
5. **The right to restrict processing** - meaning that you can ask us to keep your information but only use it for certain purposes, for example you may want to only receive certain types of information from us.
6. **The right to data portability** - meaning that you can ask for your data to be transferred to another system. This is not something that is currently relevant to our work at Learning Disability England, but an example would be if you use a price comparison website to compare different bank accounts, you have the right to tell your current bank to share relevant information with another account provider.
7. **The right to object** - meaning that if you are unhappy with the way we have processed your data, for example if we keep writing to you when you have asked us not to, you can tell us and we must respond.
8. **Rights in relation to automated decision making and profiling** - meaning that we need to tell you if we use any systems which automatically use your personal information without human involvement. There is more information about this and all the other rights on the [Information Commissioners Office website here](#).

What information do we collect?

We collect personal information, or data, each time you interact with us. For example, when you join as a member, when you sign up for a newsletter, request information, apply for a job or volunteer opportunity or sign up for an event.

We collect information from third parties, for example from member organisations, where you have given your consent, or from websites you may have used to donate money to Learning Disability England such as [cafonline.org](#). You may wish to check the privacy policies of these organisations to find out more information on how they will process your data.

When you visit our websites, we also collect anonymised statistical information via Google Analytics, and the analytical tools of our third-party platforms and Social Media accounts.

We may collect publicly available information, to keep things like online resources updated. We get this information from Companies House, Charity Commission, or information published by groups and organisations on the internet.

What do we do with your information?

Members – we use the personal information that you give us to:

- tell you about work you might get involved in
- ask your opinion or ideas for campaigns
- share information with other organisations, if you have asked us to, or if we are required by law to share it
- tell you about our work and the difference you help us to make
- invite you to member events, including our Annual general meeting
- keep a register of members, in line with our Articles of Association
- process your membership subscription and payments

We also use your anonymised data to produce statistics about the kind of people we are working with, and to help us to make sure we are providing a fair and equal service to everyone who wants it. This information enables us to answer questions like “do we have more men than women who are members?” or “what people from member organisations are involved in this campaign?”

You can find more information about this in our Confidentiality Policy.

Volunteers – we use the personal information that you give us to:

- process your application for a role at Learning Disability England
- to keep an ongoing record of the ways you help Learning Disability England
- to ensure that you are suitable and qualified for the kind of volunteering you are undertaking (e.g. background checks, driver’s license)
- to pay your expenses (as per our policy)
- provide references at your request should you move on

We also use your anonymised data to produce statistics about the kind of people who volunteer with Learning Disability England, and to help us to make sure we are providing fair and equal opportunities to everyone who wants to volunteer with us. This information enables us to answer questions like “how long do people volunteer with Learning Disability England?” or “Is Learning Disability England providing a friendly and welcoming atmosphere where people can be open about their sexuality?”

Donors and Supporters – we use the personal data that you give us to:

- thank you for your donations
- process any donations you give to us including claiming gift aid on your donations if authorised by you to do so
- keep a record of the donations you have made
- tell you about our work, and the difference you help us to make
- answer any queries you have

We also use your anonymised data to produce statistics about the kind of people who support us and to help us to make sure we are good at attracting supporters from all backgrounds. This information enables us to answer questions like “What areas of Leeds provide the most support to Learning Disability England?”

Job applicants - we use the personal information that you give us (or that your referee gives us) to:

- process your application for a role at Learning Disability England

- to get in touch with you and explain the outcome of your application
- your information will only be shared with staff and volunteers involved in the recruitment process

We also use your anonymised data to produce statistics about the kind of people who apply to work at Learning Disability England and to help us to make sure we are good at recruiting staff from all backgrounds. This information enables us to answer questions like “What proportion of BAME applicants were shortlisted for Job roles in the last 5 years.”

Employees – we use the personal information that you give us (or that your referee gives us) to:

- fulfil our contractual obligations to you, such as paying you
- to ensure that you are suitable and qualified for the kind of work you are undertaking (e.g. background checks, driver’s license)
- ensure we are treating you as we have committed to, for example under our sickness absence policy
- provide references at your request should you move on

Confidentiality & sharing your information

Learning Disability England will seek to ensure that all personal information received from any members or partners will be treated as “confidential within Learning Disability England”, and will not be disclosed to third parties without the client’s consent (subject to the exceptions mentioned below).

“Confidential within Learning Disability England” means that confidential information may be disclosed to Learning Disability England staff and, in appropriate circumstances, to Learning Disability England trustees and volunteers.

Learning Disability England are a small team who use a single database. All members records are seen by Managers and by Admin staff.

It would be appropriate for confidential information to be disclosed to Trustees when, for example, the information affects a policy decision to be made by trustees.

It would be appropriate for volunteers to share confidential information with other volunteers where this would benefit Learning Disability England’s work for its members, for example by enabling volunteers to share experiences, seek advice or provide mutual support.

You are able to ask us to share the information we hold on you with another agency, third party or individual.

For more information on this please see Learning Disability England’s Confidentiality Policy.

Sharing information without your permission

We may also have to share information if it is required by a law enforcement agency or by a regulatory body, for example the HMRC for processing gift aid on donations. We do not share your information with any other organisations for their marketing purposes.

We may use other organisations to carry out tasks on our behalf (“Third parties”), including processing donations (for example we receive online donations from Stewardship), sending emails (such as using Mailchimp to send our newsletters).

We will provide these organisations with only the information needed to deliver these services, and they are not allowed to use or store your data for any other purpose.

Where and how do we store your personal information?

We will take all reasonable steps to make sure your personal information is managed and stored securely.

We store and process most of our information using secure cloud-based systems and secured servers.

Internally, this is accessed only by appropriate staff and volunteers who are trained suitably. We restrict access to certain computer drives and files, for example information relating to contact information or financial giving.

Some of your information may be stored in hard copy (on paper), for example if you have given us a photocopy of any personal documentation, or signed copies of formal paperwork. We do our best to keep paper copies to a minimum and we store hard copies of these documents in locked filing cabinets with restricted access.

In some cases, third parties may have access to your personal information, and where this is the case, we ensure that they are GDPR-compliant.

We may use external companies to collect or process personal data on our behalf, for example Mailchimp or our database system. While we take appropriate steps to ensure that information is secure, for example by using encrypted forms, we cannot guarantee that transmission of information over the internet is 100% secure and therefore you submit data at your own risk.

Data in cloud-based systems may be processed outside of the European Economic Area (EEA). By submitting your personal data, you agree to this transfer, storing and processing of your information.

Cookies

Our websites use cookies to help you in your interactions with the site. Most cookies are session cookies, lasting only for the duration of your visit and are deleted when you close your browser. No personally-identifiable data is collected. Examples of the sort of information that is collected via session cookies are provided below. This list is not exhaustive:

- the last search term that you used within the site
- your preference in terms of accessible viewing options
- a unique ID to track your session from page to page, which is vitally important should you sign into the site
- which page you are looking at within a multi-paged index of content or search results.

Our websites use Google Analytics to allow us to track how popular our site is and to record visitor trends over time. Google Analytics uses a cookie to help track which pages are accessed. The cookie contains no personally-identifiable information, but it does use your computer's IP address to determine where in the world you are accessing the site from, and to track your page visits within the site.

From time to time, we may embed external content from third-party websites (e.g. Facebook, YouTube) within our website. These websites may utilise cookies and the Privacy Policy that will apply to such third-party content will be that published on the website of that third-party content provider.

Third Party Suppliers

Learning Disability England uses third party suppliers such as Facebook, Twitter, Mailchimp, YouTube, and they may use cookies. We do not control these, and we would advise you to check with these third parties for information about their cookies and how to manage them.

Some of these third parties may be located outside of the UK and the European Union, and therefore they may not fall under the jurisdiction of UK courts. If this is a concern to you, you can change your cookie settings and you can find out more about this from the Information Commissioner's Office (ICO) (<https://ico.org.uk/>).

Links/Other Websites

This privacy policy only applies to Learning Disability England. Learning Disability England websites contains links to other websites, which are run by other organisations. Learning Disability England is not responsible for the privacy practices of other organisations, and as a result of this you should read their privacy policies with care.

How long do we keep your information?

How long information is kept for is sometimes called 'data retention'. We will keep your personal information only for as long as we consider it necessary. We have to take into account legal obligations, for example we must keep details of anyone making a financial donation for 7 years after the gift (and share those details to the HMRC if this is Gift-Aided), accounting and tax considerations and also consider what is reasonable for the activity in question. If you have any questions about this, please contact us in writing using the contact details at the bottom of this Privacy Policy.

Updating your details and preferences with us

Please keep your details up to date with us, for example if you change address or telephone number. When you provide us with personal information, we may use the Royal Mail's Postcode Finder or other available sources to confirm this, for example if we are unsure of what you have written on a form. We do not use these sources to access data that you have chosen not to provide to us.

You can change your preferences for which communications you receive from us, and how we contact you, by getting in touch with us at any time.

- by email: info@LDEngland.org.uk
- by phone: 0300 111 0444
- by post: GDPR, Learning Disability England, c/o 134 Edmund Street, Birmingham B3 2ES

Accessing and amending your information and preferences

At any time, you can do the following:

- ask for a copy of the personal information we hold about you (this is also known as a Subject Access Request – please see the Appendix for our SAR policy)
- ask us to erase or remove all your personal information
- ask us to restrict how we use your personal information
- object to our use of your personal information

Your request needs to be in writing and either on paper or in an email is fine.

To do any of these, please write to us at:

- by email: info@LDEngland.org.uk
- by post: GDPR, Learning Disability England, c/o 134 Edmund Street, Birmingham B3 2ES

We will act on any requests received within one month of receiving your request unless this request is complex. If it is complex, we will inform you within one month of receiving your request and explain why we need to extend this length of time.

Safeguarding Adults and Children

Learning Disability England takes the health and safety of everyone very seriously, which is why we train our staff and volunteers in how to spot and act on signs of abuse, neglect or other types of harm using our Safeguarding Adults and Safeguarding Children policies.

Both these policies outline

- the circumstances in which Learning Disability England may share information without your prior knowledge or consent, in order to prevent serious harm from taking place
- the way we will do this
- the records we will keep
- the ways we will tell people whose information has been shared
- the steps they can take if they feel Learning Disability England volunteers or staff have acted wrongly

If you wish to view a copy of these documents, please contact us.

How to contact us

Please contact us if you have any questions about our privacy policy or information we hold about you.

- by email: info@LDEngland.org.uk
- by phone: 0113 373 1759
- by post: GDPR, Learning Disability England, c/o 134 Edmund Street, Birmingham B3 2ES

For more information about your rights in relation to the information we hold about you, you can visit the ICO website (<https://ico.org.uk>).

About this Policy

Our Privacy Policy may be amended and updated, and so you may wish to check it whenever you share personal information with us. If we do amend this privacy policy, the most recent version of it will always be available on our website. We may not explicitly inform our users of these changes. Updates are listed below.

Acknowledgements

This policy draws on policies and materials created by The Information Commissioners Office <https://ico.org.uk>.

Update August 2020

Office address updated