

PRIVACY POLICY

The Colchester & Tendring Youth Enquiry Service (y.e.s.)

DATA PRIVACY NOTICE

y.e.s. is committed to protecting your privacy when you use our services. The Privacy Notice below explains how we use information about you and the ways in which we protect your privacy.

Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

Who are we?

y.e.s. is the data controller. This means we decides how your personal data is processed and for what purposes. Y.e.s. is an incorporated registered charity (Registered with the Charity Commission in England & Wales under No.1058420). We are registered in England and Wales with company number 3251475. Our registered office is 9 Trinity Street Colchester Essex CO1 1JN.

Where particular contracts require, y.e.s. acts as data processor and complies with the same regulations in such cases.

How do we process your personal data?

y.e.s. complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. All personal data is kept on our IT systems and hard copy. Due to the nature of our work personal data may be held on portable electronic devices;

however these devices are both BIOS and system password protected and in all cases access is restricted only to staff who need it.

We use your personal data for the following purposes: –

- To enable us to provide a voluntary service for the benefit of the children and young people of our area as specified in our constitution.
- To administer service user records
- To manage our employees and volunteers
- To maintain our own accounts and records (including the processing of gift aid applications)
- To inform you of services, activities, news and events.
- To fulfil specific requirements of service delivery contracts or grants with/from government agencies, local government, other charities and private providers
- To fundraise and promote the interests of the charity

What is the legal basis for processing your personal data?

- Our legal basis for processing data is subject to the purpose of our collection, collation and retention of data and includes Consent, Contract, and Legitimate interest.
- Explicit consent of the data subject is requested as part of our services so that we can provide services and activities as outlined in the y.e.s. constitution.
- To keep you informed about services, activities, news and events and process your gift aid donations.
- Under the contract with our statutory funders for some specific projects information will be shared with them as they are data controllers in this instance and **y.e.s.** acts as data processors in this capacity. Only anonymised data is used for reporting and monitoring. Processing is necessary for carrying out obligations under employment, health and safety, social security or social protection law, or a collective agreement. Such protection and justification for processing applies to personal data relating to staff, clients and volunteers with **y.e.s.**
- Where personal data is collected relating to attendance at an event or training, unless specific consent is given, that data will only be used in communications around the administration, running and follow-up for that event under legitimate interest.

- Where personal data is collected relating to our client services, personal data is only collected to enable service delivery and for reporting purposes (with the exception of contact information which may be used to call back if messages are left). All such personal data is deleted in accordance with our retention schedule. Any personal data shared with the commissioner is either anonymised, or specific consent is sought to enable this sharing.
- Where personal data is collected relating to staff and volunteers, only information required for health and safety, safeguarding, and to manage staff and volunteers is collected. All sensitive personal data (whether electronic or hard copy) is securely stored and access restricted only to staff who need it. For reasons of continuity of service delivery, and to ensure that relevant information about repeat clients or volunteers is available, data is retained for the period stated in our retention policy. Only data necessary to direct service delivery is shared with, for example, a delivering third party. Any personal data shared with a commissioner is either anonymised, or specific consent is sought to enable this sharing.
- Where personal data is collected relating to any other short term project, only data that is needed will be collected, and the other considerations made clear elsewhere in this policy will apply.

Sharing your personal data

Your personal data will be treated as strictly confidential and will not be shared except where

- We are worried about the safety of a child, young person or vulnerable adult;
- We think that a crime may be prevented or found out by sharing it.
- If a court order is made in criminal or legal cases or;
- It is specifically required by contractual agreements in which case we will only share your data with third parties outside y.e.s. with your explicit consent. In any such cases where partnership working agreements require data sharing, specific consent will be obtained.

How long do we keep your personal data?

We keep data in accordance with the GDPR, and with our retention schedule. We have systems in place to ensure that personal data is not retained indefinitely without the relevant consent or another relevant legal basis for processing.

Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: –

- The right to request a copy of your personal data which we hold about you.

- The right to request that we correct any personal data if it is found to be inaccurate or out of date.
- The right to request your personal data is erased where it is no longer necessary for us to retain such data.
- The right to withdraw your consent to the processing at any time.
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability)[1].
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
- The right to object to the processing of personal data[2].
- The right to lodge a complaint with the Information Commissioners Office.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will publish a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Other websites

Our website contains links to other websites. This privacy policy only applies to our organisation so when you link to other websites you should read their own privacy policies.

Changes to our privacy policy

We keep our privacy policy under regular review and we will place any updates on our website.

How to contact us

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

Email: info@colchesteryes.org.uk

Tel: 01206 710771

Or write to us at: 9 Trinity Street, Colchester, Essex CO1 1JN

You can contact the Information Commissioners Office on 0303 123 1113 or via email

<https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

[1] Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means.

[2] Only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics