



Data Privacy Notice

Advocacy Western Isles (AWI)

A Charity Registered in Scotland No: SC034774 The Board of Trustees (AWI, Stornoway)

Your personal Data: What is it?

Personal Data is information relating to a living individual who can be identified from that date identification can be by the information alone on conjunction with any other information in the possession of the Data Controller or that which is likely to come into such possession. The processing (see definition section) of personal data is governed by the General Data Protection Regulations (GDPR).

2. Who are we?

The staff of Advocacy Western Isles is the Data Controller (Contact details below). This body decides how your personal data is processed and for what purposes.

3. How do we process your data?

The organisation of AWI meets the stipulations of GDPR by keeping personal data about individuals up to date, accurate, storing and destroying it securely, not collecting nor retaining excessive or out of date amounts of data, by protecting personal data from loss, misuse, unauthorised access, and disclosure and by ensuring that appropriate measures are in place to protect data.

We use your personal data for the following purpose(s):

- To enable us to provide a service for the benefit of the public in the geographic area as specified in our constitution.
- To advance human rights, conflict, resolution and/or reconciliation.
- The promotion of equality and diversity.
- To advance the relief of those in need by reason of age, ill-health, disability, financial hardship other disadvantages.
- To advance and promote the provision of independent advocacy, through the medium of trained, qualified, supervised staff providing services at least to the professional standards of The Scottish Independent Advocacy Alliance and ensure those standards of practice meet the statutory obligations require of by law of a service providing independent Advocacy.
- To fundraise and promote the interests of the charity.
- To manage our staff (and volunteers).
- To maintain our own accounts and records.
- To inform you of news, events activities involving AWI.
- To share your contact details with your consent with other professional agencies which may provide additional or alternative support (e.g. such as health service workers).
- Where children, under age 16 are the client their contact details will be included with the consent of the responsible adult who cares for them.

3. What is the legal basis for processing (see definitions) your personal data?

Explicit consent from you, the data subject (see "definition") so that we can contact you as justified by circumstances and keep you informed of activities relevant to your contact with AWI.

- Processing (see definition) is necessary to carry out legal obligations, social protection, housing, and other areas of work relevant to the data subject (see "definition").

- Processing is carried out by staff of AWI and there is no disclosure of identifying material or data to a third party unless specifically indicated by circumstance when any sharing of personal data will be first discussed with the data subject and/or responsible adult.
- Processing will additionally involve making returns concerning workload, classes of work involved, representations and tribunal work. Where information of a general nature is required to be shared it will first be anonymised by redaction of identifying detail and grouped in appropriate clusters where appropriate.
- We have an overarching obligation to breach confidentiality with a service user when there is evidence of danger or harm to an individual or another person or potential neglect or harm to a child.
- If we learn, during contact with a client, of any criminal act or proportion for such an act, we will share information with the appropriate agencies.

Sharing Data

Your personal data (see “definition”) will be treated as strictly confidential at all times.

Information will be anonymised before any sharing of data is made unless there is either a significant danger to life or limb to the data provider, or someone associated with them or there is a risk of significant crime or injury happening.

How long do we keep your personal data?

- We are obliged by law to keep records including your personal data for 7 (seven) years after last contact concerning a person. In some cases, a longer time is stipulated and if you wish to know specifically that can be clarified by the Data Controller (see below for contact details).
- Your records are kept secure at all times and access is only available to those with a direct interest.

Every effort is made to anonymise personal data before it is shared. Your Rights and Your Personal Data

Unless there is an exemption under GDPR rules you have the following rights with respect to your personal data

- The right to request a copy of all the personal data held by Advocacy Western Isles about you.
- The right to ask the Data Controller (see below) to correct any personal data if it is found to be inaccurate or out of date.
- The right to request that your personal data be deleted or erased when the retention period (usually 7 years has expired) (but anonymised data may be retained thereafter).
- The right to withdraw your consent for allowing data processing at any time by telling the Data Controller.
- The right to request the Data Controller to provide the data subject with the record of personal data and where possible to transmit that data to another Data Controller directly (only if data subject has given consent and necessary for the performance of a contract and the Data Controller processes the data by automated means).
- The right where there is a dispute in relation to the accuracy on processing of your personal data, to request that a restriction is placed on further processing.
- The right to object to the processing of personal data even though the processing is based on legitimate interests or for the performance of task(s) in the public interest.
- The right to lodge a complaint with the information commissioner’s office (I.C.O).

6. Further Processing

If we wish to use your personal data for a new purpose not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use before we start 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.

Contact Details

To exercise any of the relevant rights, raise queries or make complaints please in the first instance contact the Data Controller, Operations Manager Advocacy Western Isles, First Floor, Rear Wing, Stornoway, Isle of Lewis, 01851 701 755.

GDPR

Privacy Notice & Consent Forms Definitions and descriptions

'Data Controller' Is the person working in Advocacy Western Isles who decides how your data is processed and what data is used. This is the Operations Manager.

Data Protection Officer This is the person who is familiar with the rules and regulations about handling, using, and sharing your Information and keeps it safer. This is the Administrator.

Processing Is the word to describe anything which is done to or with the information which you have given including how it is stored and for how long.

Personal Data Is the information about a living person which is capable of Identifying that person as an individual.

Data Subject Is the title given to the person about whom personal data has been processed (including collection).

Reviewed: August 2021

Next review date: August 2022