

Full Privacy Notice Circle South West

This Privacy Notice explains when and why we collect personal information about you, how we use it and the conditions under which we may disclose it to others. Your personal data is defined as any information that can directly or indirectly identify you. This notice also explains how we keep your data safe and secure and includes information you need to know about your rights and how to exercise them.

If you have any questions regarding our Privacy Notice and our use of your personal data or would like to exercise any of your rights, please get in touch via the following information:

Email us: info@circlessw.org.uk

Telephone us: 07717 442413

Write to us: Circles South West, PO Box 163, Launceston Cornwall PL15 0BA

If you are unhappy with the way we process your data, you can also make a complaint to the Information Commissioner’s Office (ICO) which regulates the use of information in the UK. They can be contacted by:

Telephone 0303 123 1113

Write to the ICO: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Or by going online to www.ico.org.uk/concerns

If you are based outside of the UK, the complaint should be directed to the relevant Data Protection Supervisory Authority in that Country.

Table of Contents

- 1. Who are we?3**
- 2. Personal data collected, how and why we collect it, and on what lawful basis.....3**
- 3. Fundraising and Marketing Communications3**
- 4. Your Rights.....4**
- 5. Transferring your information outside of the United Kingdom.....5**
- 6. Making a complaint.....5**
- 7. Changes to our Privacy Notice.....5**
- APPENDIX 1 – Human Resources6**
- Freelancers, job applicants and current and former employees, trustees and volunteers6**
- How and when do we collect information about you?..... 6
- What types of information is collected about you and who provides it? 6

Lawful basis for processing.....	6
How is the information used?.....	7
How long do we keep your data?	7
Confidentiality - who do we share your data with?	7
APPENDIX 2 – Service users	9
How and when do we collect information about you?.....	9
What type of information is collected about you and who provides it?.....	9
How is your information used?.....	9
Confidentiality, data sharing and safeguarding	10
Lawful basis for processing.....	10
How long do we keep your data for?	11
APPENDIX 3 – Donors and website visitors	12
How and when do we collect information about you?.....	12
What type of information is collected about you and who provides it?.....	12
How is your information used?.....	12
Lawful basis for processing.....	12
How long do we keep your data for?	12
Confidentiality and Financial transaction – who do we share the data with?	12
Social Media	13
Cookies.....	13
Links to other websites	13

1. Who are we?

We are Circles South West and for the purposes of UK Data Protection Law we are registered as a Data Controller under registration number ZA122704. Our purpose is to work with those whose lives have been affected by sexual harm. Our objectives are to reduce the risk of sexual re-offending and lessen the impact of sexual harm experienced by survivors of abuse and the wider community.

In this Notice, 'Circle South West, 'we', 'us', 'our' means:

Circle South West (charity registration number 1138726, and company limited by guarantee (no. 07369778) with a registered address at 7 Madeira Road, Bournemouth, Dorset, BH1 1QL.

2. Personal data collected, how and why we collect it, and on what lawful basis

Appendix 1 – Human Resources (employees, trustees, job applicants and volunteers)

Appendix 2 – Service users

Appendix 3 – Donors and website visitors

3. Fundraising and Marketing Communications

Your contact details may be used to provide you with information about our services or our fundraising opportunities via:

- **Post**

We may use your Consent or our Legitimate Interest to send you fundraising or marketing communications by post. If you prefer not to hear from us this way, please get in touch by using any of the contact details listed at the top of this notice.

- **Phone**

If you have provided us with your telephone number or email address, we may contact you by phone with fundraising and marketing communication under our legitimate interest (unless you are enrolled to TPS or you told us not to do so).

- **Email, text or other electronic message**

We will only send you fundraising and marketing communications by email, text or other electronic message if you have explicitly provided your consent or if you have been involved in a commercial transaction with us. You may opt-out of our fundraising and marketing communications at any time by clicking the unsubscribe link at the end of our marketing emails. Alternatively, you can get by using any of the contact details listed at the top of this notice.

If you subscribe to our newsletters you will receive quarterly communications relating Circles South West's work. These mailings will be facilitated by a third party provider, Mailchimp (marketing platform). Circles South West processes your contact details and sends you newsletters following your freely given, specific, informed and unambiguous consent for the processing of your personal data for this purpose. For more information, please see the Mailchimp privacy notice. You have the right to unsubscribe from the E-newsletters at any point. If at any point you wish to unsubscribe from this mailing list please click the unsubscribe link on the latest email or contact info@circlessw.org.uk to

ensure that you do not continue to receive the newsletter. We will need to continue holding onto your details after you have unsubscribed to ensure that we do not send you further communications.

4. Your Rights

Under data protection laws in the UK and EU, you have certain rights over the personal information that we hold about you. If you would like to exercise your rights, please get in contact with us via means of contact listed above. Here is a summary of the rights we think apply:

a) Right to be Informed

You have the right to be informed as to how we use your data and under what lawful basis we carry out any processing. This Privacy Notice sets this information out however if you would like further information, please get in touch.

b) Right of Erasure – also known as the right to be forgotten

You may ask us to delete some or all of your information we hold about you. Sometimes where we have a legal obligation we cannot erase your personal data.

c) Right to Object

You have the right to object to processing where we are using your personal information such as where it is based on legitimate interests or for direct marketing.

d) Inaccurate personal information corrected

Inaccurate or incomplete information we hold about you can be corrected. The accuracy of your information is important to us and we are working on ways to make this easier for you to review and correct the information that we hold about you. We will also carry out an annual accuracy check. If any of your information is out of date or if you are unsure of this, please get in touch through any of the contact details listed in this notice.

e) Right of restriction

You have a right to restrict the processing of some or all of your personal information if there is a disagreement about its accuracy, or we are not lawfully allowed to use it.

f) Right to Access your information

You have a right to request access to a copy of your personal information that we hold about you, along with the information on what personal information we use, why we use it, who we share it with, how long we keep it for and whenever it has been used for automated decision making. You can make a request for access free of charge and proof of identity is required.

g) Right to withdraw consent

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data

5. Transferring your information outside of the United Kingdom

Circles South West does not transfer any personal information outside of the European Union. This includes any personal data that is stored on our secure server, which is located within the UK. If we are transferring your data outside EEA, we will first seek your consent.

6. Making a complaint

If you think your data rights have been breached or are not happy with how we handle your data, you are able to raise a complaint with us by contacting info@circlessw.org.uk. You can also contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint. We will only use the personal information we collect to process the complaint and to check on the level of service we provide. We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for six years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'data minimisation' principle.

Similarly, where enquiries/feedback are submitted to us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide. Circles South West undertakes the processing of your complaints/feedback and enquiries data as part of its legitimate interests.

7. Changes to our Privacy Notice

This privacy notice is kept under regular review. If we make any significant changes to the way in which we process your information, we'll make the required changes to this Privacy Notice and will notify you so that you can raise any concerns or objections with us.

When making less impactful changes, we'll update this notice and post a summary of the changes on our website.

This privacy notice was last updated in June 2024

APPENDIX 1 – Human Resources

Freelancers, job applicants and current and former employees, trustees and volunteers

How and when do we collect information about you?

You provide several pieces of data to us directly during the recruitment period and subsequently upon the start of your employment/engagement.

In some cases, we will collect data about you from third parties, such as employment agencies or former employers when gathering references.

What types of information is collected about you and who provides it?

We keep several categories of personal data on our employees/freelancers/job applicants/trustees and volunteers in order to carry out effective and efficient processes. We keep this data in a personnel file relating to each individual and we also hold the data within our computer systems, for example, our holiday booking system.

Specifically, depending on your type of engagement with Circle South West, we may process the following types of data:

- a) personal details such as name, address, phone numbers
- b) name and contact details of your next of kin
- c) your photograph, your gender, marital status
- d) footage of the organisation events where you may appear
- e) information of any disability or other medical information you have disclosed
- f) right to work documentation
- g) information gathered via the recruitment process such as that included in a CV, cover letter or application form, references from former employers, details on your education and employment history etc
- h) National Insurance number, bank account details and tax codes
- i) information relating to your employment with us (e.g job title, job description, salary, terms and condition of the contract, annual leave records, appraisal and performance indication, formal and informal proceedings involving you such as letters of concern and disciplinary, disciplinary and grievance proceedings)
- j) internal and external training modules undertaken
- k) information on time off from work including sickness absence, family related leave etc
- l) IT equipment use including telephones and internet access
- m) your biography and picture for the website (if applicable).

We may also process special category of data which include health information, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, genetic and biometric data. We may also process criminal records information if the role involves DBS check.

Lawful basis for processing

We mainly use the following lawful basis:

- 'contractual obligation' as a lawful basis for processing your personal data for employees, job applicants and free lancers.

- 'legitimate interest' for trustees and volunteers.
- 'legal obligation' in order to process and share your data, for example we need to share salary information to HRMC or use some of your data to enrol a new employee on a pension scheme.

When processing criminal records (for example, in order to perform DBS check), the organisation relies on the lawful basis of legitimate interest, and Condition 10 from Schedule 1, DPA 2018, ("preventing or detecting unlawful acts")

We may rely on our legitimate interest for processing activity related to our employees, such as keeping supervision and appraisal records; using your image, bio and videos/pictures of the organisations' events where you may appear on our website or marketing/fundraising materials to promote the charity. When relying on legitimate interest, we may undertake a balancing test to ensure your rights are upheld.

How is the information used?

We are required to use your personal data for various legal and practical purposes for the administration of your contract of employment or your volunteer/trustee agreement, without which we would be unable to employ you. Holding your personal data enables us to meet various administrative tasks, legal obligation or contractual/agreement obligation.

How long do we keep your data?

I. Volunteers and trustees:

If you are successful, the information you provide during the application process will be retained by us as part of your volunteer file for the duration of your volunteer role plus one year following the end of your volunteering.

If you are unsuccessful at any stage of the process, the information you have provided until that point will be retained for six months

II. Employees and freelancers:

We only keep your data for as long as we need it for, which will be at least for the duration of your employment/engagement with us though in some cases we will keep your data for a period of 6 years after your employment/engagement has ended. If you've applied for a vacancy but your application has not been successful, we will keep your data only for 6 months.

Some data retention periods are set by the law. Retention periods can vary depending on why we need your data. Please get in touch by contacting us at info@circlessw.org.uk if you want to know more about retention period.

Data is destroyed or deleted in a secure manner as soon as the retention date has passed.

Confidentiality - who do we share your data with?

Employees within our company who have responsibility for recruitment, administration of payment and contractual benefits and the carrying out performance related procedures will have access to your data which is relevant to their function. All employees have been trained in ensuring data is processing in line with UK GDPR and the Data Protection Act (2018).

Data in relation to your salary is shared with HRMC as part of our legal obligation. Data may be shared with third parties (such as outsourced HR service providers) for the following reasons: for the administration of payroll, pension and other HR functions (for example the online holiday booking system), administering other employee benefits (such as the Childcare Voucher Scheme). When sharing with third parties, we have data sharing, processor agreements or contracts in place to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We may have a section on our website or social media where we upload the name, photo and a short bio of our employees. It is in our legitimate interest to have such information available on the website but you have the right to object. Please see section Your rights as Data Subject.

APPENDIX 2 – Service users

How and when do we collect information about you?

The personal information that we obtain about you is collected during the referral and assessment process. It includes information from the organisation referring you as well as information that you provide yourself. Written information is submitted to us via recorded delivery or via secure email. If you join one of our services following a referral, we will continue to collect information about you on a regular basis. This includes ongoing information provided by yourself, the other agencies working with you and the volunteers working with you.

What type of information is collected about you and who provides it?

We collect the various data about you in the following ways:

1. *During referral/registration process:*

Depending on the type of service user and which service they are being referred to, some or all of the following details would be collected through the referral form: name, address, telephone number, DoB, dates and details of licence/ community orders, criminal records, contact with family members, social relationships, equity, diversity and inclusion issues, literacy or learning needs, existing involvement with community, faith, health (equity, diversity and inclusion issues, literacy or learning needs, existing involvement with community, faith, mental health), relationships, religion, previous and current convictions, sentence, Licence conditions, SOPO/SHPO conditions, prison number, registration, MAPPA level, risk assessments, victim contact/type.

2. *During the delivery of service*

Professionals working with you, such as your Probation Officer, Police Officer or Social Worker, will need to regularly share information with us about you (and your family where appropriate). For Circles, a record of your meetings with those professionals will be shared with us during the delivery of our service. This includes general information including any risk-related issues, health, sex life and sexual orientation, offending behaviour, offending history, new allegations, arrests etc.

During the delivery, staff and volunteers working with you will complete case notes that will reflect the work done together. They will also collect information that you will share with us, including employment information, education, finances, next of kin, hobbies and interests, motivation and goals for the future.

How is your information used?

We may use your personal information to

- Carry out a thorough assessment of your needs;
- Provide an appropriate service which best meets your needs;
- Monitor and manage risks;
- Protect yourself and the general public;
- Safeguarding volunteers;
- Conduct Research, Evaluation and monitoring;

- Collate anonymised or pseudonymised statistical information for funders, the charity and delivery partners

Confidentiality, data sharing and safeguarding

We work in close partnership with the other agencies supporting you, such as probation, police or social services. It is necessary for all agencies working with you to exchange information with each other in order to provide you with the services that are appropriate to your needs; to assist you to monitor and manage your risk factors; for public protection and for law enforcement purposes. These organisations will also be acting as a data controller of your personal information and we advise you to read their privacy notices in addition to our own. The personal information that these third parties share with us will be processed in accordance with this Privacy Notice.

We may also from time to time share personal information about our service users with other third parties, including our funders and supporters, with our independent evaluator, and with the Circles' national umbrella body 'Circles UK'. Information shared with funders and supporters is completely anonymised and could not be used to identify any of our service users. Information provided to the independent evaluator and Circles UK is 'pseudonymised'. This means that your name is replaced by a reference number that is unique to you. This enables staff at Circles South West to be able to identify you, but means that you will not be identifiable to any person working at Circles UK or to our evaluators.

We will not sell your personal information to third parties. We will not share your information with third parties for marketing purposes.

Lawful basis for processing

We rely on the following lawful basis for processing your personal data when delivering our service:

Article 6 (1) of the UK GDPR - (f) Legitimate interests: processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party". Circles South West has a legitimate interest in providing all of our service users with a quality service which best suits their needs; reducing the risk of serious harm to the general public and creating safer communities.

When we process special category of data and criminal records, the lawful basis is supported by: Art 9 (2) (g) of the UK GDPR 'Processing is necessary for reasons of substantial public interest', Art 10 of the UK GDPR, Condition 10 from Schedule 1, DPA 2018, ("Preventing or detecting unlawful acts") and Condition 18 from Schedule 1 Part 2 ("Safeguarding of children and of individuals at risk").

We rely on the same lawful bases when sharing your data: all the information we collect about you, need to be made available to statutory authorities (such as the police, probation and MAPPA meeting).

When we process your personal data for research purposes, we rely on:

Article 6 (1) of the UK GDPR - (f) Legitimate interests: processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party".

When we process special category of data and criminal records for research purposes, our lawful basis is additionally supported by Art 9 (2) (j) 'processing in necessary for archiving purposes in the public

interest, scientific or historical research purposes or statistical purposes’, Art 10 of the UK GDPR and Condition 4 from Schedule 1, DPA 2018 (“Research etc”).

How long do we keep your data for?

Circles South West will retain the personal data of all service users for a period of 6 years post-service. After this time, personal data will be reviewed and securely destroyed, with the exception of that which is required for research and evaluation purposes.

Information relating to individuals who are referred to Circles South West who do not, for whatever reason, progress into one of our services will have their personal data retained for a period of 1 year.

APPENDIX 3 – Donors and website visitors

How and when do we collect information about you?

The personal information that we obtain about you is collected via online forms, emails, donating processes.

We may, like many companies, automatically collect the following information when you visit our website. We collect and use your personal information by using cookies on our website - more information on cookies can be found under 'the use of cookies' section below. Wherever we use non-essential cookies we will request your Consent.

What type of information is collected about you and who provides it?

We may collect information that are provided directly by yourself, for example via the online contact form or email (name, email address, phone number) or when completing a donation via CAF (email address, Gift aid information) or similar facility.

How is your information used?

We may use your personal information to

- deal with your enquiry
- administer donations
- communicate with you about how your donation is used.

Lawful basis for processing

When processing data about donors, we mainly rely on a legitimate interest. We are legally required to hold some types of information to fulfil our statutory obligations (for example the collection of Gift Aid).

When processing information for a general enquiry, we are most likely to rely on our legitimate interest.

How long do we keep your data for?

We keep your data as long as necessary. This means that if you make an enquiry and we've assisted with the enquiry, we will only keep your data for a very short period after your enquiry has been made.

If you've made a donation, we may keep your data for 6 years.

Data is destroyed or deleted in a secure manner as soon as the retention date has passed.

Confidentiality and Financial transaction – who do we share the data with?

If you make a donation online, your card information is not held by us, it is collected by our third party payment processors (CAF), who specialise in the secure online capture and processing of credit/debit card transactions. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies directly on the provider's websites.

We also may disclose your information if required by law, requested by law enforcement authorities, such as HMRC when you claim Gift Aid.

We do not share or sell your data with other third parties for any marketing purposes.

Social Media

When you interact with us on social media platforms such as Twitter or Facebook we may obtain information about you (for example, when you publicly tag us in an event photo). The information we receive will depend on the privacy preferences you have set on those types of platforms.

Cookies

Like many other websites, Circles South West's website uses 'cookies'. Cookies are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. They collect statistical data about your browsing activities and patterns and do not identify you as an individual. Cookies are designed to provide a better user experience, although it is possible to switch off cookies by setting your browser preferences if you prefer. Disabling cookies may result in some loss of functionality when using our website. Our website provides more details about the cookies used.

Links to other websites

Our website may contain links to other websites run by other organisations. This privacy policy applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be held responsible for the privacy policies and practices of other websites even if you access them using links from our website. In addition, if you linked to our website from a third party site we cannot be held responsible for the privacy policies and practices of the owners and operators of that third party site and recommend that you check the policy of that third party website.