

# THE DONALDSON TRUST

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## **Services Privacy Policy**

Version: 1  
Date: September 2018  
Author: Administration Manager

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## Document control

### Author

| Job title                     | Role     | Date           |
|-------------------------------|----------|----------------|
| <b>Administration Manager</b> | Author   | September 2018 |
| <b>Lawyers / Consultant</b>   | Reviewer | October 2018   |
| <b>CEO</b>                    | Approver | November 2018  |
|                               |          |                |

### Version

| Version  | Date           | Author                 | Amend |
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| <b>1</b> | September 2018 | Administration Manager | New   |
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|          |                |                        |       |
|          |                |                        |       |

## Introduction

The purpose of The Donaldson Trust is to promote and encourage children and young people with additional support needs to realise their potential.

This privacy policy explains how we use data within our services. It also lets you know what happens to any personal data that you provide us, or any that we may collect from or about you. It applies to all data collected by The Donaldson Trust, and instances where we collect your personal data.

The privacy notice applies to personal data processed by or on behalf of The Donaldson Trust.

We may change this privacy notice from time to time in order to reflect changes in law and/ or privacy practices.

The Donaldson Trust located at Preston Road, Linlithgow, West Lothian EH49 6HZ is a registered charity in Scotland (registered charity No SC017417). We are a data controller of your personal data and we are registered with the Information Commissioner's Office (Ref:

We have a Data Protection Officer (DPO) who can be contacted by emailing [info@donaldsons.org.uk](mailto:info@donaldsons.org.uk) or by writing to the above address for the attention of the DPO.

This policy should be read in conjunction with our Data Protection Policy and Document Storage, Retention and Destruction Policy.

## Personal data we process

The types of personal data we process on you may include:

- Personal and contact details, such as title, full name, contact details and contact details history.
- Your date of birth, gender and age.
- Your nationality.
- Family member details.
- Records of your contact with us such as via phone, email or post.
- Services we provide you with.
- Information about your use of services.
- Information about your health or if you are vulnerable.
- Records of any other support provided to you.
- Any other applicable data which will help support you.

We will not collect or retain any personal data we do not require.

## How we obtain personal data

We may obtain your personal data from the following sources:

- From you directly, and any data from family members, associates or beneficiaries.
- Data generated about you when you use our services.

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- From a third party who refers you to us or other intermediary who we work with to provide services i.e. Social work, CAMHS, Local Authority etc.
- Another service/ department within The Donaldson Trust i.e. if you have already been involved with one of our services/ departments and transferred to another.
- From other sources such as publically available directories and information (for example, telephone directory, social media, internet, news articles), other organisations to assist in prevention and detection of crime, police and law enforcement agencies

## How we use personal data

We use personal data, including any of the personal data in section 2 above, for the following purposes:

- Assessing an enquiry for a service
- Managing the placement you have with us
- Updating your records
- Managing any aspect of the service
- To make decisions on whether to offer you a service
- To perform and/ or test the performance of our services and internal processes
- To improve the operation of our organisation
- To follow guidance and best practice under the change to rules of governmental and regulatory bodies
- For management and auditing of our business operations including accounting
- To monitor and to retain records of our communication with you and our staff
- To administer good governance requirements, such as internal reporting and compliance obligations or administration required
- For market research, analysis and developing statistics
- For direct communication relating to our services
- To comply with legal and regulatory obligations, requirements and guidance
- To provide insight and analysis of our service users for the benefit of providing services, helping us improve services, or to assess or improve the operating of our organisation.
- To enable all services of The Donaldson Trust to perform any of the aforementioned purposes.

## Legal grounds for processing personal data

We rely on one or more of the following legal bases to use your personal data:

- Where it is needed to provide you with our services, such as:
  - To assess an enquiry to one of our services you have requested, including consideration of whether to offer a placement and the conditions including payment requirements if any.
  - Managing services you participate in with us/ applied for
  - Ensuring your records are up-to-date and accurate
  - Sharing our personal data with other services/ departments within The Donaldson Trust
  - All stages and activities relevant to managing the placement including enquiry, referral, application, administration and delivery

- Where it is in our legitimate interests to do so (this ground only applied when your interests don't override the interests of the data subject), such as:
  - Managing the services you use, communicating with you about them and updating your records
  - To perform and/ or test the performance of our services and internal processes
  - To follow guidance and recommend best practice of government and regulatory bodies
  - For management and audit of our organisational operations including accounting
  - To carry out monitoring and to keep records of our communications with you and our staff
  - To administer our good governance requirements and those of other members of The Trust, such as internal reporting and compliance obligations
  - For market research, analysis and developing statistics
  - For direct marketing communications and related profiling to help us to offer you relevant services and fundraising communication.
  - Subject to the appropriate controls, to provide insight and analysis of our service users to other services as part of providing our services, helping us improve our services and to assess or improve the operation of our organisation.
  - Where we need to share your personal data with people or organisations in order to run our organisation or comply with any legal and/ or regulatory obligations.
- To comply with our legal obligations
- With your consent or explicit consent for:
  - Direct marketing communications that you have opted in to
  - Profiling – please note decisions made are not based on automated processing.
  - Our progressing of special categories of personal data such as your health, if you are a vulnerable service user or criminal records information
- For public interest, such as:
  - Processing of your special categories of personal data such as about your health, criminal records information (including alleged offences) or if you are a vulnerable service user

If you wish to know which legal basis, we are relying on in particular circumstances please contact our DPO.

## Sharing personal data with others

We may share personal data with the following third parties for the purposes stated above:

- Other services and departments within The Donaldson Trust
- Professional bodies or otherwise as required by law, regulation, codes of practice of our policies
- Healthcare professionals and organisations involved in the provision of care when required

- Other organisations and businesses who provide services to us i.e. back up and server hosting providers, IT software and maintenance providers, document storage providers, suppliers of other back office functions, service evaluation etc.
- Insurers or accountants as requested and as part of our statutory obligations

In all cases we will ensure that adequate arrangements are in place to protect the confidentiality of the information.

Our website and social media sites may contain links to other websites/ social media sites that are out with our control and are not covered by this policy. If you access other sites using the links provided the operators of these sites may collect information from you that will be used by them in accordance with their privacy policy, which may differ from ours.

## **Withdrawing consent**

Where we are relying upon your consent to process personal data, you can withdraw at any time by contacting us (details in section 16)

## **Transferring personal data outside the UK or the EEA**

Your personal data will not normally be transferred outside the European Economic Area. If we do so we will make sure that suitable safeguards are in place, for example by using approved contractual agreements, unless certain exceptions apply.

## **Changes to personal data**

If your personal data changes you should inform us immediately so that we can update our records. You can do this direct or by using the contact details in section 16.

We will send out 'Annual Information Update' forms out to parents/ carers of the children/ young people who access our services to ensure personal data we hold is accurate and up to date.

## **Why provide personal data**

We are unable to provide you with our services if you do not provide certain information to us. In cases where providing some personal data which is optional, we will make this clear.

## **Retention of personal data**

Unless we explain otherwise, we will retain your personal data based on the following criteria:

- For as long as we have reasonable organisational need, such as managing our relationship with you and managing our operations
- For as long as we provide services to you and then for as long as someone could bring a claim against us; or as long as our insurers require us to validate our policies; and/ or

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- Retention periods in line with legal and regulatory requirements or guidance

Please refer to our **'Records Management Policy'**

## Security of Personal Data

All personal data held within The Donaldson Trust is held in our secure computer systems which have network controls in place and/ or in a secure manual filing system. The data is only accessible by authorised staff.

The current computer systems we use are:

- **CMS** - <http://www.ablyss.co.uk/PrivacyPolicy.html>
- **Learning Journals** - <https://www.learningjournals.co.uk/privacy-policy/>
- **ParentMail** - <https://www.parentmail.co.uk/privacy-policy>

Who all have their own separate privacy policies (please visit their websites to view)

## Rights under Data Protection Laws

Individuals have rights under Data Protection laws such as:

- The right to be informed about the processing of your personal data
- The right to have your personal data corrected if it is inaccurate and to have incomplete personal data completed
- The right to object to processing of your personal data
- The right to restrict processing of your personal data
- The right to have your personal data erased (the "right to be forgotten")
- The right to request access to your personal data and to obtain information about how we process it
- The right to move, copy or transfer our personal data ("data portability")
- Rights in relation to automated decision making which has a legal effect or otherwise significantly affects you.

However, they do not all apply in all circumstances; for example; for the purposes of processing data in relation to child protection matters, GDPR has no impact on our ability to share proportionate and relevant data to appropriate authorities.

You also have the right to complain to the Information Commissioner's Office which enforces Data Protection laws ([www.ico.org.uk](http://www.ico.org.uk)) however you can also contact us using the details listed in section 16.

## Right to object

You have the right to object to certain purposes for processing, in particular to data processed for direct marketing purposes and to data processed for certain reasons based on our legitimate interests. You can exercise these rights by contacting our DPO.

## Use of Cookies

A cookie is a small piece of information sent by a web server to a web browser, which enables the server to collect information from the browser. Like most



websites, we use 'cookies' to help us make our site – and the way you use it – better.

Our website uses cookies for Google Analytics. It does not capture or store personal information but logs the user's IP address which is automatically recognised by the web server. This is used so we can analyse our website traffic i.e. record the number of visitors to our site and volumes of usage.

To learn more about Google Analytics visit [www.analytics.google.com](http://www.analytics.google.com)

We use a third-party company to maintain our website – The Lane Agency, who have their own separate Privacy Policy ([www.thelaneagency.com/](http://www.thelaneagency.com/))

## Contact us

If you have any questions about this privacy policy or wish to exercise your rights, you can contact the Data Protection Officer by:

- **Post** – FAO: Data Protection Officer, The Donaldson Trust, Preston Road, Linlithgow, West Lothian, EH49 6HZ
- **Email** – [info@donaldsons.org.uk](mailto:info@donaldsons.org.uk)

## Document approval


The Administration Manager is the owner of this policy and is responsible for ensuring its review.

External Consultants has responsibility for reviewing this policy.

The CEO has responsibility for approving this policy.

This policy is reviewed and approved on a version-controlled basis.

This policy is available to all staff.

|                  |   |
|------------------|---|
| <b>Signature</b> |  |
| <b>Name</b>      | Laura Watkins, CEO  |
| <b>Date</b>      | November 2018   |