**Introduction**

Our Privacy Policy sets out how we collect, use, store and remove your personal data. It is essential to us that you feel confident and comfortable about the way in which we look after and use your personal data. Our reference to personal data throughout this policy relates to any information that we hold that identifies or could identify you.

The Heads Up Privacy Policy is subject to regular review and any updated versions are displayed on our website at [www.headsupsomerset.org](http://www.headsupsomerset.org/) Where we have made changes to our Privacy Policy, we will make this clear on our website or contact you about any changes.

**Who we are**

Heads Up is committed to ensuring that we hold and process your personal data in a fair and transparent manner.

We are a “data controller” for the purposes of the Data Protection Act 1998 and the EU General Data Protection Regulation (GDPR) as of May 25th 2018. This means that we are responsible for determining the purpose and means of processing personal data and that we have an obligation to ensure any contracts that we have with “processors” comply with the GDPR. For the purpose of this policy “processor” is responsible for processing personal data on behalf of the controller.

You can request and obtain further information about our Privacy practices and our General Data Protection Regulation Policy by contacting our Data Privacy Officer in one of the following ways:

* Writing to Heads Up, Upper Breach, South Horrington, Wells, Somerset, BA5 3QG
* Telephoning us on 01749 670 667
* Emailing to [info@headsupsomerset.org.uk](mailto:info@headsupsomerset.org.uk)

**How we collect personal data**

We collect personal data from you in a number of ways:

* When you communicate with us directly:

Direct contact with us includes when you phone us, email us, and get in touch by post or in person. This could include if you register for training or an event, make a donation (of monetary value or a gift for an auction or raffle) to us, apply for a job or a volunteering or Trustee / Patron opportunity, agree to use one of our rooms, self-refer or are referred to our service or attend one of our groups in the community.

* When you communicate with us through organisations and / or individuals working on our behalf:

We consider Heads Up to be fortunate in the sense that we have a good network of community support. From time to time some of our supporters host an event for us or represent us at an event under careful instruction. There may be occasions at such events where you share your personal data.

* When you interact with us through third parties:

This could be if you provide a donation through a third party such as “BT My Donate” by visiting our website and provide your consent for your personal data to be shared with us.

**The personal data we collect and why we use it**

* Personal Data

The personal data we collect from you varies depending on the relationship that we have with you. We collect personal data including name, date of birth, email address, postal address and telephone number as well as any other information that you provide to us during your communication with us. You would have provided us with this information in one of the means outlined above in Section 2: How we collect personal data.

We will mainly use your personal data:

* To process your donations.
* To contact you about our fundraising events at Heads Up or within the community.
* To manage our room occupation where you have entered into an arrangement with us; to avoid any duplicate bookings.
* Where you express an interest in a Trustee or Patron opportunity. If your application is successful we need to contact you about meetings and events.
* To process any bookings onto our training courses or events.
* To adhere to our legal obligations by completing returns to Companies House, the Charity Commission and our Accountants.
* To keep a record of your relationship with us.

If you do not provide this information we will not be able to process your donation, invite and / or involve you in any of our events or provide services you have requested.

* Sensitive Personal Data we hold

The General Data Protection Regulations identifies that some categories of personal data are classed as ‘sensitive.’ Sensitive personal data includes information about race, ethnic origin, political belief, religion, trade union membership, genetics, biometrics, health, sex life or sexual orientation.

Client Sensitive Personal Data: As a Mental Health Charity we request sensitive personal data from you regarding your physical and mental health during our referral process. It is essential for us to be aware of information relating to your physical and mental health to enable us to manage risk and safeguarding concerns responsibly and safely, in addition it allows us to support you and to meet your needs and expectations. We will not share or pass this information on to anyone outside of Heads Up without your consent except in exceptional circumstances which may include disclosure or suggestion that there may be a risk or safeguarding concern to you and/or others. Separately, we will only use this information where you have given your express consent or otherwise clearly indicated to us that you are happy for us to share your story or experience of attending Heads Up, then we may publish it on our website or in our annual review.

Staff and Volunteer Sensitive Personal Data: As an employer we respectfully request that employees and volunteers provide us with information about any current physical or mental health conditions at the application stage and / or as they arise throughout their duration of employment or volunteering with us. Information relating to physical or mental health conditions is held securely and brought to the attention of the direct line manager and service manager and if appropriate the trustees unless it is agreed with the individual that the whole team may need to be aware. We request such information to enable us to support and manage any issues that may arise within the workplace due to a particular health condition. Where you are employed by us we may need to use your personal data to process wages, enrol you onto our pension scheme and to pay you any expenses owed.

We also hold sensitive personal data provided by you to internally monitor and evaluate our service which enables us to improve the quality of our service.

**Legal Basis for using your information**

In some situations we will only use your personal data where we have entered into a contract with you and are required to fulfil our part of the contract, or where we have your consent or in some circumstances we have a legal obligation.

An example of these situations can include;

* Contract: where we have entered into a contract with a volunteer, staff member, patron or trustee, room user, or are collecting registrations for training or events that we hold from time to time.
* Consent: where we have obtained your consent to take and/or use your photograph or video imagery for promotional purposes, or we have your permission to photograph and display creative works that you have produced. Another example of when we use consent is when you have provided your permission for your wellbeing to be discussed with an individual that you have specifically named.
* Legal Obligation: Where Trustees' details are submitted, as required by law, to Companies House and the Charity Commission.

Another lawful reason that permits us to process your personal data is something called 'legitimate interests.' This means that the reason we are processing your personal data is because there is a legitimate interest for Heads Up to process this information to help us improve the Mental Health and wellbeing of adults. In circumstances where we process your personal data under the 'legitimate interest' legal basis we will make sure that we take into account your rights and interests to prevent any imbalance towards either party.

Some examples of where we have a legitimate interest to process your personal data are where we contact you about our work and future events that we plan to hold, are trying to improve our service, manage any complaints or concerns or we contact you about a new project in association with our service that you may be interested in. Another example is when we ask you to sign in and out of the building; it is with the legitimate interests of Heads Up to monitor who is visiting the premises for the good of the individuals health and safety.

**Conditions for Processing Sensitive Data**

It is necessary for Heads Up to process sensitive data to carry out obligations under employment and social security law and for the provision of health and social care services.

**Marketing**

We will only contact you about our work and how you can support Heads Up by phone, email, face to face or post if you have agreed for us to contact you in this manner.

You can update your choices or stop us sending you these communications at any time by contacting info@headsupsomerset.org.uk or by phoning us on 01749 670 667.

**Sharing your Information**

The personal data that we collect from you will mainly be used by our Heads Up staff team (and occasionally volunteers) so that they can support you.

We may share your information with carefully selected suppliers who work with us or on our behalf to deliver our services. We enter into contracts with these suppliers that require them to have sufficient guarantees within their Privacy Statement that the requirements of the GDPR will be met and the rights of the data subjects are protected eg. by demonstrating that they have necessary controls in place to keep your information secure, that they only use it for the original intended purpose and that they only store it for as long as they are permitted.

Examples of who and where we share your information with are;

1. Payroo: a payroll programme
2. Webb & Co: our accountants
3. 1&1 Webmail: our email host
4. BT My Donate: used on our website for receiving donations
5. Weebly: our website host
6. Quickbooks: used to manage and store our finance and accounts information

We do not sell or share your personal data with organisations for marketing purposes.

Legal Disclosure: We may disclose your information if required to do so by law for example to comply with relevant laws, regulations and codes of practice or in response to a request from a competent authority.

**Keeping your Information Safe**

We have strong robust processes in place to protect the personal data we have within our service that include how we store your data physically (paper format), electronically (computer format) and within our small staff team.

The sharing of information over the internet is unfortunately never completely secure. We do however do our best to protect your data sent and / or received in this way, but cannot guarantee its security.

Our website does contain carefully selected links to other organisations that may be useful. While we make every effort to ensure that these links share our standard in relation to privacy and data management, we are not responsible for the privacy practices adopted by these sites. Our privacy policy does not cover or include the privacy practices of these websites.

**How long do we Store your Information**

We only keep your personal data for as long as is necessary and to fulfil statutory obligations such as our annual accounts and personnel records.

**Your Rights**

You have specific rights in relation to the data that we hold about you which are described in more detail below.

If you wish to exercise these rights or make a complaint you can do so by contacting the Data Privacy Officer,

* in writing to Heads Up, Upper Breach, South Horrington, Wells, Somerset, BA5 3QG
* by telephoning us on 01749 670 667
* by emailing to [info@headsupsomerset.org.uk](mailto:info@headsupsomerset.org.uk)

You can also make a complaint to the Information Commissioners Office [www.ico.org.uk](http://www.ico.org.uk/)

* Access to your personal information:

You have the right to request access to a copy of the personal data that we hold about you, along with information on what personal data we use, why we use it, who we share it with and how long we keep it for. We will need to confirm your identity once we have received your request which you can do using any of the contact methods above. Your request for access to your information is free of charge.

* Right to Object:

You have the right to object to us processing your personal data where we are relying on legitimate interest as our legal basis and where we are using your personal data for direct marketing purposes. You will need to contact us as described above to inform us of your objection.

* Consent:

You have the right to withdraw your consent that you have given previously at any time. To do this you will need to contact us using one of the methods described above.

* Rectification:

You have the right to draw our attention to any inaccuracies or incomplete personal data that we hold about you. To do this you will need to contact us using one of the methods described above.

* Erasure:

You have the right to ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent or where we have no lawful basis for retaining it.

* Portability:

You can request for us to share with you or a specified third party some personal information that we hold about you in a structured, commonly used, electronic format so it can be easily transferred.

* Restriction:

You have the right to ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.

* No auto-mated decision making:

Automated decision making takes place when an electronic system uses personal data to make a decision without human intervention. You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless you have given us your consent, it is necessary for a contract between you and us or is otherwise permitted by law. You also have certain rights to challenge decisions made about you. We do not currently carry out automated decision making.

**Implementation, Monitoring and Review**

This Policy will be reviewed every three years.

Signed: .....................................................................

Date: .........................................................................

Approved by the Trustees on: ……………………….

Next Review due on: …………………………………