

Who we are

The Cellar Trust is a charity working in Bradford district to support people with mental health issues move forward in their recovery and live independent, fulfilling lives.

What is a Privacy Notice?

A Privacy Notice is a statement by The Cellar Trust which tells you how we use the personal information we hold about you. We are committed to being transparent about how we collect and use your data to meet our obligations under the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR).

What information do we keep?

Depending on what service(s) you access we may keep some or all of the following data about you:

- Your contact details (e.g. name, address, telephone number, email address)
- Demographic information (e.g. your age, gender, ethnicity)
- Health information (e.g. details of your support sessions, medication, mental and sometimes physical health conditions)
- Information about your employment status, education and training history

Special Category Data

Some types of personal information are more sensitive and have been identified as 'Special Category Data' under the law. If you access our services it is likely you will provide details of a sensitive nature (e.g. about your mental health). The lawful basis for us holding this information is your consent and we are legally required to handle it with more protection. We also have to process this type of data so we can deliver the health related service you have requested from us. If you fail to provide certain information when asked, we may not be able to provide you with the services you have requested.

Why do we keep it?

- To provide the services you have requested from us
- To keep a record of your relationship with us in order to fulfil our contractual obligations
- To send you details of other services you may be interested in or ask you about how we can improve our services (only with your consent)
- To evaluate and monitor our services to ensure we are providing an effective service

What is our legal basis for using your information?

Some of the above grounds for processing your data will overlap and there may be several grounds which justify our use of your personal information. To provide you with a safe and effective service we need to process information about you. The lawful basis we use is **consent** – we will always ask for your consent to process information about you before we start working with you. We also ask for your consent to share any or all of this information with other organisations, professionals and family members – we will ask your consent about who we can share what information with and ask you to sign to say you have agreed. We will not pass on the data we have about you to anyone else without your consent except in exceptional circumstances, the lawful basis of which is **vital interests**. Examples of these circumstances might include information that suggests you might be a danger to yourself or someone else, or information about a child at risk of harm or neglect.

We may also rely on **legitimate interests** for processing some of your data. This means that the reason that we are processing information is because there is a legitimate interest for The Cellar Trust to do so to help us to achieve our aim of supporting people with mental health issues move forward in their recovery. Whenever we process your personal information under the legitimate interest lawful basis we make sure that we take into account your rights and interests and will not process your personal information if we feel that there is an imbalance.

Where we process special category data we always rely on explicit consent. This means that if we are asking you to give us information on your health, ethnic origin or other sensitive data then we will ask you to consent to us processing your data and we will tell you what we will be using it for.

If you fail to provide certain information when requested, we may not be able to provide you with the service you have requested.

How do we store your information and keep it safe?

The Cellar Trust takes the security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, or subject to unauthorised access. Where necessary we use passwords, user permissions and encryption to protect data. Where we engage third parties (external organisations) to process personal data on our behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

We have put in place procedures to deal with any suspected data security breach and will notify you of a suspected breach where we are legally required to do so.

Data Retention

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including the purposes of satisfying any legal, accounting or reporting requirements. Details of retention periods, archiving and destruction policies for different aspects of your personal information are available in our Data Protection Policy which is available from the person responsible for data protection (see below) or from our website.

Who has access to your data?

Your information may be shared internally, including with staff members responsible for managing and administering projects, HR and health and safety. It may also be shared with external services and professionals such as the Community Mental Health Team, your job centre worker, your GP or your care coordinator. This will only be done with your explicit consent and we will ask you to sign a form to say you agree.

We may have to share your data with other third parties (external organisations) who provide services for us, for example in connection with supporting our electronic client management system and IT network and professional advisers where necessary, who may be party to confidential discussions related to an individual.

We require all third parties to respect the security of your data and treat it in accordance with the law. We will share your information with third parties where required by law, where it is necessary to administer our relationship with you or where we have another legitimate interest. All our third party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will only pass on your information without your consent when there is a situation that indicates you may be a danger to yourself or someone else, or information about a child at risk of harm or neglect.

Your data will not be transferred to countries outside the European Economic Area.

Automated Decision Making

We do not expect that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Your legal rights

You have various rights relating to the data we hold about you (however some of these depend on the basis we hold your data):

- You can request copies of all the personal information that we hold about you
- You can withdraw your consent for us to use your personal information (for some purposes)
- You can ask us to change inaccurate data
- You can ask us to delete your personal information where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it
- You can ask for us to transfer your data to another party or restrict its use

If you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent at any time. Once confirmed, we will no longer process your information for the purpose you originally agreed to, unless we have another legitimate basis for doing so in law.

You can view full details about your rights in our Privacy Policy available on our website:

<https://www.thecellartrust.org/privacy/>

Accessing your data

You will not have to pay a fee to access your personal information. However, if we think that your request is unfounded or excessive, we may charge a reasonable fee or refuse to comply with the request. We may need to confirm your identity or ensure your right to exercise your legal rights. This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you wish to access the personal data we hold about you please complete the Subject Access Form available to download on our website via the Privacy Policy webpage: <https://www.thecellartrust.org/privacy/>; alternatively please contact a member of staff who will advise on you how to proceed.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Queries and Further Information

For further information about our privacy practices and your rights see our full Privacy and Cookies Policy available on our website or from a member of the Cellar Trust staff. If you have any questions about how your data is processed, please contact our IG Lead – Helen Horsman by calling us on 01274 586474 or emailing helen.horsman@thecellartrust.org. You can also make a complaint to the Information Commissioner's Office by visiting: <https://ico.org.uk/>