

Privacy Notice for Service Users

The Elm Foundation takes your rights to privacy seriously; it therefore ensures any personal data of yours that it holds is stored securely and processed lawfully. As such, information you provide to us remains confidential. However, if you disclose anything which indicates a criminal offence has been / is likely to be committed, or a child or vulnerable adult has been / is likely to be harmed, we have a legal obligation to share this information with relevant public authorities. These obligations are described in:

- Data Protection Act 1998, Schedule 2, Paragraph 4 and Schedule 3, Paragraph 3
- Crime and Disorder Act 1998, Provision 115

The decision to share such information will be made with the approval of a Service Manager; it will also be discussed with you where it is deemed safe to do so.

Why do you need to store information about me?

Keeping records of the difficulties you have disclosed to us, and of the support you require, is vital for us to assess and monitor your case, to ensure we are all doing all we can to reduce your risk of abuse and promote your physical and emotional wellbeing.

We must provide certain statistical data to the agencies that fund and commission our services, to demonstrate that those services are effective and accessible to all. Data provided in this way is entirely anonymous, meaning it could never be used to identify you personally by any party external to The Elm Foundation.

What are my rights under data protection regulations?

As an individual about whom we process data (a 'data subject'), you have the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

For more information about these rights, visit <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/> or call the Information Commissioner's Office helpline on 0303 123 1113 (calls charged at local rate).

If you wish to exercise any of these rights in relation to the data The Elm Foundation holds about you, such as to request a copy of the information we hold about you, or request it is erased, we recommend you speak to your case worker. Alternatively, you may contact the Business Officer using the details provided at the bottom of this notice.

Third parties

The Elm Foundation contracts third parties to support it in carrying out its activities securely and effectively; and in doing so, these third parties have access to service user data. However, these third parties have no legitimate interests in processing service user data, and have signed agreements with The Elm Foundation which oblige them to uphold service user confidentiality and data security.

These third parties are as follows:

Lennox IT Ltd

2 Milner Avenue
Codnor
Derbyshire
DE5 9SD

and

IT Works (Scotland) Ltd
2 George Square
Castle Brae
Dunfermline
KY11 8QF

Retention and disposal

The Elm Foundation retains information about you after your programme of support has ended for monitoring reasons (see 'Why do you need to store information about me?') and also to reassess your needs should you ever return to us for further support. Once you have been discharged from our services for a period of five whole years, we no longer deem it necessary to retain your personal data and it is therefore destroyed. The one exception to this is data regarding the safeguarding of a child service user – we have a legal duty to retain this data until the child in question reaches the age of 21 years.

Automation

No automated profiling of service users or automated decision making takes place at The Elm Foundation.

Data transfers outside of the European Economic Area (EEA)

All data held by The Elm Foundation is stored in the UK and is not transferred outside of the EEA for any purpose.

Complaints and concerns

We recommend you raise any concerns you have about how The Elm Foundation is handling your data with your case worker. If, having discussed this with your case worker, you are still not satisfied, you should complain in writing to the Information Commissioner at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Be advised that this is only if your complaint relates specifically to data protection. Please speak to your case worker if your complaint relates to anything else, as The Elm Foundation has an internal complaints procedure.

Contact details

For further information about any matters related to data protection at The Elm Foundation, please contact the Business Officer by the following means:

ryan.loughborough@theelmfoundation.org.uk

Ryan Loughborough

*The Elm Foundation
6 Fairfield Road
Chesterfield
Derbyshire
S40 4TP*