**PRIVACY NOTICE – Direct Payment Support Service Clients**

**Introduction:** This statement explains what you can expect when Wiltshire Centre for Independent Living (Wiltshire CIL) collects your information if you have a temporary or ongoing relationship with us in respect of the Direct Payment Support Service. Wiltshire CIL is registered as a Data Controller with the Information Commissioner’s Office (ICO). We are committed to protecting your personal information and to being transparent about what information we hold. Wiltshire CIL understands its obligations to you to help you understand how and why we process your personal data. This notice tells you about these uses. Our Data Protection Policy and Procedures are governed by the Data Protection Act 1998 and the EU General Data Protection Regulation 2016/679 (the “GDPR”).

Wiltshire CIL is contracted by Wiltshire Council to provide the Direct Payment Support Service. We receive referrals directly from them to provide the support service. Wiltshire Council provides the funding for your Direct Payment and you will have signed a contract with them for this.

**Why we hold your personal data:** We may need to use information about you to:

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| Deliver services and support to you | To keep track on the use of public funds |
| To understand and provide the appropriate level of support to you | To monitor Direct Payment accounts |
| Manage the service we provide to you | To inform you of services that we can offer you |
| Investigate any concerns or complaints you have about the services you receive | Check the quality of our services and help with the research and planning of new services |

We only keep the information we need in order to provide the service and/or support to you. If we use your personal information for research and analysis, we will always maintain your anonymity unless you have given your explicit consent that you can be identified.

**Legal basis for processing:** It may be necessary for us to share your personal information with others. To do so, we use the following legal basis for processing your information:

* For the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

For **special category data** (sensitive information)**\***, we rely on the following legal basis:

* For the provision of health or social care or treatment, or the management of health or social care systems and services.

**What information we collect:** In order to carry out the Direct Payment Support Service, Wiltshire CIL must collect and process data, including sensitive personal data, relating to its clients. Wiltshire CIL receives referrals from Wiltshire Council and therefore may have to share information about your situation with the appropriate referring organisation. Other information we hold will have been provided by you or a person authorised to act on your behalf. Data held about you may include, but is not restricted to:

* Name / Full contact details / Date of Birth / Age / Ethnicity / Language / Health details / Support needs
* Bank or building society account details
* Correspondence between yourself and Wiltshire CIL (by post/email/telephone)
* Correspondence between Wiltshire CIL and third parties on your behalf, e.g. Wiltshire Council as the referring organisation
* Details of any person authorised to act on your behalf

Data is stored in a range of different places. These records may be both manual and electronic and in the form of case notes on our internal management system (LIBRA).

**\*Sensitive personal data (Special category):** Wiltshire CIL recognises the significance of sensitive personal data. Information such as race; ethnic origin; politics; religion; trade union membership; genetics; biometrics; health; sex life; or sexual orientation fall within the definition of sensitive data. Wiltshire CIL processes certain sensitive personal data in order to provide a full support service to you.

**How we use your personal data:** Your data is used by Wiltshire CIL for a number of purposes, including but not limited to:

* Providing the support service and maintain case notes.
* Keeping you informed of any relevant changes, e.g. if you are an individual employer. Communications to you may be sent by post, telephone or email. Your personal mobile telephone number will only be used if you have given consent.

**Sharing and disclosing your data with others:** We may share your information with, and obtain information about you from, third-party and other professionals, depending on the service we provide to you. For example:

* We may have to share information about your situation with the appropriate referring organisation.
* If a safeguarding issue arises.
* If there is a criminal investigation and we are requested to provide information, we may have to do so.
* If you ask us to set up payroll, insurance, pension or some other service on your behalf, then we will only pass on the details that the other organisation needs to set up the service for you.
* Data may be shared with reputable ‘data processors’ for the purposes of sending communications electronically (e.g. MailChimp for our e-newsletter/payroll hours reminder).

Wiltshire CIL may, from time to time, need to make other disclosures of your personal information without your consent but any such disclosures will be made in accordance with the obligations imposed on Wiltshire CIL by the Data Protection Act and the GDPR and other relevant legislation, and with due consideration of your rights. Circumstances may arise where data is shared without your consent. This will only occur if it is necessary to protect your vital interests or the vital interests of another person, or for certain other reasons where it is not possible or appropriate to gain your consent, i.e. disclosures to the police for prevention or detection of crime.

Wiltshire CIL does not share data with third parties outside of the UK, or the European Union, other than mentioned elsewhere in this notice.

**How we protect data:** We take security of your data seriously. We have internal policies and controls in place to ensure that your data is not lost, accidently destroyed, misused or disclosed, and is not accessed except by authorised employees in the proper performance of their duties.

**How long we keep data:** We will keep your personal data only as long as is necessary for the purpose(s) for which it was collected, and in accordance with our Data Protection Policy & Procedures. Data will be securely destroyed when it is no longer required.

**Your rights:** Under the Data Protection Act 2018, you have the right to find out what information we hold about you. These include the right to:

* be informed about how your data is being used
* access personal data
* have incorrect data updated
* have data erased
* stop or restrict the processing of data
* data portability (allowing you to get and reuse your data for different services)
* object to how your data is processed in certain circumstances

You can find out more detailed information about your rights here: <https://ico.org.uk/your-data-matters/>

Wiltshire CIL does not use automated decision-making processes, or profiling.

We reserve the right to judge what information we must continue to hold in the fulfilling of any contracts we hold.

If you would like to exercise any of these rights, please contact the Data Protection Officer, Wiltshire Centre for Independent Living, 11 Couch Lane, Devizes, Wiltshire SN10 1EB, 0300 1233 442 info@wiltshirecil.org.uk If you believe the organisation has not complied with your data protection rights, you can complain to the Information Commissioner: <https://ico.org.uk/concerns> We will notify you of any changes we make to this statement.