

Back on Track Policies

Privacy Notice and Policy

Current version	04/08/2023
Last reviewed and updated	04/08/2023
Signed by	Solutions for HR

Introduction

Back on Track is a registered charity and we also have a catering social enterprise called Swan Kitchens.

The Organisation is committed to being transparent about how it handles your personal information, to protecting the privacy and security of your personal information and to meeting its data protection obligations under the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018. This privacy notice and policy will explain how our Organisation uses any personal data we collect from you when you use our website, or when you provide personal data by email, post, phone or in-person. The website section of this policy only applies to our website - if you click a link onto another website from our website you should also read their privacy notice.

Our contact details

If you have any questions about this privacy notice or about how we handle your personal information, please contact:

Address: 4th Floor Swan Building
20 Swan Street
Manchester
M4 5JW
Office phone: 0161 834 1661
Main email: info@backontrackmanchester.org.uk

Data protection principles

Under the GDPR, there are six data protection principles that the Organisation must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

The Organisation is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

The type of personal information we collect and how

Personal information is any information about an individual from which that person can be directly or indirectly identified. It doesn't include anonymised data, i.e. where all identifying particulars have been removed. There are also “special categories” of personal information, including personal

information on criminal convictions and offences, which requires a higher level of protection because it is of a more sensitive nature. The special categories of personal information comprise information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

We currently collect and process the following information:

Personal identifiers:

- Name
- Email address
- Organisation name and address (for catering orders)
- Telephone number
- Invoicing details (for catering orders)
- Dietary requirements (for catering orders)
- Bank address, account number and sort code (donation form only)

Website user statistics:

- IP address
- Network location data

Enrolment information:

- Title
- Name
- Address
- Date of birth
- National Insurance Number
- Email address
- Demographic information
- Residency, employment and benefit statuses
- Criminal conviction information¹

Recruitment information:

- For prospective and current employees and volunteers

How we get the personal information and why we have it

You will directly provide us with most of the data we collect and process. This would be for one of the following reasons:

- To send us a communication message or enquiry
- To make a catering order through Swan Kitchens
- To make a donation
- To enrol at a course or group at Back on Track
- To apply for a role or volunteering opportunity at Back on Track

¹ Only when necessary from a risk assessment point of view and collected in line with our 'Applicants with a criminal record policy and procedure'

The data fields that you fill in for any of these instances is the only personal information we collect. Back on Track collects your data so that we can complete an order, set up a donation standing order, enrol you on a course/group, consider you for an opportunity, or respond to your enquiries and send you essential information about our services – marketing consent will be sought separately.

We may also receive personal information indirectly from the following sources and scenarios:

- If you make a donation through JustGiving or through a phone text service
- If you interact with Back on Track on social media (via Twitter, Facebook and LinkedIn)
- If you sign up for and/or attend a Back on Track event or virtual meeting (via Eventbrite, Zoom, or Teams)
- If you complete a Back on Track survey (through Google Forms or Survey Monkey)
- If you apply to a Back on Track role via another website

Change of purpose

We will only use your personal information for the purposes for which we collected it. If we need to use your personal information for a purpose other than that for which it was collected, we will provide you, prior to that further processing, with information about the new purpose, we will explain the legal basis which allows us to process your personal information for the new purpose and we will provide you with any relevant further information. We may also issue a new privacy notice to you.

Sharing your personal information

We may share the personal information you provide us with relevant colleagues at Back on Track. We will not share information which is provided to us directly or indirectly with any other organisations or third parties unless we have a legal or contractual obligation.

Enrolment data is only collected on people who have chosen to attend a Back on Track course or group and who have agreed to provide us with this information. This enrolment data may be shared with the Manchester Adult Education Service (MAES) and with organisations who have access to GM-THINK (a centralised database for charitable services working with people who face multiple disadvantage in Greater Manchester).

General Data Protection Regulation

The Organisation will only use your personal information when the law allows us to. These are known as the legal bases for processing. Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing your personal information are in instances when:

1. We have a legal obligation
2. We have a contractual obligation
3. We need to protect your vital interests (or someone else's vital interests)
4. It is necessary for the Organisation's interests (or those of a third party) and your interests or your fundamental rights and freedoms do not override our interests
5. You have given your consent:
 - You are able to remove your consent at any time.
 - You can do this by emailing info@backontrackmanchester.org.uk or by using any other method of contacting our organisation.

Our legitimate interests for processing your personal information can include performing or exercising our obligations or rights under the direct relationship that exists between the Organisation and you; performing effective internal administration and ensuring the smooth running of the business;

ensuring the security and effective operation of our systems and network; protecting our confidential information; and conducting due diligence. We believe that you have a reasonable expectation that we will process your personal information.

How we store your personal information

Any digital information we have is encrypted to and from an offsite secure server provided by Cloud10. We also are certified with Cyber Essentials which is a Government backed scheme that helps us guard against cyber threats and keep our data safe. Appropriate levels of staff access and password protection are also applied to all of our systems and folders. Any physical (non-digital) information which we hold is retained and destroyed in line with our 'Retention of Documentation Policy and Procedure'. Physical client records, which may include personal information, are retained for a maximum of six years for audit purposes.

We only hold personal data for as long as we need it, this is often dictated by the requirements of a project funder or by the reason we collected your information in the first place. For example:

1. Recruitment information:
 - Applications are stored for 6 months
 - Information on candidates will be held for up to 6 months
 - Diversity monitoring data is anonymised and stored for 3 years for trend analysis
2. Swan Kitchens orders:
 - If you ordered catering, we keep contact details for three years beyond the date that your order was completed in case of repeat purchases or any complaints
 - We will ask consent to keep contact details for marketing purposes
3. Enrolment information:
 - The enrolment data that we collect is inputted onto a secure online database called GM-Think². We have a set number of GM-Think licences and only relevant colleagues have access to this database.
 - We follow the GM-Think privacy policy and information sharing protocol which explain how and under what circumstances data can be held and shared. We can provide copies of these policies upon request.

We periodically review the data that we hold and we have a pseudonym process to anonymise any data which we no longer actively need. We keep some minimal data indefinitely for statistical purposes – for example, so that we can review any changes in who is using our services so we can make improvements to how we engage with certain people.

Back on Track also keeps a secure archive of project records relating to all of our funded projects. We ensure that we agree the archiving period and destroy date for records for each project and this varies from funder to funder. Where there is no specific requirements from a funder, all records which include personal information are kept for a maximum of seven years (unless an individual who accesses our services is actively engaged with Back on Track for longer than this period).

² GM-Think is a multi-agency database that lets services across Greater Manchester share appropriate information quickly and securely to improve the support given to people who have multiple and complex needs.

We will then dispose your information via a certified confidential waste management company.

The following guideline is also given to all staff through our Data Protection Policy:

“You must not keep personal data in a form that allows data subjects to be identified for longer than needed for the legitimate educational/research or Back on Track business purposes or other purposes for which the organisation collected it. Those purposes include satisfying any legal, accounting or reporting requirements. Records of personal data can be kept for longer than necessary if anonymised. You will take all reasonable steps to destroy or erase from Back on Track’s systems all personal data that we no longer require in accordance with all relevant organisation records retention schedules and policies.”

Your data protection rights

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- Your right of access - You have the right to ask us for copies of your personal information. This is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances. This enables you to ask us to delete or remove your personal information where there’s no compelling reason for its continued processing, e.g. it’s no longer necessary in relation to the purpose for which it was originally collected.
- Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances. This enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy.
- Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances. This enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground.
- Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances. For example, so that you can reuse it across different services for your own purposes.

If you would like to make a request or if you would like to exercise any of these rights please contact us using the details below. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact us using the details below. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

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Manchester
M4 5JW
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Main email: info@backontrackmanchester.org.uk

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us by emailing: info@backontrackmanchester.org.uk or by using any other method of contacting our organisation.

You can also complain to the ICO if you are unhappy with how we have used your data. The ICO is the UK supervisory authority for data protection issues and their contact details are:

Address: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Helpline: 0303 123 1113
ICO website: www.ico.org.uk

Changes to this privacy notice

The Organisation reserves the right to update or amend this privacy notice at any time, including where the Organisation intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.