



## FiSH NEIGHBOURHOOD CARE PRIVACY NOTICE

Issued May 21st 2018

FiSH Neighbourhood Care recognises that everyone has the right to respect for their private and family life, their home and their correspondence and is committed to protecting personal information in accordance with the law relating to the protection of personal information which applies in the United Kingdom (in particular the General Data Protection Regulation and the Data Protection Act 2018).

Please read this Notice carefully to understand who we are and how to contact us, what we do, what sort of information we collect about you, how long we keep it, how we use information about you and on what legal basis we do so, and **who has access to information about you and who we share it with.**

This Notice also gives you important information relating to various legal rights you have in respect of personal information about you, in particular your right to object to our use of personal information about you.

If any personal information which you supply to us changes then if you wish you can ask us to update our records by contacting our Director or your usual contact at FiSH.

If, having read this Notice, you have any questions or need additional information or you are unsure as to what action you should take please contact either our Director or some other person who you believe can help you.

### Who we are and how to contact us

We are Fish Neighbourhood Care, a limited company registered in England & Wales number 7933796 and a registered charity number 1147516.

We are a data controller in relation to the personal information about you which you supply to us or which we otherwise acquire about you. In this Notice, all references to "personal information" mean any information relating to an identified or identifiable natural person as set out in applicable law. The person with day to day responsibility for our compliance with

**Available in large print and audio formats; if there is another format which works better for you please contact us.**

data protection law is our Director who is based at our office at Barnes Green Centre. We are not required to appoint a Data Protection Officer, and have not done so voluntarily. Our office is at Barnes Green Centre, Church Road, Barnes, London SW13 9HR. The office is open Monday to Friday (excluding public holidays) 0930 to 1700 and you can call in or make an appointment. You can also usually contact us during normal business hours by telephone on 020 8876 3335 or by email at [info@fishhelp.org.uk](mailto:info@fishhelp.org.uk).

## What we do

FiSH aims to inspire a caring community where older people live fulfilling, independent lives knowing that help willingly given by neighbours is at hand. FiSH combats loneliness and social isolation in older and vulnerable people living principally in Barnes, Mortlake and East Sheen, enabling them to live independent and dignified lives. In the Notice a "FiSH client" is usually a person with whom we have a contractual arrangement whereby we agree to offer services operated by volunteers screened by the Disclosure and Barring Service and he/she pays a subscription but includes other persons who use our services with the intention of becoming a FiSH client or who do so incidentally or without payment.

See page 8 for more information on our aims and activities.

## What sort of information we collect about you

Personal information which we collect includes:

- usual identifying information, such as your name, gender, date of birth, marital status, and preferred title, and if you are an employee of or volunteer with an entity we contract or partner or co-operate with the name of that entity;
- usual contact information, such as your home or work address, email address and telephone number(s), and if you use our website your IP address;
- special information required or relevant to the provision of our activities, such as in the case of FiSH clients information on your health and wellbeing and the identity of your GP and who to contact in an emergency, and in the context of employment or volunteering information on any criminal record obtained in the course of conducting a check on you with the Disclosure and Barring Service;
- activity information about your interactions with us, in particular for FiSH clients and volunteers what FiSH services you are interested in or wish to volunteer for and which services you actually use or volunteer for and when and how often and the feedback you give us on those services;
- financial information supplied in the context of a contract or donation which might include your bank account details and payment history, and for a donation whether Gift Aid is used (Gift Aid identifies you as a UK taxpayer); and
- preliminary information supplied by possible FiSH clients, employees and volunteers and others seeking to contract or to partner or co-operate with us in the course of recruitment, selection or discussion, such as information in an application about your suitability as an employee or volunteer with FiSH.

You share with us and we collect from you personal information in communications and other interactions between you and us including your use of our website. We also collect personal information about you from others we encounter in the course of our activities and

from publically accessible sources. See page 9 for more information on where and when we collect information about you.

FiSH clients are not required to provide personal information but where a FiSH client does not do so it may not be possible to provide certain services and other services may have to be curtailed in particular where we are concerned as to the health and safety risk to the individual and/or to our staff and volunteers who would otherwise provide the service. Our employees and volunteers are required to provide personal information as being satisfied as to their identity is a key feature of our operations and for employees to meet key compliance and reporting requirements particularly on deductions from pay; failure to provide information would mean that the person would not be accepted as an employee or volunteer. Donors are not required to provide information; in the case of donors who are individuals we would not be able to claim gift aid in respect of donations from qualifying donors and they would not get any higher rate tax relief.

### **How long we keep information about you**

Personal information we collect will not be kept for longer than is reasonably necessary for the purpose or purposes it was collected. For FiSH clients, employees and volunteers, and individuals connected with third party suppliers or other organisations we are in contact with, we will retain most information whilst you continue to be a FiSH client, employee or volunteer or you continue to be connected with the third party entity and its association with us, and usually for not more than four years thereafter.

We are subject to legal and regulatory requirements to retain certain information for significant periods: by way of example in the case of information required for accounting purposes (such as recording a subscription or donation) records must be kept for three years.

At the end of any retention period, personal information about you will either be deleted completely or anonymised, for example by aggregation with other data so that it can be used in a non-identifiable way for statistical analysis and business planning, save that in the case of former FiSH clients and former employees and volunteers we will retain for your lifetime and usually for not more than two years after we become aware of your death your name, date of birth and the period you were a FiSH client or employee or volunteer.

We will also retain personal information about you after our usual retention periods to comply with legal obligations (including law enforcement requests and investigations), resolve disputes between you or others and us, and fulfil your request to “unsubscribe” from further messages from us.

### **How we use information about you and on what legal basis we do so**

We use personal information about you to:

- provide services to FiSH clients in general and if you are a FiSH client to you in particular, either directly or with other charities and third party providers we co-operate or partner with in providing those services;
- source and manage volunteers to provide those services;

- understand how you use our services, improve our services and identify, develop and offer new services, and market our existing services and new services;
- attract financial and non-financial support from a wide range of supporters; and
- manage our administrative activities, protect our reputation, rights and assets, and resolve disputes between you or others and us;

and to do so in compliance with all applicable law. In this Notice “use” of personal information includes any type of processing as defined in applicable law.

We can use special categories of personal information only in circumstances set out in applicable law which include where you have given explicit consent. In our case the special categories of personal information usually relate to information on your health including your wellbeing and information on your ethnic group (which we use on an anonymised basis for statistical purposes). This requirement for consent is in addition to those mentioned below.

We rely on the following legal bases for our use of personal information about you:

- where use is necessary for compliance with a legal obligation to which we are subject, which includes obligations to do with your health and safety, the maintenance of accounting records, demonstrating compliance with laws prohibiting discrimination, and cooperation with law enforcement and other governmental investigating authorities, and if you are an employee employment, social security and social protection laws and the operation of PAYE;
- where use is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract, which include our contracts with FiSH clients to provide activities and volunteers to provide volunteering opportunities;
- where you consent to the use of that information, which includes information on your health including your wellbeing and information on your ethnic group; and
- where one or other of the previously mentioned bases do not apply, use is necessary for the purposes of legitimate interests pursued by us in the context of our work as a charity with older and vulnerable people in a way which might reasonably be expected as part of conducting our activities and which does not materially impact your right to have personal information about you protected; See page 10 for more information on this basis for use of personal information about you and your right to object to use on this basis.

We will also use personal information about you where use is necessary in order to protect your vital interests or those of some other individual. This would include in appropriate circumstances using carer or emergency contact information when provided.

We will use your contact details to contact you but we will not make electronic or telephone contact with you for direct marketing purposes without your prior consent which you can withdraw at any time (usually in the case of email by using the unsubscribe link in the email).

FiSH does not use personal information by way of automated decision-making, including profiling, of the sort restricted by applicable law (which relates to analysis of personal information and a related decision both without human intervention, such as certain types of online loan applications).

## Who has access to information about you and who we share it with

FiSH staff and volunteers, other charities and third party providers we co-operate or partner with in providing services to FiSH clients, and third party suppliers (and for that purpose their officers, employees volunteers and third party suppliers) will have access to personal information about you on a need to know basis.

Where personal information about you is shared with other charities and third party providers we co-operate or partner with in providing services to FiSH clients information about a FiSH client will only be supplied if you use the service or have indicated an interest in so doing.

Our policy is not to share personal information about you with commercial third parties for their own purposes separate from any activity they are undertaking on our behalf or at our request or in co-operation or partnership with us.

Third party suppliers who have access to personal information about you will include particular (a) Richmond and Kingston Accessible Transport (RaKAT) who operate our minibuses (usually only about those volunteers who drive the buses and (usually only the bus driver) those FiSH clients travelling at the time), (b) communication providers (including as at May 2018, Mailchimp) to whom we supply email addresses, (c) providers of contractual benefits agreed with employees, (d) our independent examiner/auditor who may gain access to personal information in the course of their duties in the production of our financial statements as required by law, and (e) suppliers of "cloud" storage of information on our IT systems (often companies based in the USA).

If you are looking to become an employee or volunteer information about you will be supplied to the Disclosure and Barring Service.

We may also make information about you available to the police, the Charity Commission for England and Wales (our regulator) and other government entities, but only to the extent permitted or required by applicable law, for instance if you are an employee information about you will be supplied to HM Revenue and Customs for the purposes of tax and social security.

Third party suppliers to FiSH include suppliers based in other countries of the European Union, suppliers based in other countries where the European Commission has decided that that country ensures an adequate level of protection for personal information, and suppliers based in the United States of America which are registered under the EU-USA Privacy Shield Framework.

## Your Rights – access, correction, erasure, restriction, portability, withdrawal of consent

You have the following rights which are set out in detail in applicable law:

- to obtain from us confirmation as to whether or not personal information about you is being processed, and, where that is the case, access to that information and certain further information as set out in the relevant law;

- to require us to rectify (correct) personal information;
- to require us to erase personal information about you (the right to be forgotten);
- to restrict our use of personal information about you or to object to such use, in particular where we process personal information about you based on our legitimate interests or those of a third party, or in the public interest;
- where we rely on your consent to our use of personal information about you, to withdraw consent at any time (without affecting the lawfulness of use based on consent before its withdrawal); and
- to data portability.

You may exercise these rights by contacting our Director at our office at Barnes Green Centre. If you need further information on these rights please contact our Director.

## **Your right to complain and who to contact**

You also have the right (as set out in detail in applicable law) if you consider that our use of personal information about you infringes applicable law to complain to the Information Commissioner's Office, as supervisory authority. Information on how to do this is available from the Information Commissioner's Office on its website at [www.ico.org.uk](http://www.ico.org.uk) and by application to its head office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

You can also complain direct to us about how personal information about you is used by us by contacting our Director at our office at Barnes Green Centre.

## **Other websites**

Our website and other materials may contain links to websites or apps that are owned and operated by third parties. These websites and apps will have their own privacy policies that govern the collection and use of personal information about you which you should review. We are not responsible for the privacy practices of third party websites or apps so your use of such websites and apps is at your own risk.

## **This Notice: changes, access and review**

We reserve the right to change this Notice or any part of it at any time. We will publish on our website in advance any changes we propose to make to this Notice and where appropriate seek to notify you by other communication channels.

This Notice is available online on our website (you can read it online or if you have access to a printer print it out for reading in hard copy) and on application to us in paper form, and we can explain some or all of the matters covered in this Notice to you in person or on the telephone if you ask us to. This Notice is available on request to us in large print and audio formats; if there is another format which works better for you please contact us.

Please from time to time review this Notice to be informed of how we are using personal information.

## **Contact information**

### **Information Commissioner's Office (the ICO)**

Head office address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Website: [www.ico.org.uk](http://www.ico.org.uk)

**FiSH Neighbourhood Care**

Office: Barnes Green Centre, Church Road, Barnes, London SW13 9HR, open Monday to Friday (excluding public holidays) 0930 to 1700; please call in or make an appointment.

Telephone: 020 8876 3335 during normal business hours.

Email: [director@fishhelp.org.uk](mailto:director@fishhelp.org.uk) Website: [www.fishhelp.org.uk](http://www.fishhelp.org.uk)

## More information on the aims and activities of FiSH

We connect the community through a volunteer network offering friendship, support and practical help. We operate a telephone helpline for car transport, shopping, and other assistance, a befriending service both face to face and by telephone, a drop-in listening service, a minibus service providing transport to regular activities, shopping trips and outings, weekly talks, activities such as bridge, singing, a walking group, gentle exercise groups, regular informal concerts, and teas for those with memory loss. These activities are organised and run for FiSH clients by our staff and volunteers and we work closely with Age UK Richmond and with Richmond and Kingston Accessible Transport (RaKAT) who operate the minibus service for us. FiSH is supported financially by a range of grant giving bodies, by local religious, philanthropic charitable and business organisations, and by individuals; in addition FiSH clients pay a subscription and some participants in an activity contribute towards the cost of that activity. As with most organisations FiSH uses third parties to supply goods (eg stationery supplies) and services (eg audit), and uses under licence rights held by third parties (eg computer programs and other computer services).

Other information on our activities is given in FiSH News, our bi-monthly publication which goes to FiSH clients and volunteers and others, and on our website ([www.fishhelp.org.uk](http://www.fishhelp.org.uk)).

## **More information on where we collect information about you.**

In operating our activities we collect personal information relating to (a) FiSH clients, (b) employees and volunteers, and applicants, (c) members, donors, funders and other supporters, (d) GP practices and government, charitable and other organisations engaged in providing social care and health care, (e) commercial suppliers, (f) other government entities, and (g) other neighbours (particularly in the London Borough of Richmond upon Thames), and (h) in all cases their respective officers, employees and volunteers, and their contractors (and their officers and employees).

You share with us and we collect from you personal information (in communications and other interactions between you and us including your use of our website). We also collect personal information about you from others we encounter in the course of our activities and from publically accessible sources, in particular (a) when you join as a FiSH client or volunteer or when that information is refreshed by you in response to our request (which for FiSH clients is usually done annually) and (b) if you are a FiSH client from your GP or by a care worker acting on behalf of the Council in its capacity as the supplier of statutory care services when you are referred to us or from a care home in which you are resident and at which we stage activities which you are able to attend. Information acquired from your use of our website includes information acquired as a result of us using cookies and your voluntary provision of information to join our mailing list or make a donation through the website. For detailed information on the cookies we use and the purposes for which we use them see our Cookie Policy.

## More information on the legitimate interests basis for use of personal information about you and your right to object to use on this basis

We consider that use of personal information about you is necessary for the purposes of legitimate interests pursued by us in the context of our work as a charity with older and vulnerable people in a way which might reasonably be expected as part of conducting our activities and which does not materially impact your right to have personal information about you protected in the following circumstances:

- to the extent permitted by applicable law with the police, the Charity Commission for England and Wales (our regulator) and other government entities;
- in circumstances which we consider appropriate relating to the provision of services to FiSH clients, to sharing information about you with charities and other third parties who partner or co-operate with us in providing those services;
- to use your identity and contact information contact you if you have been a FiSH client where you have not renewed your membership and we have a reasonable belief that you would wish to do so;
- to use identity and contact information and financial information, to approach persons who have provided financial and non-financial support to us in the past (other than any who have told us not to contact them or not themselves provided contact details) to inform them of our activities and/or to invite them to support us again;
- to use identity and contact information, to contact potential funders who we have not had contact with where one or more of our activities fall within the scope of their grant giving;
- to use the date of birth information for FiSH clients and volunteers to update our records on the age profile of such persons as a group;
- to retain the names and date of birth of FiSH clients, employees and volunteers beyond the usual retention period so that we can identify individuals as they pass from being employees or volunteers to being FiSH clients, respond to inquiries and investigations in the future, continue to pay respect to such persons whilst they live and at or about the time of their death, and identify donors who leave us a legacy in their Will;
- to use activity, location, age and gender information, to understand how our services are used and resourced by volunteers, to improve those services and identify, develop and offer new services; and
- to use contact information, information about health and wellbeing, age, activity information and financial information, to protect our reputation, rights and assets, and resolve disputes.

You have the legal rights to restrict our use of personal information about you and to object to such use where we process personal information about you based on our legitimate interests or those of a third party. You may exercise these rights by contacting our Director at our office at Barnes Green Centre. If you need further information on these rights please contact our Director.