



## **Data Protection (Privacy) and Data Retention Policy**

### **Document Control:**

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## Contents:

About our Privacy Policy .....	3
Who it applies to .....	3
Who are we? .....	3
How do we collect information from you? .....	4
Information you give us directly .....	4
Mandatory Information .....	4
Information you give us indirectly .....	4
When you use social media .....	5
What type of information is collected from you? .....	5
Sensitive information .....	5
14 or under.....	5
We are concerned to protect the privacy of children aged 14 or under. If you are aged 14 or under, please get your parent/guardian's permission beforehand whenever you provide us with personal information.....	5
Vulnerable circumstances .....	5
How and why is your information used? .....	6
How and when will you hear from us? .....	6
Support/service Communications.....	6
Fundraising and Marketing Communications .....	6
Using your information to tailor the content you see/receive .....	7
Profiling and Analysis .....	7
Fraud .....	7
Advertising online .....	7
Who has access to your information?.....	7
Lawful Processing.....	8
Specific consent.....	8
Performance of a contract .....	8
Legal obligation .....	8
Vital interests .....	8
Legitimate interests.....	8
Your rights .....	9
Your right of access .....	9
Your right to rectification .....	9

Your right to erasure .....	9
Your right to restriction of processing .....	9
Your right to object to processing .....	10
Your right to data portability .....	10
Keeping your information up to date .....	10
Transfer of personal data .....	10
How long is your information kept for? .....	11
Cookies .....	12
Links to other websites .....	13
Complaints .....	13
Changes to the policy .....	14
Contacting us – and requesting changes to your information .....	14

## About our Privacy Policy

This policy explains when and why we collect personal information about you, how we use it, the conditions under which we may disclose it to others, how we keep it safe and secure and your rights and choices in relation to your information.

Any questions regarding this policy and our privacy practices should be sent by email to [DPO@actionforcarers.org.uk](mailto:DPO@actionforcarers.org.uk) or by writing to the Data Protection Officer, Action for Carers Surrey, Astolat, Coniers Way, Burpham, Guildford GU4 7HL. Alternatively, you can telephone 0303 040 1234 and ask for the Data Protection Officer.

## Who it applies to

This policy applies to individuals whose personal data is processed by Action for Carers Surrey.

## Who are we?

Action for Carers Surrey is a registered charity. We are here to help unpaid carers of all ages right across Surrey with information, support and advice.

In this policy 'Action for Carers Surrey', 'we', 'us' or 'our' means:

Action for Carers Surrey, registered charity (no. 1116714). Registered address is: Astolat, Coniers Way, Burpham, Guildford GU4 7HL

We are a **controller** of your personal information, which means we are responsible for deciding how we hold and use data about you. We are registered with the Information Commissioner Office with registration number Z9746659.

## Working with Surrey County Council

We work with Surrey County Council to provide support to unpaid carers. Action for Carers Surrey and Surrey County Council are **joint controllers** of personal information that is collected and used as part of this service. This means that both organisations work together to decide how your personal information is used.

We have a data sharing agreement in place with Surrey County Council, which ensures your personal data is used in compliance with applicable data protection laws (in conjunction with other parties, where applicable).

Action for Carers Surrey and Surrey County Council jointly process personal information for the following reasons:

- Provision of services for unpaid carers needing support
- Monitoring of these services
- Managing demand for the services we provide to ensure we are able to offer a consistent service across Surrey
- Evaluating the contract between Action for Carers and Surrey County Council

## **How do we collect information from you?**

We obtain information about you in the following ways:

### **Information you give us directly**

For example, we may obtain information about you when you register for or take part in one of our events, apply to volunteer for us, call our Helpline, respond to one of our campaigns, or when you register to receive one of our newsletters.

### **Mandatory Information**

In some circumstances, it may be mandatory to collect and process some of your personal details to deliver the service or provide the support you are looking for.

For example:

- we need your contact details to respond to your enquiry or complaint.
- if you choose to make a one-off or regular donation to us and allow us to claim Gift Aid, we need to ask for your card details and address.

### **Information you give us indirectly**

Your information may be shared with us by third parties, for example where you have consented for them to do so or where there is an agreement/contract in place between us and the third party. These might include:

- referrals made to us from another organisation or individual, such as your GP, if they think the service would be helpful to you
- independent event organisers, for example sites like Eventbrite
- subcontractors acting on our behalf who provide us with technical, payment or delivery services, our business partners, advertising networks analytics providers and search information providers, for example, the printers who mail our posted newsletters

You should check any privacy policy provided to you where you give your data to a third party.

### **When you use our website**

When you visit our website [www.actionforcarers.org.uk](http://www.actionforcarers.org.uk) like many organisations, we collect the following:

- technical information, including the type of device you're using, the IP address, browser and operating system being used to connect your computer to the internet. This information may be used to improve the services we offer.

- information about your visit to this website, for example which pages you visit and how you navigate the website, i.e., length of visits to certain pages, and referral sources (e.g., how you arrived at our website).

We collect this information by using cookies. You can enable/disable some of these cookies by selecting your preferences when you first interact with our website (or by clearing your cookies, and logging back on to the site). You can find more information about the cookies that we use in the 'Cookies' section below.

### **When you use social media**

When you interact with us on social media platforms such as Facebook and X, we may obtain information about you (for example, when you publicly tag us in an event photo). The information we receive depends on the privacy preferences you have set on the platforms. We encourage you to read the Privacy Policy of the social media platforms you use.

## **What type of information is collected from you?**

The information we collect, store and use from you may depend on the relationship you have with Action for Carers Surrey. It can include:

- your name and contact details (including postal address, email address and phone number)
- your date of birth
- your communications with us, such as call recordings and emails you send. These communications may relate to general enquiries, requests for support, and feedback about our activities and services.
- if you volunteer or work with us, we will ask for photographic ID to verify your identity. We may also collect your National Insurance number and information from the Disclosure and Barring Service (DBS) where appropriate.
- If you donate to us, information as to whether you are a UK taxpayer so we can claim gift aid

NB If you make a donation online, your card information is not held by us, it is collected by our third-party payment processors, who specialise in the secure online capture and processing of credit/debit card transactions.

### **Sensitive information**

Data protection laws recognise certain types of personal information as sensitive and therefore requiring greater protection. These are called **special category** personal data, for example information about your health, ethnicity and religion.

We do not usually collect sensitive data about you unless there is a clear and valid reason for doing so and data protection laws allow us to do so. Where appropriate, we will make it clear why we are collecting this type of information and what it will be used for.

### **13 or under**

We are concerned to protect the privacy of children aged 13 or under. If you are aged 13 or under, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

### **Vulnerable circumstances**

We are committed to protecting vulnerable supporters, customers and volunteers, and appreciate that additional care may be needed when we use their personal information and observe the relevant good practice guidelines in our interactions with vulnerable people.

## How and why is your information used?

We may use your information for a number of different purposes, which may include:

- providing you with the services, products or information you asked for
- responding to or fulfilling any requests, complaints or queries you make to us
- communicating with you about events/activities you have signed-up for
- keeping a record of your relationship with us
- sending you communications which you have requested and that may be of interest to you. These may include information about support services, campaigns, volunteering and fundraising
- notifying you of changes to our services
- seeking your views or comments on the services we provide
- conducting analysis and market research to better understand how we can improve our services, products or information
- analysing the number and type of people who have used our services to demonstrate our impact and apply for funding
- monitoring the interactions we have with our carers, supporters, volunteers etc, for quality control and compliance purposes to ensure we are delivering the service we and our regulators expect
- dealing with entries into a competition or draw
- administering your donation or supporting your fundraising, including processing Gift Aid
- administering a legacy – where we are potentially the beneficiary of a legacy, we will obtain the names and contact details of executors, a copy of the will, and a grant of probate
- checking donations for the purposes of prevention of fraud or other crime
- processing grant or job applications

## How and when will you hear from us?

We respect your right to privacy, and we will only contact you about Action for Carers Surrey if you are happy to hear from us or where appropriate to do so.

### Support/service Communications

We will use your contact details to provide you with support, advice and information about caring, and the services we offer.

### Fundraising and Marketing Communications

We may use your contact details to provide you with information about the vital work we do for carers, our fundraising work and opportunities to support us.

You can choose whether to receive fundraising and marketing communications by email, text or telephone, and how you wish to receive these communications.

If you have signed up for one of our fundraising events, then we may contact you to tell you information about the event, and if you have consented, provide information about similar events we think you will be interested in, share stories from our community of fundraisers, and provide fundraising tips and information.

Please note, we may send you fundraising communications by post that we think may be of interest to you, unless you have told us that you would prefer not to hear from us in this way. We do so to further our legitimate interest, i.e. to achieve our charitable aims, but we always make sure that our interests do not override your right to privacy.

## Using your information to tailor the content you see/receive

### Profiling and Analysis

We may analyse your personal information to create a profile of your interests and preferences so that we can tailor and target our communications in a way that is timely and relevant to you. We may make use of additional information about you when it is available from external sources to help us do this effectively. This allows us to be more focused, efficient, and cost-effective with our resources and also reduces the risk of someone receiving information they may find inappropriate or irrelevant.

### Fraud

We may use your personal information to detect and reduce fraud and credit risk.

## Advertising online

We advertise on digital platforms such as Facebook, Google and Instagram. We also place adverts on websites to promote awareness of Action for Carers Surrey, our services and opportunities to support us. We do this by:

- Advertising on particular types of websites - for example newspapers and magazines' websites.
- Advertising to people signed up with an online platform (such as Facebook or Google) based on what the platform knows about them.
- Additionally, dependent on the cookie preferences you allow on both ours, and others' websites and social media platforms, we may also use the following 'remarketing' processes:
  1. Seek 'similar' audience profiles to market to
  2. Market content to audiences who have already signed up to/taken part in our events/activities
  3. Market to 'saved' audiences, i.e. audiences who have previously responded well to similar content from Action for Carers Surrey
  4. Track interactions with our adverts, to measure their success

You can object to your information being used in this way by withholding permission on our cookie preference centre when you visit our site.

## Who has access to your information?

We do not sell or rent your information to third parties. We do not share your information with third parties for marketing purposes.

However, we may disclose your information to third parties in order to achieve the other purposes set out in this policy. These third parties may include:

- Third parties working on our behalf - We may pass your personal information to our third-party service providers, suppliers, agents, subcontractors, and other associated organisations for the purposes of completing tasks and providing services to you on our behalf (for example to post you newsletters or process donations). However, when we use these third parties, we disclose only the personal information that is necessary to deliver the services.
- Third party partners we work with - Our trusted partners provide services/products to help carers. If you are referred to, or chose to use one of these partners services, they will use

your details to provide the requested service/support. They will be acting as either a joint or independent controller of your personal information and therefore we advise you to read their Privacy Policy. These third-party product providers may also share your information with us which we will use in accordance with our ACS privacy policy.

- Our professional advisers, for example our accountants, auditors, bankers, insurers or lawyers.
- We may transfer your personal information to a third party if we're under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation, or to enforce or apply our terms of use or to protect the rights, property or safety of our staff, carers, supporters, or others. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

## **Lawful Processing**

Data protection law requires us to identify one or more lawful grounds to process your personal information. We rely on the following grounds:

### **Specific consent**

Where you have provided specific consent to us using your personal information in a certain way, such as to send you email, text and/or telephone marketing. Your specific consent is also used where you have agreed for us to use your personal information in case studies to promote our work. You can withdraw your consent at any time.

### **Performance of a contract**

Where we are entering into a contract with you or performing our obligations under it, like when you buy Action for Carers Surrey named products and services or participate in some events.

### **Legal obligation**

Where necessary for us to use your personal information so that we can comply with a legal or regulatory obligation to which we are subject, for example where we are ordered to provide personal information to a court or regulatory authority like the Charity Commission or Fundraising Regulator.

### **Public task**

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority, for example to prevent fraud.

### **Vital interests**

Where it is necessary to protect life or health (for example in the case of medical emergency suffered by an individual at one of our events) or a safeguarding issue which requires us to share your information with, for example, the emergency services. The principles we follow in these circumstances can be found here: <https://surreyscp.org.uk/7-golden-rules-for-information-sharing/>

### **Legitimate interests**

Where it is reasonably necessary to achieve our legitimate interests (or the legitimate interests of others) as long as our interests do not override your right to privacy.

We consider our legitimate interests to be running Action for Carers Surrey as a charitable organisation in pursuit of our aims and ideals. We rely on the legitimate interests ground to:

- send communications by post which we think will be of interest to you



- send communications about, and related to, fundraising events you have signed up for to help you raise important funds for our charitable work
- conduct research to better understand our supporters and to improve the relevance of our fundraising
- understand how people choose/use our services and products
- determine the effectiveness of our services, promotional campaigns and advertising
- share personal information amongst relevant teams within Action for Carers Surrey to ensure we communicate with our supporters in the most effective way
- purchase marketing lists to promote our fundraising activity
- monitor who we deal with to protect Action for Carers Surrey against fraud, money laundering and other risks
- record and monitor interactions for quality and training purposes
- enhance, modify, personalise or otherwise improve our services and communications for the benefit of our customers
- better understand how people interact with our website
- retain records and call recordings as evidence in defence of a legal claim

When we legitimately process your personal information in this way, we consider and balance any potential impact on you (both positive and negative), and your rights under data protection laws. We will not use your personal information where our interests are overridden by the impact on you, for example, where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).

When we use sensitive personal information, we require an additional legal basis to do so under data protection laws, so will either do so on the basis of your explicit consent or another route available to us at law (for example, if we need to process it for employment, social security or social protection purposes, your vital interests, or, in some cases, if it is in the public interest for us to do so).

## **Your rights**

Under UK data protection law, you have certain rights over the personal information that we hold about you.

You have the following rights:

### **Your right of access**

You have the right to ask us for copies of your personal information.

### **Your right to rectification**

You have the right to ask us to correct information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

In certain circumstances, you also have the following rights:

### **Your right to erasure**

You have the right to ask us to erase your personal information.

### **Your right to restrict processing**

You have the right to ask us to restrict the processing of your information.

### **Your right to object to processing**

You have the right to object to processing if we are able to process your information because the process forms part of our public tasks or is in our legitimate interests.

### **Your right to data portability**

You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you.

If you want to exercise any of these rights, please contact [POSITION AND CONTACT DETAILS].

We may need to ask for additional information to help us confirm your identity. This is a security measure to ensure that personal information is not disclosed to any person who does not have the right to receive it.

We have one month to respond to your request, unless certain conditions apply in which case we will write to you within one month to let you know that we are extending the time to respond and to explain why.

If you have given your consent to us processing your personal information, you have the **right to withdraw your consent at any time**. To withdraw your consent, please contact [POSITION AND CONTACT DETAILS]. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information and, subject to our retention policy, we will dispose of your data securely.

### **Keeping your information up to date**

We take reasonable steps to ensure your information is accurate and up to date.

We really appreciate it if you can let us know when your contact details change, or if there is a change to your caring circumstances.

### **Keeping your personal information secure**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

### **Transfer of personal data outside the UK**

Before transferring personal information outside the UK, we put in place safeguards to comply with data protection laws and to ensure your information continues to be protected.

If we transfer your personal information to a country that is not covered by a UK 'adequacy regulation', Action for Carers Surrey will usually use the UK International Data Transfer Agreement or the EU Standard Contractual Clauses together with the UK Addendum.

## How long is your personal information kept for?

We keep your personal information for no longer than is necessary for the purposes it was collected. The length of time we retain your personal information for is determined by operational and legal considerations, as well as best practice.

For example, we are legally required to hold some types of information to fulfil our statutory and regulatory obligations (e.g. health/safety and tax/accounting purposes).

Further reasons we may retain personal information include:

- For our auditing purposes
- For use as evidence in defence of a legal claim
- To ensure you are suppressed from marketing if you prefer never to hear from us in the future.

Our current retention timescales are shown below:

Category	Description	Retention period	Reason
Accounting	Annual Accounts, Management Accounts,  Payroll, (inc maternity and paternity pay), Pensions, Invoices, Bank Statements, Grants and Contracts	6 years from the end of the financial year in which the transaction was made	Statutory
Governance	Incorporation Record, Articles of Association, Resolutions, Minutes of Board Meetings and subgroups, Register of Directors, Register of Members	Permanently	Statutory
Contractual	Legal contracts, terms and conditions, leases	6 years after contract end	Maximum period within which dispute might occur
Insurance Records	Public Liability, Employers Liability	Permanently/40 years	Employers' Liability (Compulsory Insurance) Regulations 1998
Accident Records	Accident Record Books	4 years from date of entry for an adult (or until any younger person involved in the accident reaches 21)	Health and Safety at Work Act 1974 S7
Client Records Adults	Client data and case notes	6 years from the date Action for Carers Surrey ceases providing services to the Client	Statutory limitation period for claims
Client Records Children	Client data and case notes	Date of birth + 25 years	In Line with SCC Children's Services retention period for Children in Need and other categories.

Client Records	Records of initial contact – Client decides not to use our services	6 months	Statutory, with reference to limitation period for bringing a claim under the Equality Act 2010
Human resources	MOT Certificate, Insurance certificate, Driving Licence, paperwork relating to DBS check, emergency contacts Information	6 months from termination date	
	Recruitment records for unsuccessful applicants	6 months	Statutory, with reference to limitation period for bringing a claim under the Equality Act 2010
	Right to work in the UK evidence	3 years	Ad advised by the home office
	Personnel File – Contract of Employment, Correspondence, Recruitment documentation, and documentation relating to leaving employment.	6 years from termination date	Part of personnel record – local policy
Human resources	Statutory maternity records, certificates or other medical evidence	Three years after the end of the tax year in which maternity period ends	The Statutory Maternity Pay Regulations
Human resources	Statutory sick pay records, calculations, certificates, self-certificates	Three years after the end of each tax year for Statutory Sick Pay purposes	Statutory Sick Pay (General) Regulations
Finance	Pension records re: current pensioners	6 years from the end of the financial year in which the transaction was made	Local policy

We review our retention periods on a regular basis.

## Cookies

Like other websites, the Action for Carers Surrey website uses cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. For example, we use cookies to store your country preference. This helps us to deliver a more personalised service when you browse our website and improves our services.

We have a cookie preference centre that allows you to control certain types of cookies that are used by our website.

When anyone visits or is taken to our website, all marketing/targeting cookies are opted out by default, meaning that individuals will only receive targeted online advertisements if they opt-in to

these types of cookies. Cookies for performance allow us to anonymously assess how effectively our website is working which in turn, ensuring that we are giving all of our users the best experience.

We use Google Consent Mode, a feature of Google Analytics 4, which interacts with our cookie preference centre.

If you choose to deny consent to targeting or performance cookies, instead of storing cookies on your device, tags send “cookieless” pings to Google. This allows us to track the effectiveness of our online campaigns while respecting your cookie preferences and privacy.

It is possible to switch off cookies by setting your browser preferences. Turning cookies off may result in a loss of functionality when using our website.

## **Links to other websites**

Our website may contain links to other websites run by other organisations. This policy applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other websites even if you access those using links from our website.

In addition, if you linked to our website from a third-party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third-party site and recommend that you check the privacy policy of that third-party site.

## **Complaints**

We welcome, and take seriously, all complaints and feedback about our work.

If you make a complaint to us, we will collect and use your personal information to respond to your concerns.

If your complaint relates to an area of our work where we employ a third-party processor or product provider, we may share your personal information with that third party to investigate your concerns.

We will keep a record of your complaint for 7 years from the date that we deem the complaint closed.

You can also complain to the ICO if you are unhappy with how we have used your personal information.

The ICO's address:

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

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

## **Changes to this policy**

Any changes we may make to this policy in the future will be posted on this website so please check this page occasionally to ensure that you're happy with any changes. If we make any significant changes we will make this clear on this website.

## **Contacting us – and requesting changes to your personal information**

Any questions regarding this policy and our privacy practices should be sent by email to [DPO@actionforcarers.org.uk](mailto:DPO@actionforcarers.org.uk) or by writing to the Data Protection Officer, Action for Carers Surrey, Astolat, Coniers Way, Burpham, Guildford GU4 7HL. Alternatively, you can telephone 0303 040 1234 and ask for the Data Protection Officer.

If you wish to change your preferences or update/remove some of the information we hold about you, please contact the DPO as shown above, or you can also call 0303 040 1234 option 2, and request that our Admin team change your details on our systems.