

## Privacy Statement

The purpose of this privacy notice is to ensure personal data processed by Nugent is done so in a lawful, fair and transparent manner in relation to the data subject and that individuals are well informed about the collection and use of their personal data.

The data controller for this website is Nugent – Charity number 1187072-1. We apply the General Data Protection Regulation and other UK data protection law when handling any personal information. This privacy notice tells you what to expect when Nugent collects personal information about you.

### If you are not satisfied

If you feel Nugent has not kept its promises about the way we handle your personal information, we ask you write to, or email, our Governance department.

Email: [governance@wearenugent.org](mailto:governance@wearenugent.org)

or post to:

Governance, Nugent Central Office, 99 Edge Lane, Liverpool L7 2PE

The Information Commissioner

If you believe that we are not following the law when processing your personal data, you can complain to the [Information Commissioner's Office \(ICO\)](#).

### Cookies

This website puts small files (known as 'cookies') onto your computer to collect information about how you browse the site.

Cookies are used to:

- measure how you use the website so it can be updated and improved based on your needs
- remember the notifications you've seen so that we don't show them to you again.

The cookies from this website aren't used to identify you personally. We only use the information for statistical analysis purposes and then the data is removed from the system.

You'll normally see a message on the site before we store a cookie on your computer. You can choose to accept or decline cookies. However, if you decline it may prevent you from taking full advantage of the website.

Find out more about [how to manage cookies](#)

## **Social media**

If you follow Nugent on social media and contact us through any such third party sites you will need to make sure you are familiar with privacy policies and settings for those particular sites.

We do not collect, hold or use any data about you from our social media sites. Nugent can take no responsibility for issues relating to privacy of information for social media or third party sites that you may use.

## **Subscribers to mailing lists**

If we hold your information on our mailing list your details will only be used by Nugent – we will never sell or swap your details or give your information to other organisations to use for their own purposes.

You can select the preferred method of contact, either by post or email, to receive your regular news and updates, including Together magazine. (Sending email is our preferred method, as it saves us vital funds).

For e-newsletters we use a third party provider, Mailchimp, to deliver our monthly e-newsletters. We gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve our e-newsletter. For more information, please see Mailchimp's privacy notice here <https://mailchimp.com/legal/privacy/>

## **Our purposes for processing your personal data**

We process personal data for some or all of the following purposes depending on our relationship with the individual data subject:

- To adhere with all statutory and regulatory requirements
- To safely recruit and employ our staff or volunteers
- To ensure our staff are appropriately trained
- To deliver our services
- For safeguarding
- To maintain the security of our premises
- To maintain the safety of our Service Users
- To allow effective and relevant communication
- Promoting and marketing our organisation

We cannot achieve these purposes without processing personal data.

We will not use your personal data for anything other than for the purposes set out above and we will never sell your personal data to third parties or share it with third parties without telling you (see Recipients of personal data below).

### **Our lawful basis for processing your personal data**

In addition to the above purposes we must have a valid lawful basis in order to process your personal data.

Therefore, we have identified the following lawful bases:

- Contract
  - If you work for Nugent we will need to process your data to fulfil the terms and conditions of your employment.
  - If you enter into any form of contract with Nugent this will be one of the appropriate lawful bases for processing your data. This includes contracts for delivering care.
- Legal Obligation
  - We have a legal obligation to process our Service Users personal data in the Health and Social Care Act and to ensure we comply with CQC regulation.
  - We have a legal obligation to process our employees' personal data in one or more of the Health and Social Care Act, the Health and Safety at Work Act, the Employment Rights Act and to ensure we have safe recruiting processes and procedures.
  - Sometimes we may have a legal obligation to process your data even if you are not an employee, a volunteer or Service User. For example, if you are a contractor working for us and you have an accident we might have to report it to the Health and Safety Executive.
- Legitimate Interests
  - We use legitimate interests as our valid lawful basis if there is no legal or contractual obligation for the processing activity but data will be used in ways you would reasonably expect and will have minimal impact on your privacy.
- Consent
  - We use consent as our valid lawful basis when we are able to offer you real choice and control over your data and when you are able to withdraw your consent without any adverse consequences. For example, we will ask for your consent before we use photographs or videos in promotional material, on our website or social media.

## **Our legitimate interests**

We have identified legitimate interests as the basis for the following processing activities; Fundraising and volunteering, the operation of our CCTV system, the administration of basic first aid and to ensure we communicate effective and relevant information to the appropriate recipient/s.

The legitimate interests for fundraising and volunteering are very simple; to help us to raise funds for Nugent and to utilise volunteers who want to work with us.

The legitimate interest for operating our CCTV are; it will help us to maintain the security of our premises from intruders, prevent and investigate crime and maintain the health and safety of our Service Users, staff, volunteers and visitors.

The legitimate interests for administering basic first aid are; to minimise injury or in some case maintain life and maintain the health and safety of our Service Users, staff, volunteers and visitors.

The legitimate interest for effective and relevant communication are; to ensure the correct information is available to the correct recipient at the correct time and in the best interest of the data subject.

## **Sources and categories of personal data obtained**

Sometimes Nugent will need to collect personal data from sources other than the individual it relates to. These sources include (this list is not exhaustive):

- Previous placements including residential, nursing or hospital
- Social workers
- Local authorities
- Health commissioning groups
- Health and medical professionals including therapists
- Personal assistants and informal carers
- Advocates
- The courts and the police
- Relevant persons' representative
- The Disclosure and Barring Service
- Previous Employers
- Court appointed deputy
- Independent case workers

- Other legal representatives

The following list describes the categories of personal data Nugent might collect from sources other than the individual it relates to (this list is not exhaustive):

- Name and contact details
- Health, medical and therapy details
- Employment history details
- Care plan details
- Education details
- Financial details
- Risk Assessments
- Behaviour reports and details
- Personal details such as gender, DOB or NI number
- Details of criminal convictions or offences
- Court Orders
- Support plans
- Photographs and video

### **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or Social Services, or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our Service Users).

### **Recipients of personal data**

There are times when we will need to share personal data with other organisations or third parties.

We will only do this in line with the purposes set out above and we will make sure appropriate steps are taken to protect the security of personal data before it is shared.

Nugent shares personal data with the following organisations or third parties if and when required (this list is not exhaustive):

- Our insurers and solicitors

- Social services
- The Care Quality Commission (CQC) – the details of the CQC privacy notice can be found here [cqc.org/about-us/our-policies/privacy-statement](https://www.cqc.org/about-us/our-policies/privacy-statement)
- Ofsted – the details of Ofsted’s privacy notice can be found here <https://reports.ofsted.gov.uk/privacy-and-cookies>
- Our pension provider
- Local authorities
- The NHS and other medical professionals
- Previous employers when asking for references
- Future and potential employers
- Future and potential placements for Service Users
- External training providers
- The Health and Safety Executive
- The courts and the police
- HMRC
- BACS payment services
- Advocates
- The Disclosure and Barring Service
- The Department for Work and Pensions
- Cataphract

### **Retention periods**

The retention period applied to personal data we process is defined in our Retention Policy which is available upon request.

### **Individual rights**

The following individual rights may be available depending on the category of data being processed, the purpose and lawful base for the processing activity and the retention period applied:

- The right to be informed
- The right of access

- The right to rectification
- The right to erasure (or to be forgotten) – this does not apply to information that we are legally obliged to keep
- The right to restrict processing
- The right to data portability
- The right to object

For further information on these rights, you can visit the Information Commissioners Office website at [www.ico.org.uk](http://www.ico.org.uk)

Any request to exercise the above rights should be made in writing and addressed to Governance, Nugent Central Office, 99 Edge Lane, Liverpool L7 2PE.

You have the right to lodge a complaint or report a concern about an organisation's personal data processing activity at any time. You should do this by contacting the Information Commissioners Office.

### **Statutory or contractual requirement**

There is both a statutory and contractual requirement for you to provide your personal data to Nugent if you work for us or apply to work for us.

There is a statutory and contractual requirement for you to provide your personal data to Nugent in order for us to deliver our service to you.

### **Automated decision making**

Nugent does not apply any automated decision making to the personal data we process.

### **National data opt-outs**

Nugent does not share personal information about you to research bodies and organisations. We would always request your consent to share personal information in this way.

However, there may be extreme cases where we are required to share personal information:

**When required by law** – If there is a legal requirement to provide it, such as a court order

**When there is an overriding public interest** – An emergency or in a situation when the safety of others is most important. For example, to help manage contagious diseases like meningitis and stop them spreading.

**When information that can identify you is removed** – Information about your health care or treatment might still be used in research and planning if the information that can identify you is removed first.

**When there is a specific exclusion** – Your confidential patient information can still be used in a small number of situations. For example, for official national statistics like a population census.

### **Changes to this privacy notice**

We reserve the right to update this Privacy Notice at any time.

Last Published: October 2022