

Charity No 1155945



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*Patron: The Right Reverend Karen Gorham, Bishop of Sherborne*

## DATA PROTECTION PRIVACY NOTICE

**No. 18**

## 1. Introduction

Routes to Roots (Poole) CIO (“**R2R**”) is committed to protecting the privacy and security of your Personal Data (defined below). This Privacy Notice describes how we collect, store and process your Personal Data during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR) and any applicable local data protection laws. GDPR applies to all employees, workers and contractors (defined below) of R2R. Local data protection laws may also apply to additional categories of employees and workers.

R2R is a “**Data Controller**”. This means that we are responsible for deciding how we collect, store and process Personal Data about you. We are required under data protection legislation to notify you of the information controlled in a Privacy Notice.

The Privacy Notice will apply to **trustees** (a person who is registered with the charities commission under charity number 1155945, **current employees** (a person that works for R2R under an employment contract), **former employees** (a person, their employment by R2R having ceased, who worked for R2R under a contract of employment), **volunteers** (a person who performs work or services personally for no money or benefit in kind), **partners** (an independent person, whether self-employed or employed by an agency, or a firm that performs a service to clients of R2R), **contractors** (an independent person, whether self-employed or employed by an agency, or a firm that undertakes a paid contract to provide materials or labour to perform a service or do a job for R2R), **website subscribers** (a person who requests R2R notification services via the website) and **supporters** (a person or organisation who is identified as a financial supporter of R2R and has requested that we keep in contact with them ). The Privacy Notice does not form part of any contract of employment or other contract to provide services. We may update the Privacy Notice at any time.

It is important that you read this Privacy Notice, together with any privacy notices we may provide on specific occasions when we are processing personal data about you that is not included in this Privacy Notice, so that you are aware of how and why we are using such data.

## 2. Data Protection Principles

We will comply with data protection law. This says that the Personal Data we hold about you must be:

- Used lawfully, fairly and in a transparent way
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- Relevant to the purposes we have told you about and limited only to those purposes
- Accurate and kept up to date
- Kept only as long as necessary for the purposes we have told you about
- Kept securely

## 3. The information we hold about you

“**Personal Data**” is defined as any information relating to an identified or identifiable natural person (“**Data Subject**”). You are a Data Subject for the purposes of the Privacy Notice. It does not include data where the identity has been removed rendering it anonymous (anonymous data). There is also a sub-category called “**Sensitive Personal Data**” which requires further scrutiny and higher levels of protection, and this is Personal Data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation.

We will collect, store, and process the categories of Personal Data about you as defined in Appendix A.

#### **4. How is your Personal Data collected**

We collect Personal Data about trustees, volunteers, employees, clients, partners and contactors through the application, recruitment and engagement processes directly from individuals and we may sometimes collect additional information from third parties including employers, former employers, or agencies.

We collect personal data about web subscribers via our website for individuals signing up to receive newsletters and promotional material relating to the activities of R2R.

We collect personal data about supporters via our website and via direct engagement (where requested by potential funders) for individuals and organisations signing up to receive material relating to the activities of R2R.

We may also collect additional Personal Data in the course of activities related to our relationship with you and throughout the period that relationship exists.

#### **5. How we will use information about you**

We will only use your Personal Data where we have a legal basis under GDPR to do so. Most commonly, we will use your Personal Data in the following circumstances:

- Where we need to perform the contract we have entered into with you
- Where we need to comply with a legal or regulatory obligation
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests

We may also use your Personal Data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests)
- Where it is needed in the public interest (or for official purposes)

#### ***Situations in which we will use your Personal Data***

We need all the categories of information as defined in Appendix A primarily to allow us to maintain our relationship with you and to enable us to comply with legal obligations. In some cases we may use your Personal Data to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

Appendix A identifies the purpose or purposes for which we are processing or will process your Personal Data, as well as indicating which categories of data are involved.

#### ***If you fail to provide Personal Data***

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

#### ***Change of purpose***

We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 6. How we use Sensitive Personal Data

“Special categories” of particularly Sensitive Personal Data require higher levels of protection. We need to have further justification for collecting, storing and using this type of Personal Data. We may process special categories of Personal Data in the following circumstances:

- In limited circumstances, with your explicit written consent
- Where we need to carry out our legal obligations and in line with our Privacy Notice
- Where it is needed in the public interest and in line with our Privacy Notice
- Where it is needed for the safeguarding of our trustees, employees and volunteers, and subject to appropriate confidentiality safeguards

Less commonly, we may process this Sensitive Personal Data where it is needed in relation to legal claims or to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

### *Do we need your consent?*

Subscribers to our newsletters and promotional material are able to unsubscribe at any time via our website. We do not need your consent if we use special categories of your Sensitive Personal Data in accordance with the Privacy Notice to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain Sensitive Personal Data. If we do so, we will provide you with full details of the Sensitive Personal Data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your engagement with us that you agree to any request for consent from us.

## 7. Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Privacy Notice.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

We envisage that we may hold information about criminal convictions. We will only collect information about criminal convictions if it is appropriate given the nature of our engagement with you and where we are legally able to do so. We will use information about criminal convictions and offences in the following ways:

- Assess your ongoing engagement with R2R (clients only)
- Assess your ongoing employment with R2R (employees only)
- Specify the roles and tasks you may or may not carry out during your engagement employment or engagement with us

We are allowed to use your Personal Data relating to criminal convictions in this way to carry out our obligations.

## 8. Data sharing

We may have to share your Personal Data with third parties, including third-party service providers. We require third parties to respect the security of your Personal Data and to treat it in accordance with the law.

### ***Why might you share my Personal Data with third parties?***

We will share your Personal Data with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

### ***Which third-party service providers process my Personal Data?***

“Third parties” includes third-party service providers (including contractors and designated agents). The following activities are carried out by third-party service providers: payroll, pension administration, IT services, master data management, PR and marketing services (for email distribution e.g. newsletters, funding requests etc).

R2R currently uses the following third party service providers and their data privacy notices are available from their respective websites;

- Saltwater Stone ([saltwater-stone.com](http://saltwater-stone.com))
- Mailchimp ([mailchimp.com/about/security](http://mailchimp.com/about/security))
- Loose Connection ([looseconnection.biz/privacy-policy](http://looseconnection.biz/privacy-policy))

### ***How secure is my Personal Data with third-party service providers***

All our third-party service providers are required to take appropriate security measures to protect your Personal Data in line with our policies. We do not allow our third-party service providers to use your Personal Data for their own purposes. We only permit them to process your Personal Data where we have a legal basis to do so and for specified purposes and in accordance with our instructions.

### ***What about other third parties?***

We may also need to share your Personal Data with a regulator, Notified Body or to otherwise comply with the law.

## 9. Data Security

We have put in place measures to protect the security of your Personal Data. Details of these measures are available upon request. Third parties will only process your Personal Data on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

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

## 10. Reporting a Personal Data Breach

The GDPR requires R2R to notify any loss, or unauthorised access, disclosure of acquisition, of Personal Data (“**Personal Data Breach**”) to the applicable regulator and, in certain instances, the Data Subject. In the event of any suspected Personal Data Breach we will notify Data Subjects or any applicable regulator where we are legally required to do so.

If you know or suspect that a Personal Data Breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the Data Privacy Manager.

## 11. Data retention

### *How long will you use my information for?*

We will only retain your Personal Data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your Personal Data are available in Appendix A.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your Personal Data so that it can no longer be associated with you, in which case we may use such Personal Data without further notice to you. Once you are no longer a trustee, employee, volunteer, client, partner, contractor, website subscriber or supporter of R2R we will retain and securely destroy your Personal Data in accordance with our data retention policy.

## 12. Rights of access, correction erasure and restriction Your duty to inform us of changes

It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your Personal Data changes during your working relationship with us.

### *Your rights in connection with Personal Data*

Under certain circumstances, by law you have the right to:

- **Request access** to your Personal Data (commonly known as a “**Data Subject Access Request**”). This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully processing it. Details are provided on the Intranet
- **Request correction** of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected
- **Request erasure** of your Personal Data. This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Data where you have exercised your right to object to processing (see below)
- **Object to processing** of your Personal Data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your Personal Data for direct marketing purposes
- **Make a complaint** at any time to the competent supervisory authority in respect of R2R’s actions or omissions in respect of GDPR. In the UK the supervisory authority is the Information Commissioner’s Office (ICO)
- **Request the restriction of processing** of your Personal Data. This enables you to ask us to suspend the processing of Personal Data about you, for example if you want us to establish its accuracy or the reason for processing it

- **Request the transfer** of your Personal Data to another party.

If you want to review, verify, correct or request erasure of your Personal Data, object to the processing of your Personal Data, or request that we transfer a copy of your Personal Data to another party, please contact the Data Privacy Manager in writing.

***No fee usually required***

You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

***What we may need from you***

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is an appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

**13. Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your Personal Data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Privacy Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

**14. Changes to the Privacy Notice**

We reserve the right to update this Privacy Notice at any time, and we will provide you with a new Privacy Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your Personal Data.

**15. Training**

We will provide adequate and appropriate training to all R2R personnel to allow them to comply with data privacy laws. You must undergo all mandatory data privacy related training and, where appropriate, ensure your team undergo similar mandatory training.

**16. Data Privacy Manager**

We have appointed our office administrator the role of Data Privacy Manager to oversee compliance with this Privacy Notice. If you have any questions about this Privacy Notice or how we handle your Personal Data please contact the Data Privacy Manager, who at the time of this Privacy Notice being issued is;  
Elaine Mellers (+44 1202 667880 [office@routestoroots.org](mailto:office@routestoroots.org)).

**APPENDIX A**

| <b>Category of Data: Trustees and Board members</b>   |  |   |
|---|--|---|
| <b>Type of record</b>   | <b>Data retention period</b>   | <b>Purpose</b>  |
| Trustee and Board applications  | While appointment continues and up to six years after appointment ceases   | To comply with legal obligations as set out by the Charity Commission for England and Wales   |
| <b>Category of Data: Employees</b>  |  |   |
| Job applications and interview records of unsuccessful candidates, including CV's               | A period of 6 months after notifying unsuccessful candidates.  | Making a decision about your recruitment or appointment   |
| Personnel, performance and training records   | While employment continues and up to six years after employment ceases   | Conducting performance reviews and managing performance   |
| Written particulars of employment, contracts of employment, and changes to terms and conditions | While employment continues and up to six years after employment ceases   | Determining and administering the terms on which you work for us and providing the benefits as agreed in the contract.                                |
| Annual leave records, Payroll records, PAYE records, pension records, maternity records         | While employment continues and up to six years after employment ceases   | Paying you and, if you are an employee, deducting tax and National Insurance or Social Security contributions and Liaising with your pension provider |
| Current bank details  | No longer than necessary and up to six months after the final payment  | Paying you  |
| Any reportable accident, death or injury in connection with work                                | For at least three years from the date the report was made   | Complying with health and safety, and other legal/regulatory obligations  |
| Details of claims made under insurance policies   | For at least three years from the date the insurance claim is settled  | Complying legal/regulatory obligations  |
| Consents for the processing of personal and sensitive data                                      | For as long as the data is being processed and up to six years afterwards  | To ensure that we comply with GDPR requirements for managing and using personal and sensitive information   |
| Disclosure and Barring Service (DBS)  | If required for ongoing employment relationship, to be deleted within six months after the termination of employment | To assess suitability for employment in order to safeguard other employees, volunteers and clients of R2R   |
| Immigration checks (including Right to Work documentation)                                      | While employment continues and up to six years after employment ceases   | Checking you are legally entitled to work in the employing country  |
| <b>Category of Data: Volunteers</b>   |  |   |
| Volunteer applications and interview records of unsuccessful candidates, including references   | A period of 6 months after notifying unsuccessful candidates.  | Making a decision about your appointment as volunteer   |
| Personnel and training records  | While volunteering continues and up to three years after volunteering ceases   | To ensure suitable training is maintained for the voluntary work undertaken   |
| Current bank details  | No longer than necessary and up to six months after the final payment  | For reimbursement of expenses relating to voluntary work undertaken   |



| <b>Category of Data: Clients</b>                                   |  |  |
|--|--|--|
| Client details (collected and authorised during 1-to-1 interviews) | For as long as the client relationship continues and up to three years afterward no further contact has been made                        | To help assess personal needs and provide services and referrals as deemed relevant  |
| Consents for the processing of personal and sensitive data         | For as long as the client relationship continues and up to three years afterward no further contact has been made                        | To ensure that we comply with GDPR requirements for managing and using personal and sensitive information  |
| <b>Category of Data: Partners &amp; Contractors</b>                |  |  |
| Personal data from partners and contractors                        | To be deleted on notice of Personal Data being obsolete, or if no such notice is received, with 12 months of the end of the relationship | Engagement with and use of third party services related to the work of R2R   |
| <b>Category of Data: Website Subscribers and Supporters</b>        |  |  |
| Personal data (names and email address)                            | Individual are able to subscribe and unsubscribe with immediate effect via our website   | To distribute newsletters, details of events and other promotional material relating to the work of R2R. This data will be hosted in Mailchimp and processed by Saltwater Stone. These are third party services working on behalf of R2R |