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**Privacy notice for service users and carers**

**Introduction**

This notice explains how we collect and use personal data about people who use our services and people who care for them.

Sutton Mencap is committed to providing high quality services and a key element of this is making sure we have accurate, up-to-date information about people who we support. We also like to contact people to tell them about what we do and to see if they would like to support us.

This notice explains all about:

* what personal information we collect.
* why we collect it.
* the legal basis for collecting it.
* what we do with it.
* when we may share it with others.
* how you can access to and update your information.

As an organisation that collects and uses personal information, we are called a Data Controller. If you have any queries about our role as Data Controller, contact the Chief Executive Officer, Sutton Mencap, 8 Stanley Park Road, Wallington SM6 9RW.

**What personal information do we collect about service users and carers?**

If you are a service user or a named emergency contact we collect information that may be used to identify you, such as your name, telephone number, postal and email addresses.

If you are a service user, we also collect what is sometimes called sensitive or special categories of data. This might include collecting and using information about:

* your support needs.
* things you like or dislike, or things that might make you angry or upset.
* any particular health needs or medication you use and any specific needs around food.
* How we can best communicate with you.
* incidents and accidents where you have been involved, so that we can see how we might improve the way we support you.
* significant things that have changed for you. This could include new skills you have learned or things that you are interested in, or changes in your mood or behaviour.

This information may be provided by you or your carer, or may come for a referring organisation such as the social care department at the council.

We might also ask you to give us information about things like ethnicity, faith or sexual preference.

We also keep registers of when people have attended our services.

This information is very important and we recognise our duty to keep it safe.

**Why do we collect and use this information?**

We collect and use personal information so that we can provide good quality appropriate care for the people who use our services and to keep people safe. Some information is also used for monitoring purposes, so that we can check whether different communities are making use of our services.

Some people buy services from us, for example through a direct payment. For those people we keep information so that we can produce invoices, including information on attendance at services, who authorises the invoices and who pays them.

We also keep registers of attendance for children and young people. We share this information with the council, who fund the places, so that they can make sure that the services are meeting people’s needs.

We would also like to be able to use the contact information you give us to let you and your carers know about our services or activities. We will only do this if you or your carers agree.

We also like to produce publicity materials including pictures and videos of the people who use our services and sometimes their carers. We will only do this if you or your carers agree.

**The legal basis for collecting this information**

The list above shows that we collect, keep and use different pieces of information for different purposes. The legal basis for us keeping this information depends on the information we hold and reasons why we hold it.

If you use Sutton Mencap services, a lot of the information we have about you helps us ensure that we provide appropriate services. We keep this information because we believe we have a **legitimate interest** to do so.

Some information also helps us to keep you safe, e.g. around your medication or health needs. This information is kept because we believe it is in your **vital interests** that we do so.

Some information is kept because it forms part of a **contractual relationship** with you, e.g. for the payment of services.

Your contact details and those of your carers may also be used to tell you about our services and activities. We may also want to use pictures of you or your carers in our publicity materials. We will only do this if you give us your **consent**. If your level of need makes it difficult for you to give consent, we may seek consent from a parent or carer. If you are aged under 16 we will always seek the consent of a parent or carer.

Please remember that you can change your consent settings at any time if you change your mind about receiving publicity materials or the future use of photographs or videos. If you want to change your consent settings visit [www.suttonmencap.org.uk/stay-informed/consent-form/](http://www.suttonmencap.org.uk/stay-informed/consent-form/) or contact our Office Manager for a consent form.

**Sharing your information with other organisations**

We recognise the importance of working with other organisations so that we can meet the support needs of our clients. We therefore use the information we have about you to provide reports for annual reviews which are shared with you and your carers, as well as other care providers, social workers and schools. These other organisations may also share up to date information with us where it will help us all to provide appropriate services that meet clients’ specific needs.

We are also required to provide monitoring information to the council in relation to delivery of services to children and young people. This may mean providing an assessment from time to time of outcomes for those who use our children and young people’s services.

Also some of the information we have about service users and carers is stored on online databases. This includes things like:

* contact details and a record of the consent you have given us.
* attendance at our services, which we then use for accurate invoicing.

We only use database providers who confirm to us that they are compliant with the General Data Protection Regulation.

**What happens to the data when I no longer use the service?**

We use guidance issued by the Information Governance Alliance in 2016 to help us decide what information we should keep and for how long.

* Previous users of our services for adults: Records are kept for 8 years from ceasing to use a service.
* Previous users of services for children and young people: records are kept until 25th birthday (26th birthday if still accessing a service from us at the age of 17).
* Serious incidents reports: 20 years from the date of the incident.
* Non-serious incidents reports: 10 years from the date of the incident.

This information is kept for the sole purpose of responding to any future investigations, e.g. around safeguarding.

**Your rights**

You have legal rights in relation to the data that we hold about you. At any time, you or your carer can:

* Ask to see the information we hold about you. This is called a data subject access request. The ICO has produced guidance on how you can request this information. Visit <https://ico.org.uk/for-the-public/personal-information/>.
* Request that information is changed if it is inaccurate or out of date.
* Request that we delete information that we hold about you. Please note however that some of the information we hold about you is necessary for us to deliver our services and therefore you may not be able to continue to use our services if we delete it. Where this applies we will let you know so that you can make an informed choice.
* Request that we stop using the information we hold about you, or limit the ways in which we use that information. Again, we will inform you if this results in your being unable to access services.
* Change the consent you have given us about making contact with you, or taking and using photographs or videos.

Our aim is to look after your information in a fair way that meets your needs. If you have any queries about how we collect and use your information, please let us know.

How to contact us:

* Write to: Chief Executive Officer, Sutton Mencap, 8 Stanley Park Road, Wallington SM6 9RW
* Telephone us on 020 8647 8600
* E-mail info@suttonmencap.org.uk

If for any reason you wish to complain about our processing of your data you can contact the Information Commissioner’s Office. For information on how to do this, visit <https://ico.org.uk/concerns/>

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