



Important information about your privacy

Why do I need to read this leaflet?

This leaflet explains what personal data we gather about you, why we record it, and how we use it. It's important that you understand this leaflet. If after you have read this leaflet you don't understand something or you have any questions, please don't hesitate to get in touch with us.

About the Privacy Notice

It is important to us at Advocacy Focus that you know how we gather, use, store, and retain data related to the advocacy work we provide. Personal data is any information that identifies or could identify you. This document sets out what personal data we collect about you, and how we use it. This applies to anyone who contacts us to ask about our services.

Please note that we may not hold, use, or share all of the types of personal data described in this document. The specific types of data about you that we will hold, use, and share will depend on the services you are asking about or using, and your individual circumstances. We are required by data protection law to give you the information in this document. It is important that you read it carefully. We will inform you if we make any changes to this document. Your continued use of our services after being notified of changes will amount to your acknowledgment of those changes. This document does not give you any contractual rights, and we may update it at any time.

Advocacy Focus operates using the guiding principles of the Advocacy Charter. One of these principles is confidentiality. The Advocacy Charter states that: *'Information held by the advocacy service about individuals will be kept confidential to the advocacy service. The advocacy provider will have a confidentiality policy which reflects current legislation. It will be clear about how personal information is held by the advocacy provider. It will also detail the circumstances in which data may be shared, the organisation's approach to advocacy in the delivery of Non-Instructed advocacy and how the organisation responds if confidentiality is breached. Advocates must be aware of situations that require making a child or adult safeguarding alert.'*



Our commitment to protecting your data

Advocacy Focus are committed to protecting your personal information. We make every effort to ensure that your personal information is processed in an open, transparent, and fair way.

Advocacy Focus, First Floor, The Old Tannery, Eastgate, Accrington, Lancashire, BB5 6PW is the 'controller' for the purposes of the Data Protection Act 1998 and (from 25 May 2018) the EU General Data Protection Regulation 2016/679 (Data Protection Law). This means that we are responsible for the control and processing of your personal data.

What is Personal Data?

Personal data is any information relating to an identified or identifiable person, known as the 'data subject'. It may include your name, address, email address, phone number, location data and similar information. It may also include 'special category data' such as your gender, marital status, racial or ethnic origin, religious or philosophical beliefs. We may process personal data and special category data provided by you or a healthcare organisation, charity or local authority, in connection with the advocacy services we are delivering.

The provision of certain personal data is mandatory for us to ensure that referrals for advocacy services are undertaken appropriately.

We will only use this information for the purposes of facilitating a referral, equity and diversity monitoring, or evaluating the services we provide.

We will not pass on your details to anyone else without your permission except in exceptional circumstances. Examples of this might include anyone reporting serious self-harm or if there is a threat to others/children, and sharing serious issues such as physical abuse or exploitation.



How do we use your personal data?

We collect data to ensure we are compliant with the Advocacy Charter and data protection legislation. The personal information data that we collect about you will help us to ensure that we can make our services accessible and equitable (two of the guiding principles of the Advocacy Charter). Advocacy Focus will only process personal data in accordance with applicable law, for the following purposes:

- providing the services that we are contracted to perform
- responding to your queries, requests, and other communications
- allowing you to use features on our website
- sending you personalised marketing communications requested by you
- ensuring our security
- administering our service, including complaints resolution
- developing and improving our services
- complying with applicable law, including responding to a lawful request from a court or regulatory body and the Information Commissioner.

The legal basis for our processing of personal data for the purposes described above will typically include:

- to fulfil a contract that we have in place with you or other data subjects
- with your consent
- for our or a third parties' legitimate interests
- for compliance with a legal obligation to which we are subject.

We may also ask you to complete a questionnaire about the advocacy support you receive. You do not need to submit these and where you do choose to submit, you are able to do so anonymously. We may use the information within the questionnaire to assure the quality of our service. We may also anonymously share the comments you make about the service.



How we collect information about you

We do this when you interact with us directly. This could be when you speak to your advocate, if you call us wishing to speak with an advocate, or when you self-refer to the service. Information is stored within confidential case files which are password protected.

We may also collect your information when a third party interacts with us on your behalf. This could be when a healthcare, social care or legal professional makes a referral to the advocacy service on your behalf or wishes to discuss your case.

Keeping your personal data

Your personal data will be kept for as long as is needed for the purposes listed above, or as required by the law.

We may keep information that relates to you without time limits, but this will be anonymised. We might keep that information for statistical purposes, to the extent that we have a legitimate and lawful interest in doing so.



Security of personal data

We will implement technical and organisational security measures to prevent unauthorised access to your personal data.

Please be aware that the transmission of data via the internet is never entirely secure. Whilst we do our utmost to keep our systems secure, we do not have full control over all processes, such as other professionals sending confidential data to us via email, and we cannot therefore guarantee the security of your information transmitted to us electronically.



Legal basis for using your information

In some cases, we will only use your personal information where we have your consent or because we need to use it to fulfil a 'contract' with you (for example, because you have self-referred to the advocacy service or someone has made a referral on your behalf).

There are other lawful reasons that allow us to process your personal information which is where there is a 'Legitimate interest'. This means that the reason we are processing information is because there is a legitimate interest for Advocacy Focus to process your information to help us to ensure the advocacy support is person-centred and facilitated appropriately. The legitimate interest we rely on are:

- To fulfil the charitable purpose of Advocacy Focus as a health and social care provider. If we are unable to process your personal data, we will be unable to support you to access the health and social care services you need, and we will not be able to meet our contractual obligations with our commissioners (CCGs and Local Authorities).

- To fulfil the charitable purposes of Advocacy Focus. For example, if we are unable to fundraise then we will not be able to continue our provision of advocacy services.

- The health and safety of the people who use our service, visitors, and sites.

- 'Entry into a contract'. We need to take steps at your request in order to enter into a contract, because you may be requesting us to provide services for you.

- 'Public interest'. For example, the Mental Health Act 2007 gives people detained under the Mental Health Act the right to an Independent Mental Health Advocate (IMHA).

- 'Legal obligation'. This means to comply with the law for example, a court orders us to share information.

Sharing your Information

The personal information we collect about you will be used by your advocate. It will also be discussed for case management purposes. This personal information will only include the initials of your first and last name, the place where we met you, and an overview of the advocacy work carried out, including any action plans or desired outcomes.

We only share your information with your consent. The consent-based sharing of information will only be done with appropriate health or social care professionals or legal professionals.

We may disclose your information if required to do so by law (for example, to comply with applicable laws, regulations and codes of practice or in response to a valid request from a competent authority). We must also disclose information if this relates to harm to self, harm to others, or illegal activity.

Data subject rights

You have rights in relation to your personal data. For further information about your data protection rights please visit the ICO website.



Right to make a Subject Access Request (SAR)

Data subjects may request, verbally or in writing, copies of their personal data. However, compliance with such requests is subject to certain limitations and exemptions and the rights of other data subjects. Each request should make clear that a SAR is being made. You may also be required to submit a proof of your identity where applicable.

Right to rectification

Data subjects may request that we rectify any inaccurate or incomplete personal data.

Right to withdraw consent

Data subjects may at any time remove their consent to the processing of their personal data carried out by us based on previous consent. Such withdrawal will not affect the lawfulness of processing based on previous consent.

Right to erasure

Data subjects may request that we erase their personal data. We will comply, unless there is a lawful reason for not doing so. For example, there may be an overriding legitimate ground for keeping the personal data. This may include archiving or file retention obligations as defined by GDPR.



Right to data portability

In certain circumstances, data subjects may request the controller to provide a copy of their personal data in a structured, commonly used and machine-readable format and have it transferred to another provider of the same or similar services. When this right applies to our advocacy service, we will comply with such transfer request. Please note that a transfer to another provider does not imply erasure of the data subject's personal data which may still be required for legitimate and lawful purposes.

Right to complain

We suggest that data subjects contact us about any questions or complaints in relation to how we process personal data.

