



TLC PRIVACY STATEMENT

How we use personal data – information for users

The **General Data Protection Regulation (GDPR)** is effective from May 25, 2018.

Under GDPR, EU data subjects are entitled to exercise the following rights:

- **Right of Access:** Find out what kind of personal information is held about you and get a copy of this information.
- **Right of Rectification:** Ask for your information to be updated or corrected.
- **Right to Data Portability:** Receive a copy of the information which we have.
- **Right to Restrict Use:** Ask for your personal information to stop being used in certain cases, including if you believe that the personal information about you is incorrect or the use is unlawful.
- **Right to Object:** Objecting to use of your information (where a party is processing it on legitimate interest basis) and to have your personal information deleted.
- **Right to Erasure:** In certain circumstances, you may also have your personal information deleted.

For further information on your rights, contact the Information Commissioner's Office www.ico.gov.uk.

Controllers determine how personal data is processed, **Processors** process personal data on behalf of a Controller, and data subjects are persons whose personal data is collected or used. Controllers within or outside of the EU are required to respond to requests from EU data subjects asking to exercise their rights.

TLC will process your information where it is necessary to pursue our legitimate interests as part of running our advice services, in a way which might be reasonably expected and which does not materially impact your rights, freedom or interests. In other situations, we are required to obtain your consent to hold and process information about you. Likewise, most third parties with whom we communicate on your behalf, will similarly require consent to disclose personal information to us.

Information we collect and why we do so

TLC collects information from clients:

- Directly (given in person, over the phone or via email)
- Via our TLC application forms
- From others referring your case to us, including other advice or support agencies, healthcare professionals, key workers.
- From persons who you have given authority to act on your behalf.

We record and process data about you only as required and for the following purposes:

- Contact details – to be able to contact you in relation to our service.
- Household and family member details – to assess and progress cases (and for reporting anonymous statistics to funders) and to assess eligibility for the service as well as Legal Aid funding.

- Details about your case – such as issues or services causing you problems in order to assess, advise and progress your case.
- Third party correspondence – to assess, advise and progress your case.
- Your financial details – including income, savings and assets to assess eligibility for the service, as well as give appropriate advice and action (e.g. maintenance claims or division of assets in separation).
- Monitoring information (age, gender or gender definition, disability, ethnicity) – to ensure services are accessible to all and for statistical purposes for funders.

When we share information with other organisations

With your permission, we may share your information with other organisations to help solve your problem, to monitor the quality of our services or for statistical purposes required by a funder, or to monitor, evaluate and improve our services; including:

- To progress your case, e.g. to source representation from a barrister or representative body such as the Bar Pro Bono Unit.
- To provide evidence of our case work to funders (in such instances, personal details will be removed and all names will be changed or anonymised).
- Quality control, such as peer reviews where funders necessitate this. We will ask you to sign a separate consent for this.
- Third parties who have referred you to TLC often require us to pass back information for tracking of the referral. We will ensure we have your permission for us to feedback on your case.
- If we refer you to another organisation, we might share information about your problem with them so they can help you more quickly or appropriately.

We will ensure that organisations we share your data with confirm they will store and use your data in line with data protection law, including confidentiality, and that they have appropriate security measures in place. Where data is entered on a shared web based case recording system. We will provide details and ask consent.

In some limited circumstances, we may need to share your information without your permission; we'll always make sure we have a legal basis for this. This could include situations where we have to use or share your information:

- To comply with the law, called 'legal obligation' – for example, if a court orders us to share information;
- To protect someone's life, called 'vital interests' – for example, sharing information with a paramedic if you are unwell;
- To carry out our aims and goals as an organisation, called 'legitimate interests' – for example, to provide advice;
- To defend our legal rights – for example, to resolve a complaint that we gave the wrong advice;
- We need to do so in order to comply with the requirements, codes or recommendations of any of our regulators;
- Complying with safeguarding obligations.

Contacting third parties

If we need to request data about you from a third party in order to provide the service to you, then we will ask you to sign an authority form. We will only use the authority form for the duration of the case or until you withdraw that authority, if sooner. If you withdraw authority, this could affect how we can help you as well as the service we can provide you with.

Security of your information

TLC will take reasonable precautions to prevent the loss, misuse or alteration of information you provide to us. All staff and volunteers who access your data have had data protection training to make sure your information is handled sensitively and securely.

We store information in case files and folders on a secure server and in our database, and ensure only these are only accessible by individual logins and passwords. Our data is backed up and we keep your personal data safe using strong passwords and encryption.

Where your data is processed

Your data is stored and processed within the European Economic Area (EEA) with the exception of the list below. If we ever have to share your personal data with third parties and suppliers outside the EEA, we will ensure they evidence compliance with GDPR.

We use Mailchimp and Survey Monkey for newsletters and client surveys respectively. We also use the cloud-based storage system Intralinks for case management. These applications store data in the United States but have taken steps to comply with GDPR and are both signed up to the EU-US Privacy Shield. Their privacy policies can be found here:

Survey Monkey <https://www.surveymonkey.com/mp/legal/privacy-policy/>

Mailchimp <https://mailchimp.com/legal/privacy/>

Intralinks <https://www.intralinks.com/privacy>

Retention periods

We only keep your data for as long is necessary for the purpose(s) for which it is provided. This is normally five years after your case or matter ends. This is because we are required to keep client files for that period by our regulator and by some funders. For some cases, we may decide that it is proper and appropriate to keep data for longer than five years, but we will notify you of we believe that your case falls into this category.

Data may be retained for periods beyond five years for the purposes of research, however this will be anonymised in full.

Your data: Correction, deletion, change or preference

We need the information we hold about you to be accurate and up to date. Please help us by informing us promptly of any changes to your personal circumstances or details.

Please get in touch with us at enquiries@templelegalcentre.org if you would like to exercise your right to:

- Update your details
- Obtain a copy of the data we hold on you
- Correct or update any information we hold about you
- Stop receiving information about our services or the medium we communicate that information
- Request deletion from our records
- Ask any questions

Please note that if you exercise your right to not provide certain information or ask for deletion of certain data, this may affect our ability to effectively conduct your case, assess your eligibility for our service, and provide information we are required to share with funders and quality auditors. In such situations, we will look at how best we can assist you, but it may mean we need to adjust how we assist you, or we may not be able to assist you further. We will provide explanation if this arises.

If you want to make a complaint

If you're not happy with how we've handled your data, you can make a complaint **FAO Complaints Manager** enquiries@templelegalcentre.org.

You can also raise your concern with the Information Commissioner's Office
<https://ico.org.uk/concerns/handling/>

May 18