

Privacy Notice

ChAPS is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as a member of ChAPS. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former members.

Data controller details

The charity is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

Jo Garner
Cheshire Autism Practical Support
PO Box 155
Frodsham
WA6 1BW

0344 850 8607

Data protection principles

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your application in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

Types of data we process

We hold many types of data about you, including:

- your personal details including your name, address, date of birth, email address, phone numbers
- emergency contact names and phone numbers
- medical or health information including whether or not you have a disability
- photographs or videos for marketing purposes
- incidents or accidents records.

How we collect your data

We collect data about you when processing your Membership Form. Personal data is kept on our charity's secure hosted desktop. Further information will be collected directly from you during the course of your membership. Personal data is kept in member files or within the secure hosted desktop we use.

Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform a contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest
- with consent.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the last reason set out above to process your data. For example we collect your personal data with your consent in order to provide a service to you.

We also need to collect your data to ensure we are complying with legal requirements such as making reasonable adjustments for disabled members.

Special categories of data

Special categories of data are data relating to your:

- health
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data.

Although it is unlikely that we would process special categories of data, other than health (disability/diagnosis), we must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- to provide a service to you with your explicit consent
- for the purposes of equal opportunities monitoring
- to determine reasonable adjustments

- safeguarding

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent. Consent, once given, may be withdrawn at any time. If consent is withdrawn all IT and paper copies of data will be destroyed – unless there is a specific legal requirement to keep it. This will however prevent us from continuing to provide you with this service, as the service can not be provided without your data.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in providing activities and services. If you do not provide us with the data needed to do this, we may be unable to perform those duties.

Sharing your data

Your data will be shared with employees within the charity anywhere it is necessary for them to undertake their duties. This would include administrative staff who will record and file your data and support workers who will support your family, or training providers who may work with you.

We share your data with third parties only where it is required to carry out our duties. This would include providing data to our current and potential funders including your local authority, and the design of publicity material for marketing purposes.

We may also share your data with third parties as part of a charity sale or restructure, or for other reasons to comply with a legal obligation upon us.

We do not share your data with bodies outside of the United Kingdom.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. See Data Security Breach Management Policy and Data Transfer Security Policy – available on request.

Where we share your data with third parties, we provide written instructions to them to ensure that your data is held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it whilst support is provided by your membership. In some cases we will keep your data for a period after your membership has ended – if for example our legal advocate has done work for you – retention period of 7 years from date of leaving. Generally therefore when you

decide to withdraw consent for this service, your data is deleted permanently from our systems and physical paperwork is shredded.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- the right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- the right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request. You can read more about this in our Subject Access Request Policy which is available from our office 0344 850 8607
- the right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- the right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- the right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- the right to portability. You may transfer the data that we hold on you for your own purposes
- the right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- the right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. We may continue to use your data if there is a legitimate reason for doing so, as above.

If you wish to exercise any of the rights explained above, please confirm in writing to the address above.

Making a complaint

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.