

Livability Privacy Statement

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Our commitment to your data

At Livability, we value the support and engagement people have with our charity. From donors, the people that use our services, next-of-kin, staff, volunteers or campaigners – each person is a valued part of our charity community.

In the delivery of our care services, engaging with supporters, fundraising and raising the profile for our cause; Livability gathers personal data. We collect data to enhance our service quality; help us tailor our services; for training and resources; understand our supporters better and also help us to fundraise more efficiently. We also collect data in relation to the contract or relationship we have with an individual, or because it's necessary to their vital interests.

We want every interaction people have with our charity to be positive. In all areas of our work, we are committed to protecting your personal information, being open about what information we hold and also ensuring that we only gather information as necessary.

This policy outlines how we go about this – in line with the requirements and stipulation of the GDPR which came in to effect from 25th May 2018.

The policy applies to how Livability – and all our subsidiaries – collects and uses personal information you provide to us and that we collect, whether online, via phone, email, in letters or in any other correspondence or from third parties.

More information for students in our education centres and for parents, carers and governors is available in our Schools Privacy Notices.

We ensure that we use your information in accordance with all applicable laws concerning the protection of personal information.

This policy explains:

- What information Livability may collect about you
- How we will use that information
- How we process that information
- How we use your information in marketing and fundraising
- How we use your information for human resources and recruitment
- Whether we disclose your details to anyone else
- Your choices regarding the information you provide to us
- How you can ask to change or delete personal data when it is no longer needed for the reason it was collected
- How we use cookies to provide services to you or to improve your use of our websites

If you have any queries about this privacy and cookies policy please contact the Data Protection Officer at Livability, 6 Mitre Passage, London, SE10 0ER or email: dataprotection@livability.org.uk

Who we are

Livability is the disability charity that connects people with their communities.

We tackle social isolation and the barriers that can cause this in the lives of disabled and vulnerable people.

Through a wide range of disability, education, training and community services, we promote inclusion and wellbeing for all.

Together, we work to see people take part, contribute and be valued. We put the elements in place that all add up to connected lives and communities.

Charity legal details

Livability is a charity registered with the Charities Commission under charity number 1116530, and a company limited by guarantee and registered in England and Wales under company number 5967087.

Livability was established in 2007 as a merger of The Shaftesbury Society and John Grooms. In May 2016 Prospects for People with Learning Disabilities and its subsidiary At Home in the Community became members of the Livability Group.

Livability is the parent charity of a group of charities and operating companies.

Our registered charity numbers are 1116530 in England and Wales.

Within the context of this policy 'we' means both the charity and its subsidiaries. Each of these organisations are data controllers under the data protection rules.

Information we collect about you

Livability collects information in the following ways:

Information you give us: For example, when you engage with our social media or message boards to make a donation to us, sign up for a service, register for an event or otherwise provide us with personal information. When you register, we'll ask for personal information, like your name, email address and telephone number to store with your account.

Information we get from your use of our website and digital services: We collect information about the services you use and how you use them, like when you watch a video on YouTube, visit our websites or view and interact with our ads and content. This helps us to understand your interests in our cause and information and to tailor our resources to be more focused on what supporters or service users need.

Information from third parties: We may also receive information about you from third parties and from the public domain. This may include information such as your name, postal address, email address, phone number, your geographic location, credit/debit card details and whether you are a tax payer so that we can claim Gift Aid. We, like all charities and companies, are able to confirm what browser you are using, IP address and computer operating systems that are being used and this information may be used to improve the services we offer. We do not sell or swap data with third parties or other charities.

Note that: More information for students in our education centres and for parents, carers and governors is available in our Schools Privacy Notices.

Sensitive personal data

Data Protection law and the GDPR recognises that certain categories of personal information are more sensitive. This is known as sensitive personal data and covers health information, race, religious beliefs and political opinions.

We do not always collect 'sensitive personal data' about our supporters or the people that use our services, unless there is a clear reason for doing so. For example with supporters - participation in a fundraising event or initiative or where we need this information to ensure that we provide appropriate facilities or support to enable you to participate in an event.

We are a charity with an inclusive Christian ethos, working with people of all faiths and none. From time to time, we may seek to understand our audiences better by collecting information about religious affiliation.

We may also collect sensitive personal data if you make the information public or if you tell us about your health and care experiences relating to disability (for example, if you use our disability care services, call our charity, act as a case study for us or volunteer to share your story); however we will always make it clear to you when we collect this information from you, what sensitive personal data we are collecting and what purposes we may use it for.

Web site users

All Livability websites use cookies to help our websites work well and to track information about how people are using them.

All Livability websites collect personal information which may include:

- Details of your visits to our website and the resources that you access, including, but not limited to, traffic data, location data, weblog statistics and other communication data.
- Information that you provide by filling in forms on our website, such as when you make an enquiry about one of our services, or make a donation to us.
- Email addresses, postal and telephone information if you opt in to receive emails or other resources from us.
- Information provided to us when you communicate with us for any reason.

Use of your information

The information that we collect and store relating to you is primarily used to enable us to provide our services to you and engage your support.

We may also use the information you provide online to notify you about any changes to our website, such as improvements or service/product changes, that may affect our service.

If you register with a website you will not be anonymous to us when you subsequently sign in.

As part of the registration process and continued use of Livability services, you agree that any registration information you give will always be accurate, correct and up to date. Please do get in touch should you need to amend any of your personal information or wish to stop receiving communications from Livability.

We collect and retain information about your interactions with us so that we can process your interactions and deal with future queries.

Third party links

You may find links to third party websites on our website. These websites should have their own privacy policies which you should check. We do not accept any responsibility or liability for their policies whatsoever as we have no control over them.

Use of cookies

Our website uses cookies to help provide you with the best online user experience we can. Cookies are small text files that are placed on your computer or electronic device when you browse a website. We use this information to provide you with a good experience when browsing our website and to improve the functionality of our site.

Our cookies help us:

- Make our website work as you would expect
- Remember your settings during and between visits
- Improve the speed/security of the site
- Personalise our site to you to help you get what you need faster
- Continuously improve our website for you

Non-exhaustive list of cookies

Google Analytics: This allows us to collect anonymous information about how visitors use the website. For example, information on which pages on the site have been visited, and the length of time spent on each page. This information enables us to improve the website for future visitors.

Session: Session cookies enable us to keep track of your movement from page to page so you do not get asked for the same information you have already given to the site. This allows you to proceed through many pages of a site quickly and easily without having to authenticate or reprocess each new area you visit.

CQC Widget: This cookie forms part of a widget provided by the Care Quality Commission, which is the independent regulator of all health and social care services in England. The widget displays the result of our service's most recent CQC inspection and provides a link through to the record of the inspection on the regulator's website.

Turning cookies off

You can usually switch cookies off by adjusting your browser settings to stop it from accepting cookies. Doing so however will likely limit the functionality of our website.

Transfer of data internationally

We may transfer data that we collect from you to locations outside of the European Economic Area for processing and storing. By submitting your personal data, you agree to this transfer, storing or processing. We will take all reasonable steps to make sure that your data is treated securely and in agreement with this Privacy Policy.

Data that is provided to us is stored on our secure servers. Details relating to any transactions entered into on our site will be encrypted.

Tracking

We use multiple first and third party technologies such as pixel tags and web beacons to track and improve the user experience on our sites, quality of service and to monitor the effectiveness of campaigns and digital marketing activity.

We may use them to:

- See what website content is popular and how people are using the site as they allow us to track users movement through our websites. This type of information is amalgamated so that we can build up a picture of how the site is performing.
- Make sure we offer you a consistent service. For example, if we are testing new website content or we want to run a survey, we use tracking to remember what content you have seen or if you have already been asked to join the survey.
- In addition, when we email you, we may place a tag (also known as 'tracking pixel') on the email we send out. These let us monitor performance of our emails marketing activity.
- Form the basis of advertisement profile and retargeting as we seek to ensure any adverts displayed on our behalf are as relevant and interesting as possible to the people those adverts are displayed to.

Use of credit and debit card information

If you use your credit or debit card to donate to us, buy something or pay for a registration online or over the phone, we will ensure that this is done securely and in accordance with the Payment Card Industry Data Security Standard.

You can find our more information about PCI DSS here:

www.pcisecuritystandards.org/security_standards/index.php

Our donations are processed using a third party provider. They do not store your credit or debit card details at all, following the completion of your transaction. All card details and validation codes are securely destroyed once the payment or donation has been processed. Only staff authorised and trained to process payments will be able to see your card details.

If we receive an email containing any credit or debit card details, it will be immediately deleted, no payment will be taken and you will be notified about this via a telephone call or letter. All purchases or donations should be completed through the donation page or on our web site

(www.livability.org.uk/donate) or via our Supporter Services team (020 7452 2121).

Legal basis for processing data

When we collect and use your personal information, we will make sure this is only done in accordance with at least one of the six legal grounds available to us under Data Protection law and The GDPR.

One of these is where we have obtained your specific consent to use your information for a previously notified purpose, such as to send you email/text marketing or to provide you with a product, service or information at your request.

Another is where we have a legal obligation to use or disclose information about you – for instance, where we are ordered by a court or regulatory authority or we are legally required to hold supporter transaction details for Gift Aid or accounting/tax purposes.

In certain instances, we may collect and use personal information where this is necessary in our legitimate interest as a charity, this includes being able to:

- Send direct marketing material to supporters by post or contacting them by telephone for fundraising purposes (subject to checking against the Telephone Preference Service and any existing marketing preferences). See more about **Marketing** below.
- Conduct research to better understand who our supporters are and better target our fundraising activity. **See more about Fundraising below.**
- Monitor who we deal with to protect our charity against fraud, money laundering and other risks.
- Maintain and administer our supporter database and systems.

In all cases, we balance our legitimate interests against your rights as an individual and make sure we only use personal information in a way or for a purpose that you would reasonably expect in accordance with this Policy and that does not intrude on your privacy or previously expressed marketing preferences.

Where we process sensitive personal data (as mentioned above), we will make sure that we only do so in accordance with one of the additional lawful grounds for processing such as where we have your explicit consent or you have made that information manifestly public. This will be on the basis of legitimate interests of vital interests. When we do this, we will tell you what sensitive personal data we are collecting and why.

Marketing information

Sharing our cause, promoting our services and engaging support is vital part of our charity's work. We are committed to ensuring that in gathering personal data for marketing purposes – we only gather information that is essential and appropriate – and in line with the person's interest and request.

We collect information for marketing, through a range of sources including online, at events, data sign up cards and other tools.

Email marketing and subscription lists signed up to on our web site(s)

If you actively provide your consent to us along with your email address and/or mobile phone number, we may contact you for marketing purposes by email or text message.

When you register for an email resource via one of the sign up boxes on our web site(s), you will be signing up for information for that particular list, at your point of interest.

At the point of signing up to an email list, you will also be offered the opportunity to opt in to other resources and information from the charity (fundraising, training, services information etc) – but you will not automatically be added to these other lists without your consent.

We may add you to other email lists that relate to your area of interest - in line with legitimate interests.

Unsubscribes from our emails will be from the list they signed up to – and will not be treated as a blanket unsubscribe from other areas of our charity's communications.

Marketing opt-ins made off line

We operate an opt-in process for fundraising and marketing communications. Where people have signed up for information off line – including email – we will use the Legitimate Interests approach to information that is sent to you.

Should full subscription cancellation be required, from all charity communications and marketing – they can do so at any point, by contacting our Supporter Services team or using our online form.

Post/telephone marketing:

If you have provided us with your postal address or telephone number we may send you direct mail or telephone you about our work unless you have told us that you would prefer not to receive such information. We also actively check

telephone numbers against the Telephone Preference Service when running telephone call campaigns and will only make telephone calls to you where your telephone number is listed on the TPS if you have specifically told us that you have consented to receive them.

Your choice:

It is always your choice as to whether you want to receive information about our work, how we raise funds and the ways you can get involved. If you do not want us to use your personal information in these ways please indicate your preferences on the form on which we collect your data.

You may opt-out of our marketing communications at any time by clicking the 'unsubscribe' link in at the end of our marketing emails. You can also change any of your contact preferences at any time (including telling us that you don't want us to contact you for marketing purposes by telephone or by post) via our web site (<https://www.livability.org.uk/changepreferences/>) or via our Supporter Services team (020 7452 2121). We will then update your details.

We will not use your personal information for marketing purposes if you have indicated that you do not wish to be contacted by us for such purposes. However, we will retain your details on a suppression list to help ensure that we do not continue to contact you. Unless you have told us that you wish for your data to be deleted.

Fundraising

As a charity, we have a legitimate interest in generating both community support and financial donations to deliver our work. After carrying out a balanced assessment, we rely on Legitimate Interests for the processing of your Personal Data for direct marketing purposes, whether you are an active supporter to Livability, or when we approach you as a potential new supporter to the charity.

In all our fundraising communications we will give you clear opportunities to opt-out of future communications. We will provide easy to understand information on our appeals making you aware that we are processing your data based on legitimate interests, including how to contact our Supporter Services help desk and request to be removed from specific or all future communications from Livability.

We carry out targeted fundraising activity to ensure that we are contacting you with the most appropriate communication, which is relevant and timely and will ultimately provide an improved experience for you.

We segment supporters' data to better understand your motivations and to give us insight to best tailor approaches and communications.

Livability has an ambition to increase our voluntary income by 50% and more in the years to come, to provide high quality care to more disabled people and help connect them with their communities. To achieve this, we need to find new supporters to help the charity, including to our large gift appeals.

We have a legitimate interest to prospect research individuals for our large gift appeals through information available in the public domain or through relationship links to find out if they have connections with potential new supporters, ready for us to start approaching these potential new supporters. In researching we will ensure we are only collecting the necessary information needed to confirm the person's likely interest in the charity, that they may be able to make a large gift, and to construct a sensible solicitation plan. On first contact we will be transparent with the reason for our getting in touch with the person, ensure they know who the charity is, and if this is the first time we are contacting them we will be sure to send a link to our Privacy Policy within 30 days (as best practice) giving them the opportunity to opt-out of further communications or to stop the prospect research.

As part of our Ethical Fundraising Policy and being an open and ethical fundraising charity, we will from time to time need to carry out due diligence on funders and companies. This is our legitimate interest to ensure the company or funder acts in accordance with our ethical policy and whether we would choose to accept or refuse a donation. There may also be times where we need to carry out due diligence when a large gift / shares etc. is donated to Livability and we may want to assure ourselves that the money for the gift has been obtained legally by the supporter and that it had been done in a way that does not conflict with our charity values. It will therefore be necessary to carry out some research on the sources of the supporter's money.

We will adhere to the requirement of retaining data for as long as is necessary; we will retain supporter data for a further seven years after you no longer support the charity for the purposes of gift aid and financial auditing requirements, thereafter we will anonymise data for potential future legal claims relating to our legacy gifts programme; and will adhere to the wishes of supporters to remove personal data from our database.

It will be necessary for us to retain data for longer than the seven year inactive period in certain instances; for example data relating to our legacy pledgers and execution of a Will which may be beyond the seven years to come to fruition; and in our high value giving programme with trusts, foundations and individuals.

Human Resources

What information do we collect and how?

Livability collects a range of information from you during the recruitment process. This includes:

- your name, address and contact details, including email address and telephone number;
- details of your education and qualifications, skills, experience and employment history;
- information from interviews and phone-screenings you may have;
- information about your current level of remuneration, including benefit entitlements;
- information about your entitlement to work in the UK; and
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

We may collect this information in a variety of ways. For example, data might be contained in paper application forms, our online application system, or CVs (including when these are sent to us as part of speculative applications or queries), obtained from your passport or other identity documents, or collected through interviews or other methods of assessment.

We may also collect personal data about you from third parties, such as references supplied by former employers. We will take your consent before contacting your referees.

How do we store your data?

We use a range of tools and third party suppliers to store your information, including your online application record, HR Management systems and our email system. In all cases we work to ensure that the measures we take and suppliers used are GDPR compliant. We are working to ensure, where we can, that we do not keep paper copies of information and only scan and store information electronically, however in some circumstances, particularly under

our statutory requirements, we will need to have available paper copies of documents and ensure these are stored securely.

Why do we need to process your personal data?

Livability has a legitimate interest in processing personal data during the recruitment process and for keeping records of the process. We collect and use your personal data for legitimate human resources and business management reasons including:

- identifying and evaluating candidates for potential employment, as well as for future roles that may become available;
- DBS checks;
- recordkeeping in relation to recruiting and hiring;
- ensuring compliance with legal requirements, including diversity and inclusion requirements and practices;
- conducting criminal history checks and health checks as permitted by applicable law;
- protecting our legal rights to the extent authorised or permitted by law; for example, check a successful applicant's eligibility to work in the UK before employment starts; or
- emergency situations where the health or safety of one or more individuals may be endangered.

Livability may process information about whether or not applicants are disabled so we can make reasonable adjustments for candidates who have a disability. Where we process other special categories of data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is for equal opportunities monitoring purposes. Our processing of these types of data will be carried out to ensure you or us can meet our obligations or exercise our rights under law related to employment or (only where applicable) to enable us to establish, exercise or defend legal claims.

We will not use your data for any purpose other than the recruitment process of which we will take consent either prior to or after you formally apply for a job opportunity.

Who has access to data?

Your information may be shared internally within the company for the purposes of the recruitment process. This includes members of the HR team, interviewers involved in the recruitment process, and managers in the business area with a vacancy. If you are applying for a senior management position with us, we may share your data with our board of directors and trustees.

We will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you.

We may transfer information about you to other group companies for purposes connected with your employment or the management of the company's business. Third parties we may disclose or transfer your information to include:

- Local Authorities in the event of a safeguarding incident involving you and a person that uses Livability's services
- The Disclosure and Barring Service in order to process your criminal record check or in the event of a referral
- Occupational Health agency in order to process health checks
- The Home Office (UK Immigration Department) should we need to verify limited leave to remain in the United Kingdom
- On any legal request for your information (e.g. Child Support Agency)
- To request or respond to reference from previous employers or prospective employers

How do we protect your data?

We take appropriate technical and organisational measures against unlawful or unauthorised processing of personal data and accidental loss or destruction or damage to personal data. We make sure that your data is only accessed by authorised personnel only, including third party service providers, in the proper performance of their duties and to treat this information as confidential.

For how long do we keep your data?

If your application is unsuccessful, we will hold your data in file for 12 months. After this period you will receive a system generated email to either allow us to continue to keep your personal data or delete it from our system. In the event we do not receive your response your personal data will be deleted from our systems.

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which employee data is held will be provided to you in a separate privacy notice.

Recipients of your personal data

Livability may disclose your personal information in the following circumstances:

To other Livability entities, trading subsidiaries, suppliers or service providers only to provide the products or services you've requested from our site(s) for instance, where we might use an external fulfilment company to deliver goods to you.

To third parties who provide a service to us and are data processors. This would include our trusted partners that work with us in connection with our charitable purposes, and other entities that act as fundraisers for Livability, sell Livability products or provide Livability information and marketing (subject to your communication preferences and our internal policies and procedures). We require these third parties to comply strictly with our instructions and data protection laws and we will make sure that appropriate controls are in place. We enter into contracts or robustly assess their terms and conditions to ensure GDPR compliance with all of our data processors and regularly monitor their activities to ensure they are complying with Livability policies and procedures.

Where we are under a duty to disclose your personal information in order to comply with any legal obligation (for example to government bodies and law enforcement agencies), or in order to enforce or apply our rights (including in relation to our website or other applicable terms and conditions) or to protect Livability, for example in cases of suspected fraud or defamation.

We will never share, sell or swap your details with any third parties for the purposes of their own marketing or the monetising of your data.

Note that: More information for students in our education centres and for parents, carers and governors is available in our Education Privacy Notices.

Children and young people - Under 13

We are committed to protecting the privacy of the young people that engage with us through our disability care and education services.

Our fundraising events also request specific information about the age of participants.

If you are under 13 and would like to get involved, please ensure that you have consent from a parent or guardian before giving us your personal information. When we collect information about a child or young person aged under 13 we will make it very clear as to the reasons for collecting this information and how it will be used.

Note that: More information for students in our education centres and for parents, carers and governors is available in our Schools Privacy Notices.

Web site - offensive behaviours

If you post or send any content on Livability digital channels that we believe to be inappropriate, offensive or in breach of any laws, such as defamatory content on our social media pages, we may use your personal information to inform relevant third parties such as your internet provider or law enforcement agencies.

Breach notifications

The security of your data is important to us. If in the circumstances of a data breach, we will report this to the ICO within 72 hours of the Organisation becoming aware of it if appropriate.

If the breach is sufficiently serious to warrant notification to the public, the charity will do so without undue delay.

How do we store your information?

We use a range of tools and third party suppliers to store your information. In all cases we work to ensure that the measures we take and suppliers used are GDPR compliant. We do not keep paper copies of information and only scan and store information electronically.

Data security

We take appropriate technical and organisational measures against unlawful or unauthorised processing of personal data and accidental loss or destruction or damage to personal data.

How long do we keep your information?

We keep your personal information only for as long as required to operate the service in accordance with legal requirements, tax and accounting rules. Where your information is no longer required we will ensure it is disposed of or anonymised in a secure manner.

In line with the GDPR, we will review personal information held with us periodically.

Privacy assessments

Livability will always assess and plan for how personal data and processing will be managed when new projects are being developed. This will occur when the charity is thinking about using a new tool or service with which to process data for example.

Your rights to access your personal information

Under the GDPR you have a right to request a copy of the personal information we hold about you and to have any inaccuracies corrected.

You also have the right to request us to erase your personal information, request us to restrict our processing of your personal information or to object to our processing of your personal information.

Should you wish to exercise these rights, we promise to respond. There will be no charge for this action.

Please address requests to the Data Protection Officer, Livability, and we will respond within 30 days, of receipt of your written or verbal request and confirmed ID. The email address for the Data Protection Officer is:

DataProtection@livability.org.uk

Please provide as much information as possible about the nature of your contact with us to help us locate your records.

Where you have provided your consent for our use of your personal information, you always have a right to withdraw your consent at any time.

Find out more at: www.livability.org.uk/changepreferences

Note that: More information for students in our education centres and for parents, carers and governors is available in our Schools Privacy Notices.

Your ability to edit and/or delete your account information and preferences

The accuracy of your personal information is important to us. You can edit your Livability account information, including your address and contact details and change any of your contact preferences at any time (including telling us that you don't want us to contact you for marketing purposes by telephone or by post) via our web site www.livability.org.uk/changepreferences/ or via our Supporter Services team (020 7452 2121).

Complaints

If you are not satisfied with our work or something that we have done or failed to do, we want to know about it. We also welcome your views on what we do well. Your comments enable us as a charity to learn and continuously improve our services.

Please find further information about giving us feedback, or lodging a complaint at: www.livability.org.uk/

You have the right to lodge a complaint with a supervisory authority in accordance with Article 13, paragraph 2 (d), GDPR, and Article 14, paragraph 2 (e), GDPR. - If we are unable to deal with your complaint in a satisfactory manner, you have the right to complain to a relevant supervisory authority such as:

The information Commission Office; Wycliffe House, Water Lane Wilmslow, SK9 5AF or call: 0303 123 1113 or online at: www.ico.org.uk/concerns/ and the Advertising Standards Authority at www.asa.org.uk/make-a-complaint.html

Contacting us

We welcome any queries, comments or requests you may have regarding this Privacy Policy and any other relevant policies. Please do not hesitate to contact us.

If you prefer to write, contact the Data Protection Officer at Livability, 6 Mitre Passage, London, SE10 0ER or email: DataProtection@livability.org.uk