

Policy Name: Privacy	
Version	2
Date when last reviewed	March 2024
Date when next review due	April 2025
Author	Jo Boulton
This policy is for:	Staff, Trustees, volunteers, contractors, people who use our services, general public.
Date ratified by the Board	7 th May 2024
Policy implementation (Explains how relevant parties will be made aware of and have access to the policy. For example, induction, training (and refresh), shared drive (Sharepoint/Drop Box/etc).	Placed on the Cornwall Mind website. Staff made aware through SharePoint policy folder.
Related policies and procedures	Data Protection, Access to Information Request, Confidentiality, Consent, Information Sharing, Information Breach, Record Retention Procedure.

Change History

Version	Changed by	Change Summary	Date
2	Jon Gladstone	Placed on the new policy template. Minor changes suggested by more up to date National Mind Privacy Policy.	March 2024

Equality Impact Assessment		
Who does the policy affect?	Staff, Volunteers, Trustees, people who use our services, general public	
	Positive or Yes	Negative or No
Will the policy have a positive or negative impact on discrimination, equality of opportunity or relations between groups?	Positive	
Is the communication of the policy accessible to all groups?	yes	
Do the procedures and behaviours outlined in this policy proactively address the inclusion of marginalised or excluded groups?	yes	
Will there be a positive benefit to the users or workforce as a result of the proposed policy?	yes	
Were the relevant groups (i.e. staff, volunteers, those with lived experience) involved in the development and review of the policy?	Staff, Trustees.	
Detail any other consideration specific to this policy		

Environmental Impact Assessment			
Who does the policy affect?	Staff, Volunteers, Trustees, people who use our services. General public.		
	Yes	N/A	No
Does the policy encourage use of climate friendly travel i.e. public transport, car sharing?		n/a	
Does the policy consider the environmental impact where considering suppliers, products, digital footprint, printing documents linked to the implementation of this policy?	yes		
Does the policy recommend monitoring and measuring the activities to understand the environmental impact where appropriate i.e. carbon footprint		n/a	
Should the policy make specific reference to the Environmental Policy?			no
Does the policy require a more detailed Environmental Impact Assessment?		No	

1. Who we are.

Here at Cornwall Mind we are committed to protecting your personal information and making every effort to ensure that your personal information is processed in a fair, open and transparent manner.

We are a "data controller" for the purposes of the Data Protection Act 2018 and the UK General Data Protection Regulation ("Data Protection Law"). This means that we are responsible for the processing of your personal information.

For further information about our privacy practices, please contact our Data Protection Officer by:

Writing to Cornwall Mind, 2a Hamley Court, Dennison Road, Bodmin, Cornwall, PL31 2LL

Calling us on 01208 892855

Emailing us at info@cornwallmind.org

2. How we collect information about you.

Everything we do, we do to ensure that we can help people experiencing a mental health problem get both support and respect. We want to make sure you receive the communications that are most relevant to you, be it through visiting our website or receiving emails, post or phone calls. We want to make sure you receive the best attention when you seek advice and support, campaign or fundraise for us.

We collect information from you in the following ways:

When you interact with us directly: This could be if you ask us about our activities, make a donation to us, ask a question about mental health, complete a survey providing feedback on our services, apply for a job or volunteering opportunity or otherwise provide us with your personal information. This includes when you phone us, visit our website, or get in touch through the post, or in person.

When you interact with us through partners working on our behalf: This could be if you access a service which is delivered with a trusted partner organisation working on our behalf and always under our instruction.

When you interact with us through third parties: This could be if you provide a donation through a third party such as Just Giving or one of the other third parties that we work with.

When you visit our website: We gather general information which might include which pages you visit most often and which services, events or information is of most interest to you. We may also track which pages you visit when you click on links in emails from

us. We also use "cookies" to help our site run effectively. There are more details below – see 'Cookies'.

We use this information to personalise the way our website is presented when you visit to make improvements and to ensure we provide the best service and experience for you. Wherever possible we use anonymous information which does not identify individual visitors to our website.

From other information that is available to the public: In order to tailor our communications with you to your background and interests we may collect information about you from publicly available sources or through third party subscription services or service providers.

3. Information we collect and why we use it.

Personal Information.

Personal information we collect includes details such as your name, date of birth, email address, postal address, telephone number and credit/debit card details (if you are making a purchase or donation), as well as information you provide in any communications between us. You will have given us this information while using one of our services, making a donation, registering for an event, placing an order on our website or any of the other ways to interact with us. We may also receive personal data about you if we have received a referral from a health professional.

We will mainly use this information:

- to assess your needs and make decisions with you about your support
- to keep a record of your relationship with us such as referrals and appointments
- assess the quality support we give you
- to enable us to properly investigate if you or your family have a concern or complaint about the support you are receiving
- to process your donations or other payments, to claim Gift Aid on your donations and verify any financial transactions
- to provide the services or goods that you have requested
- to update you with important administrative messages about your donation, an event or services or goods you have requested
- to comply with the Charities (Protection and Social Investment) Act 2016 and follow the recommendations of the official regulator of charities, the Charity Commission, which require us to identify and verify the identity of supporters who make major gifts so we can assess any risks associated with accepting their donations
- where you volunteer with us, to administer the volunteering arrangement

If you do not provide this information, we will not be able to provide you support, or process your donation, sign you up for a particular event or provide goods and services you have requested.

We may also use your personal information:

- to contact you about our work and how you can support Cornwall Mind (see section 8 on 'Marketing' below for further information)
- to invite you to participate in surveys or research

Special Category Data

If you share your personal experience or the experiences of a friend or relative, we may also collect this information. If you provide us with any Special Category Data (previously known as Sensitive Personal Information) by telephone, email or by other means, we will treat that information with extra care and confidentiality and always in accordance with this Privacy Policy.

There may be some circumstances where you can remain anonymous, if you are happy to share your personal details with staff members or if you would like us to share your story with the media or other parties as part of our work telling people's personal stories about mental health (for example, on our blog).

A special note about the Special Category Data and Criminal Offences Data we hold

Data Protection Law recognises that some categories of personal information are more sensitive. Special Category Data can include information about a person's health, race, ethnic origin, political opinions, sex life, sexual orientation, religious beliefs, trade union membership, genetics or biometrics.

We will only use this information:

- for the purposes of providing you with support, dealing with your enquiry, training, and quality monitoring or evaluating the services we provide
- for the purposes of providing Health and Social care support as commissioned by a public body
- we will not pass on your details to anyone else without your express consent except in limited circumstances. Examples of this might include anyone reporting serious self-harm or posing a threat to themselves or others or children contacting us and sharing serious issues such as physical abuse or exploitation, or for the establishment, exercise or defence of legal claims
- we may also process data we receive from healthcare partners that may include details of criminal offences. Where we do so we will process in such a way as to remain compliant at all times with regulation regarding this type of data

Information about Children and Young People

We sometimes receive limited data about children if they decide to fundraise for us, and we will collect data about children for events we organise specifically for young people or where they agree to volunteer for us. Wherever possible, we will ask for

consent from parents to collect information about children and young people under the age of 16.

4. Profiling: making our work more unique to you.

We want to improve how we communicate with you and the information we provide through our services, website, products and information. To do this we may use profiling and screening methods so that we can better understand our service users, supporters and your preferences and needs to provide a better service and experience for you.

We may carry out targeted fundraising activities using profiling techniques based on the information that we hold about you. We may also work with third party organisations who provide additional insight using general information about you that is publicly available.

This information can be appended to the information that you have provided which allows us to use our resources more effectively by better understanding the background of our supporters and making appropriate requests based on what may interest them and their capacity to give.

You can of course opt out of this activity at any time. To do this, email info@cornwallmind.org with the subject line 'Please stop analysis of my data'.

5. Legal basis for using your information.

In some cases, we will only use your personal information where we have your consent. This might be when you access services that are not commissioned by a public body or because we need to use it in order to fulfil a contract with you (for example, because you have placed an order on our website).

Another reason for using your personal information is known as 'public task', where we may use your personal information to carry out our duties on behalf of a public authority e.g. where services are commissioned by a local authority, NHS trust or other public body.

However, there are other lawful reasons that allow us to process your personal information and one of those is called 'legitimate interests'. This means that the reason that we are processing information is because there is a legitimate interest for Cornwall Mind to process your information to help us to achieve our vision of ensuring that everyone experiencing a mental health problem gets both support and respect.

Whenever we process your Personal Information under the 'legitimate interest' lawful basis we make sure that we take into account your rights and interests and will not process your personal information if we feel that there is an imbalance.

Some examples of where we have a legitimate interest to process your personal information are where we contact you about our work via post, use your personal information for data analytics, conducting research to better understand who our supporters are, improving our services. In addition, we may process your personal data to comply with a common law or statutory obligation (for example, dealing with complaints and claims and delivering services commissioned by a public body), or for complying with guidance from the Charity Commission.

6. Marketing.

We will only contact you about our work and how you can support Cornwall Mind by phone, email or text message, if you have agreed for us to contact you in this manner.

However, if you have provided us with your postal address we may send you information about our work and how you can support Cornwall Mind by mail, unless you have told us that you would prefer not to hear from us in that way.

You can update your choices or stop us sending you these communications at any time by contacting info@cornwallmind.org or clicking the unsubscribe link at the bottom of the relevant communication. This may take up to 28 days to take effect across all of our systems.

7. Sharing your information

The personal information we collect about you will mainly be used by our staff (and volunteers) at Cornwall Mind so that they can support you.

Your information may be shared with a team of professionals who will be providing you with support. Cornwall Mind works with partners in the NHS such as your GP, Community Mental Health Teams as well as other agencies, including Social Services and we may need to share information about you with them. We only do this to provide the most appropriate support for you or where the welfare of other people is involved.

Examples of when we may also need to share information may also include;

- if there is a concern about you putting yourself or someone else at risk of serious harm
- if we have been instructed to do so by a court of law
- if you are subject to the Mental Health Act 1983, there are circumstances in which your nearest relative must receive information even if you object

We will never sell or share your personal information with organisations so that they can contact you for any marketing activities. Nor do we sell any information about your web browsing activity.

Cornwall Mind may however share your information with our trusted partners and suppliers who work with us on or on our behalf to deliver our services, but processing of this information is always carried out in accordance with agreed arrangements. We make sure that they store the data securely, delete it when they no longer need it and never use it for any other purposes. Some examples of where we may share your information are with our partners who help to create and send information to you to reduce our costs, with our partners who help us to process donations and claim Gift Aid and our partners who help us to manage our social media accounts.

We enter into contracts with these service providers that require them to comply with data protection laws and ensure that they have appropriate controls in place to secure your information.

Legal disclosure

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); or, in order to enforce our conditions of sale and other agreements.

8. Keeping your information safe.

We take looking after your information very seriously. We've implemented appropriate physical, technical and organisational measures to protect the personal information we have under our control, both on and off-line, from improper access, use, alteration, destruction and loss.

Unfortunately, the transmission of information using the internet is not completely secure. Although we do our best to protect your personal information sent to us this way, we cannot guarantee the security of data transmitted to our site.

Our websites may contain links to other sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content, or the privacy practices employed by other sites. Please be aware that advertisers or Web sites that have links on our site may collect personally identifiable information about you. This privacy statement does not cover the information practices of those websites or advertisers.

9. How long we hold your information for.

We only keep your personal information as long as is reasonable and necessary for the relevant activity, depending on the nature of the information and the purpose for which it held. It may be to fulfil statutory obligations (for example, the collection of Gift Aid, and to comply with our contractual obligations when delivering commissioned services).

10. Your rights.

You have various rights in respect of the personal information we hold about you – these are set out in more detail below. If you wish to exercise any of these rights or make a complaint, you can do so by contacting our team at Cornwall Mind info@cornwallmind.org. You can also make a complaint to the data protection supervisory authority, the Information Commissioner's Office, <https://ico.org.uk/>

- **access to your personal information:** You have the right to request access to a copy of the personal information that we hold about you, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. Please make all requests for access in writing and provide us with evidence of your identity
- **right to object:** You can object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes. Please contact us as noted above, providing details of your objection. Where we are relying on Public Task (i.e. in our commissioned services) whilst you have the right to object this may not be granted. Each case will be looked at on its own merits
- **consent:** If you have given us your consent to use personal information (for example, for marketing), you can withdraw your consent at any time
- **rectification:** You can ask us to change or complete any inaccurate or incomplete personal information held about you
- **erasure:** You can ask us to delete your personal information where it is no longer necessary for us to use it, or you have withdrawn consent, or where we have no lawful basis for keeping it
- **portability:** You can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred
- **restriction:** You can ask us to restrict the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it
- **no automated decision making:** Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless you have given us your consent, it is necessary for a contract between you and us or is otherwise permitted by law. You also have certain rights to challenge decisions made about you. We do not currently carry out any automated decision-making

Please note, some of these rights only apply in certain circumstances. Where one of your rights does not apply, we will communicate the reason to you.

11. Monitoring.

Your communications with our teams (including by telephone or email) may be monitored and/or recorded for training, quality control and compliance purposes to ensure that we continuously improve our customer service standards.

To find out more about this policy and how we look after your personal information, contact info@cornwallmind.org.

12. Cookies

Cookie is a name for a small file, usually of letters and numbers, which is downloaded onto your device, like your computer, mobile phone or table when you visit a website.

They let websites recognise your device, so that the sites can work more effectively, and also gather information about how you use the site. A cookie, by itself, can't be used to identify you.

How do we use cookies?

We use cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you come to our website and also allows us to improve the user experience.

The cookies we use.

We use the categorisation set out by the International Chamber of Commerce in their [UK Cookie Guide](#).

We use all four categories of cookies:

- strictly necessary cookies are essential for you to move around our website and to use its features, like our shopping basket and your account
- performance cookies collect anonymous information about how you use our site, like which pages are visited most
- functionality cookies collect anonymous information that remember choices you make to improve your experience, like your text size or location. They may also be used to provide services you have asked for such as watching a video or commenting on a blog
- targeting or advertising cookies collect information about your browsing habits in order to make advertising relevant to you and your interests. As such if you visit the Cornwall Mind website you may then be more likely to see adverts about Cornwall Mind's work on other websites as your browsing suggests that this is an area of interest

To reflect recent changes in guidelines we are reviewing how we use cookies and how we seek consent for their use when people visit our website. In the coming months, we

will be implementing a new version of our cookie model. We don't share or sell sensitive personal information that could directly identify an individual. We only share information about pages that devices have visited, for example the URL.

No cookies, please

You can opt out of all our cookies (except the strictly necessary ones), but, if you choose to refuse all cookies, our website may not function for you as we would like it to.

If you have any questions about how we use cookies, please email info@cornwallmind.org.