

**Privacy Policy Statement**

**for Volunteers of Ambient Support Limited**

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**Ambient Support Volunteer Privacy Policy Statement**

NOTE: The wording in this document reflects the requirements of the General Data Protection Regulation (GDPR), which will come into effect in the UK on 25 May 2018.

**Data Controller:** Ambient Support Limited

**Data Protection Officer:**dataprotection@ambient.org.uk

# Does this notice apply to you?

This Privacy Policy Statement applies to all volunteers.

# What is the purpose of this document?

Ambient Support Limited (‘Ambient Support’) collects and processes personal data relating to its volunteers to manage the placement of volunteers throughout Ambient Support. Ambient Support is committed to being transparent about how it collects and uses that data and to meet its data protection obligations, and to the protection and security of your personal information.

This Privacy Policy Statement describes how Ambient Support collects and uses personal information about you during and after your placement with Ambient Support, in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, and any national laws, regulations and secondary legislation, as amended or updated from time to time, in the United Kingdom, and any other territory which implements the GDPR.

Ambient Support will be your Data Controller. This means that Ambient Support is responsible for deciding how to hold and use personal information about you.

This Privacy Policy Statement does not form part of any contract of employment.

It is important that you read this Privacy Policy Statement, together with any other Privacy Policy Statement Ambient Support may provide on specific occasions when collecting or processing personal information about you, so that you are aware of how and why Ambient Support is using such information.

# Data protection principles

Ambient Support will comply with data protection law. This says that the personal information held about you must be:

* Used lawfully, fairly and in a transparent way.
* Collected only for valid purposes that Ambient Support has clearly explained to you and not used in any way that is incompatible with those purposes.
* Relevant to the purposes Ambient Support has told you about and limited only to those purposes.
* Accurate and kept up to date.
* Kept only as long as necessary for the purposes Ambient Support has told you about.
* Kept securely.

# What information does Ambient Support collect?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

Ambient Support collects and processes a range of information about you. The bullet points below outline the type of data we collect.

* Your name, address and contact details, including email addresses and telephone numbers.
* Date of birth.
* Gender.
* Start date.
* Location of placement.
* Copy of driving licence.
* Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and Ambient Support.
* Information about your marital status, next of kin, dependents and emergency contacts.
* Information about your nationality and entitlement to work in the UK.
* Information about your criminal record, where relevant.
* Diversity monitoring information, including information about your ethnic origin, sexual orientation, religion or belief.
* Recruitment information (including references and other information included in a CV or cover letter or as part of the application process).
* Employment records (including job titles, work history, working hours, training records and professional memberships).
* CCTV footage and other information obtained through electronic means such as swipe card records.
* Information about your use of Ambient Support's information and communications systems.
* Photographs.

Ambient Support may also collect, store and use the following “special categories” of more sensitive personal information:

* Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
* Information about your health, including any medical condition, health and sickness records.
* Information about criminal convictions and offences.

Ambient Support collects this information about volunteers in a variety of ways. For example, data is collected through the application process, either directly from candidates or sometimes through a background check provider. For example, from the Disclosure and Barring Service (DBS).

In some cases, Ambient Support collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, and information from criminal records checks permitted by law.

Data is stored in a range of different places, including in your paper and/or electronic HR file, in Ambient Support’s HR management system and in other IT systems (including Ambient Support’s email system).

# Why does Ambient Support process personal data?

Ambient Support will only use your personal information when the law allows it. Most commonly, your personal information will be used in the following circumstances:

* Where Ambient Support needs to comply with a legal obligation, such as providing information to law enforcement agencies and other public and government authorities.
* Where it is necessary for Ambient Support's legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Ambient Support may also use your personal information in the following situations, which are likely to be rare:

* Where Ambient Support needs to protect your interests (or someone else’s interests);
* Where it is needed in the public interest or for official purposes. Ambient Support needs to process data to maintain your voluntary work.

In some cases, Ambient Support needs to process data to ensure that it is complying with its legal obligations. For example, Ambient Support is required to check a volunteer’s legal status to have the right to reside in the UK. For certain positions, it is necessary to carry out criminal records checks to ensure that individuals are permitted to undertake the voluntary work in question.

In other cases, Ambient Support has a legitimate interest in processing personal data before, during and after the end of the voluntary placement.

Processing volunteer data allows Ambient Support to:

* Determine the terms under which you undertake voluntary work in Ambient Support;
* Check that you are legally entitled to reside in the UK;
* Maintain accurate and up-to-date records and contact details (including details of who to contact in the event of an emergency);
* Make a decision about your continued voluntary placement or engagement;
* Prevent fraud;
* Ensure network and information security, including preventing unauthorised access to Ambient Support's computers and electronic communications systems and preventing malicious software distribution;
* Conduct data analytics studies to review and better understand volunteer retention and attrition rates;
* Ensure effective general HR and business administration;
* Provide references on request for current or former employees; and
* Respond to and defend against legal claims including accidents at work.

Some of the above grounds for processing will overlap and there may be several grounds which justify Ambient Support's use of your personal information.

Where Ambient Support relies on legitimate interests as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of our volunteers and has concluded that they are not.

Ambient Support will only use your personal information for the purposes for which it is collected, unless Ambient Support reasonably considers that it is needed for another reason and that reason is compatible with the original purpose. If Ambient Support needs to use your personal information for an unrelated purpose, you will be notified and the legal basis which allows Ambient Support to do so will be explained.

Please note that Ambient Support may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

"Special categories" of particularly sensitive personal information require higher levels of protection. Ambient Support needs to have further justification for collecting, storing and using this type of personal information. Ambient Support may process special categories of personal information in the following circumstances:

* In limited circumstances, with your explicit written consent. If Ambient Support needs your consent you will be contacted separately about this.
* Where Ambient Support needs to carry out a legal obligation and in line with Ambient Support's Data Protection policy (BA10).
* Where it is needed to assess your placement on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, Ambient Support may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Ambient Support does not need your consent if using special categories of your personal information in accordance with Ambient Support's written policy to carry out its legal obligations. In limited circumstances, Ambient Support may approach you for your written consent to allow it to process certain particularly sensitive data. If Ambient Support does so, you will be provided with full details of the information that Ambient Support would like and the reason it is needed, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your placement with Ambient Support that you agree to any request for consent.

# Information about criminal convictions

Ambient Support may only use information relating to criminal convictions where the law allows it to do so. This will usually be where such processing is necessary to carry out Ambient Support's obligations and provided it does so in line with the Data Protection policy (BA10).

Less commonly, Ambient Support may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Ambient Support does not envisage that it will hold information about criminal convictions.

Ambient Support will only collect information about criminal convictions if it is appropriate given the nature of the role and where it is legally able to do so. Where appropriate, Ambient Support will collect information about criminal convictions prior to your placement or it may be notified of such information directly by you in the course of your placement at Ambient Support. It will use information about criminal convictions and offences in the following ways:

* Assessment for an initial decision on whether your placement can commence.
* For a limited number of roles as determined by Ambient Support's Regulators, it may need to provide them with ongoing information on criminal convictions.

# Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

Ambient Support does not envisage that any decisions will be taken about you using automated means, however it will notify you in writing if this position changes.

# Who has access to data?

Your information will be shared internally, including with members of the HR team, any manager or supervisor overseeing your placement, senior managers in Ambient Support, but only if access to the data is necessary for performance of their roles.

Ambient Support shares your data with third parties in order to:

* Obtain employment references from other employers;
* Obtain necessary criminal records checks from the Disclosure and Barring Service.

Ambient Support also shares your data with third parties that process data on its behalf in connection with:

* Zellis (Resourcelink);
* Care Quality Commission (CQC).

Ambient Support will share your personal information with third parties where required by law, where it is necessary to administer the placement with you or where it has another legitimate interest in doing so.

The following activities are carried out by third-party service providers:

* Zellis (Resourcelink) for storing your contact details;
* Care Quality Commission (CQC) for referral to the Disclosure and Barring Service.

All third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with Ambient Support's policies. Ambient Support does not allow third-party service providers to use your personal data for their own purposes. Ambient Support only permits them to process your personal data for specified purposes and in accordance with Ambient Support's instructions.

Ambient Support will share your personal information with other entities in the group as part of regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

Ambient Support may need to share your personal information with a regulator or to otherwise comply with the law.

The organisation will not transfer your data to countries outside the European Economic Area.

# How does Ambient Support protect data?

Ambient Support takes the security of your data seriously. Ambient Support has internal policies and procedures in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Refer to Ambient Support’s policies on Record Keeping & Access to Records (BA2) and Data Protection (BA10) which are available on request.

Where Ambient Support engages third parties to process personal data on its behalf, they are obliged to implement appropriate technical and organisational measures to ensure the security of data, in order to comply with the General Data Protection Regulations (GDPR).

Ambient Support has put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, Ambient Support limits access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on Ambient Support's instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from your local HR Department.

Ambient Support has put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where Ambient Support is legally required to do so.

# For how long does Ambient Support keep data?

Ambient Support will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The periods for which your data is held after the end of your placement are set out in the Record Keeping & Access to Records (BA2) Policy.

To determine the appropriate retention period for personal data, Ambient Support considers the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which Ambient Support processes your personal data and whether Ambient Support can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances Ambient Support may anonymise your personal information so that it can no longer be associated with you, in which case Ambient Support may use such information without further notice to you. Once you are no longer a volunteer Ambient Support will retain and securely destroy your personal information in accordance with the Data Protection policy (BA10).

# Your rights

It is important that the personal information Ambient Support holds about you is accurate and current. Please keep Ambient Support informed if your personal information changes during your placement with Ambient Support.

As a volunteer, you have a number of rights. You can:

* Access and obtain a copy of your data on request (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information Ambient Support holds about you and to check that it is lawfully processing it;
* Require Ambient Support to change incorrect or incomplete data;
* Require Ambient Support to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing or there is no good reason for Ambient Support to process it. You also have the right to ask Ambient Support to delete or remove your personal information where you have exercised your right to object to processing;
* Object to the processing of your data where Ambient Support is relying on its legitimate interests (or those of a third party) as the legal ground for processing 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;
* Ask Ambient Support to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override Ambient Support’s legitimate grounds for processing data. This enables you to ask Ambient Support to suspend the processing of personal information about you, for example if you want Ambient Support to establish its accuracy or the reason for processing it;
* Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that Ambient Support transfers a copy of your personal information to another party, please contact your local HR Department in writing.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, Ambient Support may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, Ambient Support may refuse to comply with the request in such circumstances.

Ambient Support may need to request specific information from you to help it to confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact your local HR Department. Once Ambient Support has received notification that you have withdrawn your consent, it will no longer process your information for the purpose or purposes you originally agreed to, unless it has another legitimate basis for doing so in law.

If you believe that Ambient Support has not complied with your data protection rights, you can do the following:

1. Speak to the manager at the location you are undertaking volunteer work;
2. Contact dataprotection@ambient.org.uk and/or
3. Contact the Information Commissioner’s Office, [www.ico.org.uk](http://www.ico.org.uk/)

# What if you do not provide personal data?

You have some obligations under your placement to provide Ambient Support with data. Certain information, such as contact details and your right to work in the UK, have to be provided to enable you to volunteer at Ambient Support.

# Data Protection Officer

Ambient Support has appointed a Data Protection Officer (DPO) to oversee compliance with this Privacy Policy Statement. If you have any questions about this Privacy Policy Statement or how Ambient Support handles your personal information, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues.

# Changes to this Privacy Policy Statement

Ambient Support reserves the right to update this Privacy Policy Statement at any time, and will provide you with a new Privacy Policy Statement when it makes any substantial updates. This Privacy Policy Statement was last reviewed in May 2018. Ambient Support may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this Privacy Policy Placement, please contact your local HR Department.