

BOSP PRIVACY NOTICE

Service Users



We are committed to respecting your privacy. This notice is to explain how we may use personal data we collect before, during and after your relationship with BOSP as a service user. This notice explains how we comply with the law on data protection, what your rights are, and for the purposes of data protection we will be the controller of the personal data you supply to us. This notice applies to you if you have registered to become a service user, you are an existing service user, or you have previously used the services of BOSP.

We have not appointed a Data Protection Officer to oversee our compliance with data protection laws as we are not required to do so, instead our Board of trustees and CEO have overall responsibility for data protection compliance within BOSP, supported by our Data Protection Lead. Contact details are set out in the "Contacting us" section at the end of this privacy notice.

PERSONAL DATA WE MAY COLLECT FROM YOU

Depending on the type of services for which you register with us, you may initially provide us with, or we may obtain **personal data** about you (or the child/young person you have responsibility for) such as:

- Name;
- Date of birth;
- Gender;
- Address;
- Telephone;
- Email;
- Details of next of kin, family members, main carers and emergency contacts;
- Educational details;
- Behavioural information;
- Registration start and end date;
- Records of your interactions with us such as telephone conversations, emails and other correspondence and your instructions to us;
- Any payment details you provide so that we can receive payments from you or make payments to you, and details of the financial transactions with you;
- Passwords, personal identification numbers, IP addresses, user names and other IT system identifying information;
- Records of your attendance at any sessions/events organised by us;
- Images in video and/or photographic form and voice recordings;
- Your marketing preferences so that we know whether and how we should contact you for marketing purposes;
- Monitoring records and assessment of personal development;
- Any complaints and grievance information;

SPECIAL CATEGORIES OF PERSONAL DATA

We may also collect, store and use the following **"special categories"** of more sensitive personal data regarding you:

- information about your race or ethnicity, religious beliefs and sexual orientation;
- information about your health, including any medical condition, health records, medical records and health professional information

- information about your special educational needs

We may not collect all of the above types of special category personal data about you. In relation to the special category personal data that we do process we do so on the basis that:

- the processing is necessary for reasons of substantial public interest, on a lawful basis;
- it is necessary for the establishment, exercise or defence of legal claims;
- it is necessary in order to protect the vital interests of the data subject or another natural person;
- it is necessary for the purposes of carrying out the obligations and exercising our or your rights in the field of employment and social security and social protection law; or
- based on your explicit consent

In the table below we refer to these as the “special category reasons for processing of your personal data”.

WHERE WE COLLECT YOUR INFORMATION

We collect personal data about our service users when you apply to register with BOSP to access services we provide, when you make a query and/or complaint, and when you correspond with us by phone, e-mail or in some other way. We also may collect personal data about you from any third-party agents i.e. education providers, GPS, social workers, that you provide as part of your registration with us.

If you are providing us with details of referees, next of kin, family members, main carers and emergency contacts they have a right to know and to be aware of how what personal data we hold about them, how we collect it and how we use and may share that information. Please share this privacy notice with those of them whom you feel are sufficiently mature to understand it. They also have the same rights as set out in the “**Your rights in relation to personal data**” section below.

USES MADE OF THE INFORMATION

The table below describes the main purposes for which we process your personal data, the categories of your information involved and our lawful basis for being able to do this.

Personal data used	Purpose	Lawful basis
All contact and registration details, transaction and payment information, records of your interactions with us, and marketing preferences	Arranging and managing the provision of any services for yourself (or for the child/young person you have parental responsibility for)	This is necessary to enable us to properly manage and administer your registration with us, and to supply the services you have requested
Contact and registration details	Sending you information about your registration, including details about services and events	This is necessary to enable us to properly manage and administer your registration with us, and to supply the services you have requested
Contact details and marketing preferences	Sending you other marketing information we think you might find useful or which you have requested from us, including our newsletters, information	Where you have given us your explicit consent to do so

	about registration, events, and services	
All the personal data we collect	Retention of records	We have a legitimate interest in retaining records whilst they may be required in relation to complaints or claims. We need to retain records in order to properly administer and manage your registration and run our charity and in some cases, we may have legal or regulatory obligations to retain records We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred to above
Your usage of our IT systems and online portals	The security of our IT systems	We have a legitimate interest to ensure that our IT systems are secure
Records of your attendance at any sessions or events we run	To better understand session and event attendance	We have a legitimate interest in doing so to ensure that our service is targeted and relevant
Images in video and/or photographic form	Promoting the charity	Where you have given us your explicit consent to do so
Records of attendance, medical information about your health	Complying with health and safety requirements	We have a legal obligation and a legitimate interest to provide you and other members of our organisation with a safe environment We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred above
Identification documents, details of next of kin, family members and emergency contacts, transaction and payment information, health and medical information	Service provision Safeguarding	This is necessary to enable us to make the necessary arrangements for service provision We process special category personal data on the basis of the “special category reasons for processing of your personal data” referred above
Health and medical information	Ensuring the health and safety of you (or your child/young person) and to assess you (or your	We process special category personal data on the basis of the “special category reasons for

	child/young person's) suitability to participate in any events or activities we host and to provide appropriate adjustments to our facilities and service provision	processing of your personal data" referred to above
All the personal data we collect	Gathering evidence for possible grievance or disciplinary hearings	We have a legitimate interest in doing so to provide a safe and fair environment for all service users and to ensure the effective management of any disciplinary hearings, appeals and adjudications We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to above
Name, title, date of birth, gender, information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation or political beliefs, and health and medical information	Ensuring meaningful equal opportunity monitoring and reporting	We have a legitimate interest to promote an environment that is inclusive, fair and accessible We process special category personal data on the basis of the "special category reasons for processing of your personal data" referred to above

For some of your personal data you will have a legal, contractual or other requirement or obligation for you to provide us with your personal data. If you do not provide us with the requested personal data, we may not be able to register you as a service user or we may not be able to properly perform our contract with you or comply with legal obligations and we may have to terminate your registration. For other personal data you may not be under an obligation to provide it to us, but if you do not provide it then we may not be able to properly perform our contract with you.

Where you have given us your consent to use your personal data in a particular manner, you have the right to withdraw this consent at any time, which you may do by contacting us as described in the "**Contacting us**" section below. Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent and we may still be entitled to hold and process the relevant personal data to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain services to you.

DIRECT MARKETING

We may contact you by email, post or SMS with information about events, products and services we believe you may be interested in. We will only send marketing messages via email and SMS in accordance with the marketing preferences you set. We may, however, send you information in the post under the legal basis of legitimate interest. You can let us know at any

time that you do not wish to receive marketing communications from us by using the contact details at the end of this notice.

DISCLOSURE OF YOUR PERSONAL DATA

We may share your personal data with the following parties:

- **Any party approved by you;**
- **Other service providers:** for example, secure storage, and IT services. All our third-party service providers are required to take appropriate security measures to protect your personal data;
- **The Government or our regulators:** where we are required to do so by law or to assist with their investigations or initiatives;
- **Police, law enforcement and security services:** to assist with the investigation and prevention of crime and the protection of national security

We do not disclose personal data to anyone else except as set out above, and only when is necessary. We will never share, sell, swap or rent your data to third parties for marketing purposes.

WHERE WE STORE YOUR PERSONAL DATA

The personal data we collect from you as a service user is kept either in a locked and secure case, cabinet, drawer or locker, in an electronic format on an encrypted computer or portable device or transferred and stored securely on a cloud-based database with restricted access.

The personal data we collect about you as a service user is not transferred to or stored in countries outside of the UK and the European Union. We have security procedures, rules and technical measures in place to protect your personal data. Your personal data will be kept in a secure environment with access restricted on a need to know basis. We will take all reasonable steps to ensure that your personal data is only used in accordance with this privacy notice and applicable data protection laws and is respected and kept secure.

HOW LONG WE KEEP YOUR PERSONAL DATA

The duration for which we retain your personal data will differ depending on the type of information and the reason why we collected it from you. However, in some cases personal data may be retained on a long-term basis: for example, personal data that we need to retain for legal purposes will normally be retained in accordance with usual commercial practice and regulatory requirements. Generally, where there is no legal requirement, we retain all physical and electronic records for a period of three years after your last contact with us or the end of your registration with us. Exceptions to this rule are:

- Details regarding unsuccessful registration applicants where we hold records for a period of not more than 12 months;
- Information that may be relevant to personal injury or discrimination claims may be retained until the limitation period for those types of claims has expired. For personal injury or discrimination claims this can be an extended period as the limitation period might not start to run until a long time after the event

It is important to ensure that the personal data we hold about you is accurate and up-to-date, and you should let us know if anything changes, for example if you change your phone number or email address. To update the personal data we hold about you, you can contact us by using the details set out in the "**Contacting us**" section below.

YOUR RIGHTS IN RELATION TO PERSONAL DATA

You have the following rights in relation to your personal data:

- the right to be informed about how your personal data is being used;
- the right to access the personal data we hold about you;
- the right to request the correction of inaccurate personal data we hold about you;
- the right to request the erasure of your personal data in certain limited circumstances;
- the right to restrict processing of your personal data where certain requirements are met;
- the right to object to the processing of your personal data;
- the right to request that we transfer elements of your data either to you or another service provider; and
- the right to object to certain automated decision-making processes using your personal data

You should note that some of these rights, for example the right to require us to transfer your data to another service provider or the right to object to automated decision making, may not apply as they have specific requirements and exemptions which apply to them and they may not apply to personal data recorded and stored by us. However, some have no conditions attached, so your right to withdraw consent or object to processing for direct marketing are absolute rights.

Whilst this privacy notice sets out a general summary of your legal rights in respect of personal data, this is a very complex area of law. More information about your legal rights can be found on the Information Commissioner's website at <https://ico.org.uk/for-the-public/>

To exercise any of the above rights, or if you have any questions relating to your rights, please contact us by using the details set out in the "Contacting us" section below.

If you are unhappy with the way we are using your personal data, you can also complain to the UK Information Commissioner's Office or your local data protection regulator. We are here to help and encourage you to contact us to resolve your complaint first.

USE OF COOKIES, SOCIAL MEDIA & OUR WEBSITE

Cookies are text files which collect log on information and visitor behaviour information. Cookies track visitor use and compile statistical reports on website activity. Such information will not identify you personally, it provides statistical data about our visitors and their use of our website and does not identify any personal details whatsoever. It is used by us to analyse how visitors interact with the website so that we can continue to develop and improve it.

Most websites use cookies, and these are downloaded to your computer automatically, however when you visit BOSP's site for the first time you will have the opportunity to check you understand before you proceed. You can set your browser to accept or decline cookies. Please be aware that a decline preference may mean a loss of function in some of our website features.

You might find links to third party websites or advertisements on our website. These websites should have their own cookies and 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.

Personal data relating to any transactions entered into via our website will be encrypted to ensure its safety. The transmission of data via the internet is not completely secure and therefore, we cannot guarantee the security of data sent to us electronically and the transmission of such data is entirely at your own risk. Where applicable, we have given you/or where you have chosen a password so that you can access certain areas of our site, you are responsible for keeping this password confidential.

TRANSFER OF DATA TO THIRD COUNTRIES

Some of the information you provide to us may be transferred outside the European Economic Area to countries such as the US. This is a transfer to a “third country”. We will endeavour to tell you if your personal data is being held or shared with a third country and we will ensure the appropriate contractual provisions are in place to ensure that there are strict rules regarding both the confidentiality and security of your information.

BOSP may also work with suppliers and partners who make use of cloud and/or hosted technologies. We will endeavour to undertake data security due diligence on our partners and ensure that these partners conform to appropriate accreditations.

CHANGES TO THIS NOTICE

We may update this privacy notice from time to time. When we change this notice in a material way, we will update the version date at the bottom of this page. For significant changes to this notice we will try to give you reasonable notice unless we are prevented from doing so. Where required by law we will seek your consent to changes in the way we use your personal data.

CONTACTING US

In the event of any query or complaint in connection with the information we hold about you, please email privacy@bosp.co.uk or write to us:

The Data Protection Lead
BOSP
The BOSP Office
Wat Tyler Country Park
Pitsea Hall Lane
Pitsea
Basildon
Essex
SS16 4UH