

Full Privacy Notice

POW Nottingham

This Privacy Notice explains when and why we collect personal information about you, how we use it and the conditions under which we may disclose it to others. Your personal data is defined as any information that can directly or indirectly identify you. This notice also explains how we keep your data safe and secure and includes information you need to know about your rights and how to exercise them.

If you have any questions regarding our Privacy Notice and our use of your personal data or would like to exercise any of your rights, please get in touch via the following information:

Email us: admin@pow-advice.co.uk

Telephone us: 0115 924 9992

Write to us: 16 Independent Street, Radford, Nottingham NG7 3LN

If you are unhappy with the way we process your data, please get in touch by using one of the contacts above. You can also make a complaint to the Information Commissioner's Office (ICO) which regulates the use of information in the UK. They can be contacted by:

Telephone 0303 123 1113

Write to the ICO: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Or by going online to www.ico.org.uk/concerns

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1. Who are we?

We are POW Nottingham and for the purposes of UK Data Protection Law we are registered with the ICO under registration number ZB167500. Our purpose is non-profit, voluntary organisation supporting the rights of sex workers and those at risk of being exploited. POW recognises and supports the rights of individual sex workers to self-determination. This includes the right to remain in or leave sex work. POW aims to empower our diverse community, focusing on ending violence and stigma through education, advocacy and multi-agency working.

In this Notice, 'POW Nottingham' 'we', 'us', 'our' means:

POW Nottingham (charity registration number 1129979) with a registered address at 16 Independent Street, Nottingham, NG7 3LN.

2. Personal data collected, how and why we collect it, and on what lawful basis

Appendix 1 – Human Resources (employees, trustees, job applicants and volunteers)

Appendix 2 – Service Users

Appendix 3 – Website visitors and cookies

3. Fundraising and Marketing Communications

Your contact details may be used to provide you with information about our services or our fundraising opportunities via:

- **Post**

We may use your Consent to send you fundraising or marketing communications by post. If you prefer not to hear from us this way, please get in touch by using any of the contact details listed at the top of this notice.

- **Phone**

If you have provided us with your telephone number or email address, we may contact you by phone with fundraising and marketing communication under our legitimate interest (unless you are enrolled to TPS or you told us not to do so).

- **Email, text or other electronic message**

We will only send you fundraising and marketing communications by email, text or other electronic message if you have provided your consent or if you have been involved in a commercial transaction with us. You may opt-out of our fundraising and marketing communications at any time by clicking the unsubscribe link at the end of our e-marketing communication. Alternatively, you can let us know by using any of the contact details listed at the top of this notice.

4. Your Rights

Under data protection laws in the UK and EU, you have certain rights over the personal information that we hold about you. If you would like to exercise your rights, please get in contact with any of the details listed above. Here is a summary of the rights we think apply:

a) **Right to be Informed**

You have the right to be informed as to how we use your data and under what lawful basis we carry out any processing. This Privacy Notice sets this information out however if you would like further information, please get in touch.

b) **Right of Erasure – also known as the right to be forgotten**

You may ask us to delete some or all of your information we hold about you. Sometimes where we have a legal obligation we cannot erase your personal data.

c) **Right to Object**

You have the right to object to processing where we are using your personal information such as where it is based on legitimate interests or for direct marketing.

d) **Inaccurate personal information corrected**

Inaccurate or incomplete information we hold about you can be corrected. The accuracy of your information is important to us and we are working on ways to make this easier for you to review and correct the information that we hold about you. We will also carry out an annual accuracy check. If any of your information is out of date or if you are unsure of this, please get in touch through any of the contact details listed in this notice.

e) **Right of restriction**

You have a right to restrict the processing of some or all of your personal information if there is a disagreement about its accuracy, or we are not lawfully allowed to use it.

f) **Right to Access your information**

You have a right to request access to a copy of your personal information that we hold about you, along with the information on what personal information we use, why we use it, who we share it with, how long we keep it for and whenever it has been used for automated decision making. You can make a request for access free of charge and proof of identity is required.

g) **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 to question the outcome of automated decisions that may create legal effects or create a similar significant impact on you.

h) **Portability**

You can ask us to provide you or a third party with some of the personal information that we hold about you.

i) Right to withdraw consent

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data

5. Transferring your information outside of the United Kingdom

Where personal data is stored outside of the UK and the EEA, safeguards to protect personal data may include but are not limited to the UK Addendum used in conjunction with the EU Standard Contractual Clauses (SCCs), or UK International Data Transfer Agreement (IDTAs). Such safeguards will be subject to Transfer Risk Assessments (TRAs).

6. Changes to our Privacy Notice

This privacy notice is kept under regular review. If we make any significant changes to the way in which we process your information, we'll make the required changes to this Privacy Notice and will notify you so that you can raise any concerns or objections with us.

When making less impactful changes, we'll update this notice and post a summary of the changes on our website.

This privacy notice was last updated in February 2024

1. APPENDIX 1 – Human Resources

Job applicants and current and former employees, trustees and volunteers

How and when do we collect information about you?

You provide several pieces of data to us directly during the recruitment period and subsequently upon the start of your employment/engagement.

In some cases, we will collect data about you from third parties, such as employment agencies or former employers when gathering references.

What types of information is collected about you and who provides it?

We keep several categories of personal data on our employees, job applicants, trustees and volunteers in order to carry out effective and efficient processes. We keep this data in a personnel file relating to each individual and we also hold the data within our computer systems, for example, our holiday booking system.

Specifically, depending on your type of engagement with POW Nottingham, we may process the following types of data:

- a) personal details such as name, address, phone numbers
- b) name and contact details of your next of kin
- c) your photograph, your gender, marital status
- d) footage of the organisation events where you may appear
- e) information of any disability or other medical information you have disclosed
- f) right to work documentation
- g) information gathered via the recruitment process such as that included in a CV, cover letter or application form, references from former employers, details on your education and employment history etc
- h) National Insurance number, bank account details and tax codes
- i) information relating to your employment with us (e.g job title, job description, salary, terms and condition of the contract, annual leave records, appraisal and performance indication, formal

and informal proceedings involving you such as letters of concern and disciplinary, disciplinary and grievance proceedings.

- j) internal and external training modules undertaken
- k) information on time off from work including sickness absence, family related leave etc
- l) IT equipment use including telephones and internet access

We may also process special category of data which include health information, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, genetic and biometric data. We may also process criminal records information if the role involves DBS check.

Please note that we might ask to include you in any images including Photography, video recording or other media to help in the promotion of POW.

How is the information used?

We are required to use your personal data for various legal and practical purposes for the administration of your contract of employment or your volunteer/trustee agreement, without which we would be unable to employ you. Holding your personal data enables us to meet various administrative tasks, legal obligation or contractual/agreement obligation. We process information in relation to the DBS for our safe recruitment practices.

Lawful basis for processing

We mainly use 'contractual obligation' as a lawful basis for processing personal data for employees, job applicants and free lancers. We mainly use 'legitimate interest' for trustees and volunteers. We may also have legal obligation in order to process and share your data, for example we need to share salary information to HRMC or use some of your data to enrol a new employee on a pension scheme.

We may rely on our legitimate interest for processing activity such as keeping supervision and appraisal records; using your image, bio and videos/pictures of the organisations' events where you may appear on our website or marketing/fundraising materials to promote the charity.

Some special categories of personal data, such as information about health or medical conditions is processed in order to carry out employment law obligations (such as those in relation to colleagues with disabilities and for health and safety purposes). We may also process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief for the purposes of equal opportunities monitoring. When processing criminal records (for example, in order to perform DBS check), the organisation relies on the lawful basis of legitimate interest. When processing special category of data and criminal records, we rely on additional conditions of the UK GDPR and DPA 2018.

How long do we keep your data?

We only keep your data for as long as we need it for, which will be at least for the duration of your employment/engagement with us though in some cases we will keep your data for a period of 6 years after your employment/engagement has ended. If you've applied for a vacancy but your application hasn't been successful, we will keep your data only for 12 months.

Some data retention periods are set by the law. Retention periods can vary depending on why we need your data. Please get in touch by contacting us using the details above if you want to know more about retention period.

Data is destroyed or deleted in a secure manner as soon as the retention date has passed.

Confidentiality - who do we share your data with?

Data in relation to your salary is shared with HRMC as part of our legal obligation. Data may be shared with third parties for the following reasons: for the administration of payroll, pension, HR functions (for example the online holiday booking system), administering other employee benefits (such as the Childcare Voucher Scheme). When sharing information with third parties, we have data sharing, processor agreements or contracts in place to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

2. APPENDIX 2 – Service Users

How we collect information about you?

Information provided by yourself or by the referrer during the referral and enrolment processes may be: Client name, Password, DoB, Gender, Type of sex work, Nationality, Ethnicity, Languages, Wellbeing status, Sex work status, Health issues, Drug/alcohol use, Housing status, Criminal justice care/social services, Children/family, other info, support given, items given, ugly mug, Clinics attended, services accessed, signposted/referrals, support needed, consent to share

If you are a minor, the referrer or yourself may provide us with the following information: referrer details, full name, preferred name, Do, ethnicity, age, gender, religion, disability, main address, school, postcode, nationality, learning disability, parent/guardians details.

Information collected during your engagement: attendance records, services accessed, signposting and referral records.

The information collected may include special category of data which include health information, sexual orientation, race, ethnic origin, political opinion, religion, trade union membership, genetic and biometric data. They may also contain criminal records information.

How is your information used?

We may use your personal information to

- Carry out a thorough assessment of your needs;
- Provide an appropriate service which best meets your needs;
- Monitor and manage risk;
- Protect yourself and the general public;
- Safeguarding;
- Conduct evaluation;
- Collate anonymised or pseudonymised statistical information for funders, the charity and delivery partners

Lawful basis for processing

We rely on legitimate interest as our lawful basis for processing your personal data.

When we process special category of data and criminal records, the lawful basis is supported by additional conditions of the law.

How long do we keep your data for?

We retain the personal data of all service users for a period of 10 years post-service. After this time, personal data will be reviewed and securely destroyed.

Information relating to individuals who are referred to us who do not, for whatever reason, progress into one of our services will have their personal data retained for a period of 12 months.

Confidentiality and data sharing

To comply with our duty of care and safeguarding, we may need to pass some information raising safeguarding concern with the authorities. In such circumstances, we apply vital interest and legitimate interest as our lawful basis. Data subjects' rights and other UK GDPR provisions may be restricted when concerning personal data processed in these circumstances. Exceptions and exemptions are applied on a case by case basis.

Personal data are not shared with funders. Information to funders are shared only anonymously.

3. APPENDIX 3 – Website visitors and cookies

Website Cookies

For more information about our website cookies, please refer to our Cookies Policy online.

Social Media

When you interact with us on social media platforms such as Facebook, Instagram, X and YouTube we may obtain information about you (for example, when you publicly tag us in an event photo). The information we receive will depend on the privacy preferences you have set on those types of platforms. Please review the privacy notice of those platforms, in addition to this one.

Links to other websites

Our website may contain links to other websites of interest. Once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy policy. You should exercise caution and look at the privacy policy applicable to the website in question.