

## **Our Customer Charter and Privacy Notice**

DASL is committed to providing you with high quality information, advice and advocacy services. This charter explains your rights when using DASL services and what you can expect from us and what we expect from people using our services.

### **Accessing our services**

DASL is a Disabled People's Organisation which works with Disabled people, people with mental health issues, older people and carers, mainly in the London Borough of Lambeth.

We provide a range of services and are committed to providing clear information about the services we provide and who they are for.

If you are not eligible for a particular DASL service or we are unable to assist you with your issue, we will explain why and do our very best to support you to access a more appropriate service. We work hard to identify gaps in local services and raise these with appropriate commissioners and providers where we can so that these can be addressed.

### **Referrals to DASL**

A majority of DASL's services are provided following a referral being made to us.

We have an open referral process which means anyone can make the referral to us. If someone has referred you to DASL they must be clear they have your consent to do so and share information with us.

Where a person cannot consent to a referral being made to our services or to how information is shared with us, then this can happen if it is felt to be in the person's Best Interests under the Mental Capacity Act 2005. There are times when there is a legal obligation for someone to be referred to one of our services.

### **What you can expect from DASL**

- If we are unable to provide you with a service, we will provide you with clear information as to the reasons why. This could include times where there is a conflict of interest where two people are in dispute with each other and we cannot provide a service to both people.
- We will do our very best to support you to access another service if we cannot help you.
- We will treat you fairly and with respect. We will not judge you, tell you what to do or treat people differently to each other.

- We will maintain the standards of service for which we are awarded (*currently the Advice Quality Standard- AQS and the Advocacy Quality Award AQPM*).
- We will provide you with a confidential service and agree with you how and when we can share your information.
- We will not break our confidentiality arrangements with you unless we have a legal obligation to do so.
- We will comply with the General Data Protection Requirements (GDPR) 2018 in relation to how we process your data and provide you with information on your rights. See pages 3,4 and 5 of the Charter for more details.
- We will do our best to ensure that the information and advice we provide you is accurate and up to date.
- We will keep you updated on the progress of your issue or support from DASL in the way that has been agreed with you.
- We will do everything we can to provide you with support when we have agreed and let you know if there are any delays to how promptly we can help you.
- We will do our best to be accessible to all. We aim to do this by using clear language and communicating with you in the way you need this to be done. This could include using a spoken or signed language interpreter and picture-based easy read information.
- We don't charge you for using our services.
- We have a clear process for getting your feedback on our service as we want to know your views.
- If you are unhappy about our service we have a clear comments and complaints process. We will learn from comments and complaints made to DASL to improve the service that we provide.

### **What we expect from you**

- To treat DASL staff and volunteers with respect at all times.
- To treat Lambeth Accord staff who provide reception services at "We are 336" with respect at all times.
- To let us know if you are unable to attend an appointment so that this can be offered to someone else.
- To provide us with accurate and truthful information about your situation that we require in order to provide you with a service.
- To let us know when you receive letters or other information relevant to your case, including changes to circumstances and welfare benefit decisions.

## **Your information at DASL and the law**

The General Data Protection Regulations 2018 (GDPR) replaces the previous UK legislation, the Data Protection Act 1998. The GDPR is designed to ensure that EU Citizen's data privacy is protected and organisations regularise their approach to data privacy.

### **What information will DASL hold about me?**

We understand the importance of your right to privacy and confidentiality. DASL only holds (also known as 'processes') data that we genuinely need to provide you with support from our specific service or we require as part of our contract with our funders. More information can be found in our Data Protection policy.

### **Why does DASL process my information?**

DASL processes information in order to provide you with a service. DASL will always have a lawful basis for processing your information and this lawful basis differs depending on what information is being processed. More information about this can be found in our Data Protection policy.

### **What will DASL do with my information?**

DASL will be clear with you about what how we will process your personal information. We will ask you to sign an authorisation form detailing your specific consent to process your information and keep copies of documentation. You can withdraw your consent at any time. Your consent will be kept under review and we will respond to changes you might wish to make and document how you have given your consent.

Where information may be processed for those under age 16, a parent or guardian will be asked for consent. DASL will provide you with information about your or your child's case and the support you are receiving in a way that has been agreed with you.

With your consent, DASL may share your personal information in strict confidence with auditors where we need to demonstrate our work in order to maintain our quality standards. This currently applies to data belonging to clients using our Professional Advocacy or Specialist Advice services.

### **People who are unable to consent**

DASL must be satisfied that an individual fully understands the specific consent that is being provided to us. Capacity to make this decision is assumed in law. Where we have assessed that a person is unable to consent to how their information is processed, personal data may be processed if the lawful basis for doing so is that it is in their legitimate interests. DASL will make a best interest decision regarding the processing of this data paying due regard to the principles laid out in Chapter 16 of the Mental Capacity Act 2005. We will document and be able to demonstrate how we have come to this decision.

## Third Party Controllers

We will clearly explain to you the services we provide as part of a formal partnership with other organisations and where these other organisations will have access to your data. These are known as 'third party controllers' under the GDPR.

DASL's services which are currently provided in conjunction with other organisations are:

- **Independent Living and Carers Partnership** (currently relating to DASL's Advocacy and Community Development services only). The Third Party Controllers are Age UK Lambeth.
- **Into Sport** – Third Party Controllers are Activity Alliance (formerly the English Federation of Disability Sport) and Lambeth Council for the Get Out Get Active service.

## How is my information stored?

DASL has robust data recording systems in place. All paper records are kept securely at DASL offices in locked cabinets. Records stored electronically, including databases, are password protected and passwords are regularly changed to ensure maximum security.

The current databases that DASL use are: AIMS, Charity Log and Upshot.

AIMS is provided by LASA and managed by DASL's IT support company, Oaklands, both of whom may be given temporary access to personal data in order to carry out technical support.

Age UK Lambeth are the data controllers for Charity Log, used by Advocacy and Community Development services. Dizons – the company that owns the data processing system- may be given temporary access to personal data in order to carry out technical support to DASL or Age UK Lambeth.

Activity Alliance are the data controllers for Upshot, the Get Out Get Active database.

## How long is my data kept for?

Many people access support from DASL on multiple occasions either in relation to the same or different issue. Due to this, DASL retains people's records according to a clear data retention schedule. If you want to know how long we keep your data please ask us.

## Data breaches

If there is a risk to an individual's rights or freedoms due to a data breach, DASL is obliged to notify the Information Commissioner's Office (ICO) within 72 hours. If DASL decides that it does not need to notify the ICO we will be able to explain this and we will document our decision. Where this breach is likely to result in a high risk of affecting an individual's rights or freedoms, DASL will also inform the individual concerned.

## What are my rights under the GDPR?

Under the GDPR you have a number of rights in relation to your information with which DASL complies. These are:

- A right to be informed** DASL will tell you what information of yours we keep and why.
- A right of access** You have a right to access your personal data held by DASL in most situations. A copy of this information will usually be provided free of charge and within a month of your request for this.
- Right to rectification** You have a right to have inaccurate or incomplete personal data rectified. DASL will tell you if we decline a request for data being rectified and why.
- Right to erasure** You have a right to be 'forgotten' in certain circumstances. DASL will tell you if we refuse a request for data being erased and why. DASL will respond to requests for data to be erased within one month.
- Right to restrict processing** If you have concerns about how DASL uses your data, you can request that we only hold your data, but do not use it. This is an alternative to requesting your data be erased.
- Right to data portability** You have a right for your personal data to be given to a different service for your own purpose. DASL will respond to requests for data portability within one month.
- Right to object** You have a right to object to direct marketing. If you do, DASL will not use your information for marketing purposes. We may send you information about DASL membership, DASL and external events that we think you might be interested in. We will only do this if you have agreed that we can and you can change your mind at any time by letting us know.
- Rights related to automated decision making including profiling.** DASL does not undertake any automated decision making or profiling activities.
- Children's Rights** Children have the same rights as adults to their data. Where DASL requires consent to process data belonging to a child, we must get this from the person who has parental responsibility.
- Rights of people whom lack capacity** Where people cannot exercise their rights under the GDPR themselves, their rights will be upheld on their behalf in conjunction with the relevant legislation including the Mental Capacity Act 2005.
- Right to complain** You have a right to complain to the Information Commissioner's Office (ICO) if you are concerned about how DASL has controlled or processed your personal data.

## Data Controllers and Data Protection officers

The details of the Data Controllers and Data Protection officers are as follows:

### Disability Advice Service Lambeth (DASL)

**Name:** David Strong, Director, Disability Advice Service Lambeth.

**Address:** We are 336, 336 Brixton Road, Brixton SW9 7AA.

**Telephone:** 020 7642 0040

### Age UK Lambeth (for the ILCP)

For the specific Independent Living and Carers Partnership (ILCP) where Age UK Lambeth are the third party data controllers (Advocacy and Community Development services), the data controller and data protection officer is:

**Name:** Graham Gardiner, Chief Executive, Age UK Lambeth

**Address:** We are 336, 336 Brixton Road, Brixton SW9 7AA.

**Telephone:** 020 7346 6810

### Activity Alliance

For the Into Sport / Get Out Get Active project where Activity Alliance are the third party data controllers the data controller and data protection officer is:

**Name:** Kat Southwell, GOGA Programme Manager, Activity Alliance

**Address:** Activity Alliance (Head Office) SportPark- Loughborough University, 3 Oakwood Drive, Loughborough, Leicestershire, LE113QF

**Telephone:** 07967573343

### Raising concerns with the Information Commissioners Office (ICO)

If you have concerns about how DASL has processed your data, you have a right to raise this with the Information Commissioners Office (ICO). Concerns can be raised via telephone on 0303 123 1113 or online at <https://ico.org.uk/concerns/handling/>