



## Privacy Notice (General)

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### 1. What is a privacy notice?

Moray Rape Crisis (“**MRC**”) wants to ensure you understand our processing of your personal data. We are also required by data protection regulation to explain certain matters to you. This notice sets out that information.

This privacy notice tells you what to expect when MRC collects personal information. It applies to information we collect about:

- People who use our services, including:
  - People who contact us via social media;
  - People who call our phonenumber; and
  - People who email us;
- People who make a complaint to us; and
- People who support our service.

### 2. Our lawful basis for processing data:

The lawful basis upon which we collect and process personal data is legitimate interests. We need to provide evidence of the work we have done to our funders and our data processing enables us to do this effectively. People who use our services will reasonably expect that we need their name and contact details in order to contact them and to continue the service, that we would retain support and safety plans to monitor the progress of their service, and that we will retain any information which is reasonably necessary for us to provide our services e.g. personal data which is provided in order to assist us in making a benefit application on behalf of an individual. Data processing is necessary to achieve this.

We also recognise individuals’ rights and freedoms and the added responsibility which processing data on the basis of legitimate interests affords us. Therefore we will not refuse our services to a service user who does not wish to provide us with personal information or who does not wish their support sessions to be recorded, or to have a risk assessment completed or use a support or safety plan. If a service user requests at any time that their personal data is deleted from our system we will comply with their request. However, our ability to provide services may be negatively impacted if we don’t have a service user’s personal data (e.g. their contact details).

### **3. People who use our services**

We have to hold the details of the people who have requested the service in order to provide it. However, we only use these details to provide the service the person has requested and for other closely related purposes.

Closely related purposes may include contacting people who have used our service to complete a survey about their experience of our service, or to invite them to events or to meet with our funders or regulators.

### **4. For all people who use our services we will collect and hold:**

- Personal information (such as name and address, telephone number, email address, and date of birth);
- Support information (such as support plan, notes from support sessions, group sessions attended).

### **5. Why we collect and use this information:**

We use this information to:

- Provide appropriate support and care;
- Check the quality of our services;
- Report to funders on the work we carry out;
- Comply with the law regarding data sharing.

We will hold personal data about people using our services for 5 years from their last point of contact with the service, or up to the age of 21, where the person is a young person who exits the service before their 16<sup>th</sup> birthday.

Some of the data that people using our services provide us with might include sensitive personal data, for example, information about their health, race or ethnicity, or religious beliefs. We will not process any sensitive information about you without your explicit consent.

### **6. People who contact us via social media**

We have a Facebook page, a Twitter account and Instagram account. Please be aware that these pages are public and if you contact us via the public elements of these social media, the content of your enquiry will be public. We will delete any individual messages sent to us on social media at the earliest opportunity and respond via direct or private messaging. If you send us a private or direct message via social media the message will be stored for three months. Messages sent by these methods are subject to the privacy notices of the relevant companies running these services.

## **7. People who call our phonenumber**

When you call MRC's phonenumber we will collect personal information about you and will make notes of the content of your call and will record these on our secure case management system. This is to enable us to make future contact with you and provide a service to you.

When English is not a service user's first language, and we do not have a member of staff available to provide support in the service user's first language, we will access Language Line to help provide support. This is a third-party company. The company that provides this service does not retain any information from the calls or record them.

## **8. People who email us**

Email communication from service users and any replies that we make are copied into the service user's own file within our secure case management system and deleted from the email system within three months. We only communicate by email with service users who have given permission for this and who have informed us that their email address is safe.

Any legitimate information sharing by email which contains any personal information about service users between MRC and any third party is done through our secure email system.

Any email sent to MRC, including any attachments, may be monitored and used by us for reasons of security and for monitoring compliance with office policy. Email monitoring or blocking software may also be used. Please be aware that you have a responsibility to ensure that any email you send to us is within the bounds of the law.

## **9. People who contact us via text**

Messages received by text, and any replies we make, will be logged on our case management system the service user's individual file, and be deleted from MRC support mobiles within 3 months of the message being received.

## **10. People who make a complaint to MRC**

When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint. This file is kept securely on the MRC shared file system.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide. We compile and share statistics showing information such as the number of complaints we receive, but not in a form which identifies anyone.

We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for 3 years from closure to enable us to assess any patterns of complaint over a period of time. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

MRC's funders may require us to provide information about complaints we have received. In such cases we will provide information in an anonymised format unless we have sought express permission from the complainant to share their personal information. Similarly, where enquiries are submitted to MRC, we will only use the information supplied to us to deal with the enquiry and any subsequent issues, and to check on the level of service we provide.

### **11. People who support MRC**

Any personal information that is provided by individuals to support MRC will be retained for the following periods:

- **Individuals making one off donations** - personal information will be retained for two years so that the donation can be acknowledged in the relevant annual report.
- **Individuals making regular donations** - personal information will be retained for two years following the last donation so that the donation can be acknowledged in the relevant annual report.
- **Donations through Gift Aid** - information will be retained for 6 years for audit purposes.
- **Individuals offering support in the form of political or lobbying support** - personal information will be retained for two years following the last active contact.
- **Individuals offering support in the form of volunteering** - personal information will be processed as per our privacy statement for volunteers.

### **12. Individuals Connected to People who use our services**

We process the personal data of individuals connected to people using our service in order to provide our service. We collect and retain this information from public sources, for example the Sheriff and Crown Courts, and we process it as part of our contract to provide information and support to witnesses in criminal cases.

We may also process the personal data of individuals connected to people using our service as part of our role on multi agency risk reduction partnerships. We only process this information in order to protect the lives of people using our service.

### **13. Your rights**

You have certain rights in relation to the personal data which we process about you:

- You have the right to be provided with clear, transparent and easily understandable information about how we use your personal data and your rights; this is why we are providing you with this privacy notice.
- You can request to access your personal data.
- You have the right to restrict some processing of your personal information, which means that you can ask us to limit what we do with it;
- Subject to certain limitations (normally where there is a continuing need for us to process the data), you can object to the processing of your personal data, or you can request that it be erased.
- Where we hold data that is inaccurate, you can ask us to complete or rectify this.
- You also have the right to complain – please see below.

### **14. Complaints or queries**

MRC tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of MRC's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent for the attention of the MRC Manager at the addresses set out in Section 20 below.

If you want to make a complaint about the way we have processed your personal information, you can contact the MRC Manager at the addresses set out in Section 20 below.

If you are unhappy with our response, you can complain to the ICO in their capacity as the statutory body which oversees data protection law- [www.ICO.org.uk/concerns](http://www.ICO.org.uk/concerns).

### **15. Access to personal information**

MRC tries to be as open as it can be in terms of giving people access to their personal

information. Individuals can find out if we hold any personal information by making a 'subject access request' under the GDPR. If we do hold information about you we will:

- Give you a description of it;
- Tell you why we are holding it;
- Tell you who it could be disclosed to; and
- Let you have a copy of the information in an intelligible form.

To make a request to MRC for any personal information we may hold you please put the request in writing marked for the attention of the MRC Manager, and sent to the email or postal address provided in Section 20 below. Personal information can be requested verbally, but we may need to verify your identity before releasing your information. If you request your information verbally we may ask you to confirm your identity and a member of staff will record the process of confirmation.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

If we do hold information about you, you can ask us to correct any mistakes either verbally or by sending an email or letter to the Manager at the addresses set out in Section 20 below.

## **16. Disclosure of personal information**

Sometimes it is helpful for us to share the information you give us or to obtain information about you from other services. However, we will not pass on any or collect information without your consent, other than in the following circumstance:

- Where we have a statutory duty to do so in order to protect you, prevent harm to someone else, for example a child or adult at risk, or prevent or detect a crime. We will always try and tell you when information is being shared unless it is not safe for you or someone else or we can't contact you. Further information is available in our Child and Adult Protection Policies about the factors we consider when deciding whether information should be disclosed;
- On the rare occasion we receive a legal order to share your information.

## **17. Right to be forgotten**

You have the right to have the personal data that we retain about you erased under the following circumstances:

- The personal data is no longer necessary for the purpose which we originally collected or processed it for;
- If you object to the processing of your data, and we don't have an overriding legitimate interest to continue this processing;

- If we have processed your personal data unlawfully;
- If we are legally obliged by you to do so.

### **18. Links to other websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

### **19. Changes to this privacy notice**

We keep our privacy notice under regular review. This privacy notice was last updated on 22 November 2021.

### **20. How to contact us**

If you have any questions or concerns about any information in this privacy notice, you should contact our representative on data privacy issues, namely:

Caroline Burrell

Manager

[contact@morayrapecrisis.scot](mailto:contact@morayrapecrisis.scot)

Moray Rape Crisis, 28 Institution Road, Elgin, IV30 1QT.