

# **PRISONERS PENFRIENDS' PRIVACY NOTICE**

## **Introduction**

Welcome to the Prisoners Penfriends' privacy notice.

Prisoners Penfriends respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

## **1. Important information and who we are**

### **Purpose of this privacy notice**

This privacy notice aims to give you information on how Prisoners Penfriends collects and processes your personal data, including any data you may provide to us via post, email or over the phone.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### **Controller**

Prisoners Penfriends is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

### **Contact details**

Our full details are: Penfriends, PO box 33460, London, SW18 5YB

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 ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Your duty to inform us of changes**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 2. **The data we collect about you**

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).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, or similar identifier, and date of birth.
- **Contact Data** includes address, email address and telephone numbers.

We do also collect **Special Categories of Personal Data** about you this includes any information about criminal convictions and offences.

### **If you fail to provide certain personal data**

Where we need to collect personal data and you fail to provide that data when requested, we may not be able to provide you with our services. We will notify you if this is the case at the time.

## 3. **How is your personal data collected?**

We use different methods to collect data from and about you including through:

**Direct interactions.** You may give us your personal information by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- apply for our services;
- subscribe to our service;
- give us some feedback;
- correspondence;
- fill out our forms and sheets, such as the application form, interests sheet, screening form and undertakings form.

## 4. **How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

Where we need to perform the service we are about to provide to you.

Where it is necessary for our legitimate interests, and your interests and fundamental rights do not override those interests.

Where we have explicit consent to process special categories of data.

Where we believe your own life or limb, or someone else's life or limbs are at risk.

You have the right to withdraw consent at any time by contacting us.

### **Purposes for which we will use your personal data**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose / Activity</b>	<b>Type of Data</b>	<b>Lawful Basis for Processing Including Basis of Legitimate Interest</b>
To register you as a new participant	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Signature</li> </ul>	Performance of the service we provide
To register you as a new participant	<ul style="list-style-type: none"> <li>▪ Data relating to criminal convictions and offences</li> </ul>	Consent
To find you a penfriend	<ul style="list-style-type: none"> <li>▪ Interests</li> </ul>	To match you with a suitable penfriend
To find a suitable penfriend by requesting references	<ul style="list-style-type: none"> <li>▪ Factors specific to social and psychological identity</li> </ul>	To ensure the suitability of outside penfriends
To provide a helpful long-term experience	<ul style="list-style-type: none"> <li>▪ Factors specific to social identity</li> </ul>	To continue the seamless provision of service

Purpose / Activity	Type of Data	Lawful Basis for Processing Including Basis of Legitimate Interest
To inform prison services of dangers to life / limb	<ul style="list-style-type: none"> <li>▪ Factors specific to psychological identity</li> </ul>	Vital interest
To manage our relationship with you which will include: <ul style="list-style-type: none"> <li>▪ Notifying you about changes to our terms or privacy policy</li> </ul>	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of a service to you</li> <li>▪ Necessary to comply with a legal obligation</li> <li>▪ Necessary for our legitimate interests (to keep our records updated)</li> </ul>

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

### **5. International transfers**

We do not transfer your personal data outside the UK.

### **6. Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those who need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **7. Data retention**

### **How long will you use my personal data for?**

We will only retain your personal data 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.

To determine the appropriate retention period for personal data, we consider 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 we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see below for further information. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) in which case we may use this information indefinitely without further notice to you.

## **8. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us.

### **No fee required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights).

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This

is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **YOUR LEGAL RIGHTS**

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a service to you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide our services to you. We will advise you if this is the case at the time you withdraw your consent.