



## Privacy Notice For Our London IPS Projects

This privacy notice is for people who use the Individual Placement and Support (IPS) Projects which Humankind Charity provides in the following areas of London:

- Lambeth (The Harbour and Lorraine Hewitt House) where we work with our partner SLaM (South London and Maudsley NHS Foundation Trust).
- Southwark where we work with our partner CGL (Change Grow Live).
- Lewisham where we work with other Humankind projects (Insight Lewisham and the Primary Care Recovery Service) and our partner CGL.

The IPS Project is managed by the Office for Health Improvement and Disparities (OHID) and is funded by the Department for Work and Pensions and backed by the Department of Health and Social Care.

Humankind adheres to the Data Protection Act 2018 in relation to how we collect and process information that identifies you as an individual. This type of information is called personal data.

### Managing Your Information

Humankind is the **Data Controller** for these IPS projects which means that we decide how data is processed and the purpose for the processing. We are accountable for ensuring that your rights are respected, and that the data is processed lawfully.

Should a breach occur, it is our responsibility to report it to the Information Commissioner's Office (ICO) if there is a high risk to your rights or freedoms as per the UK General Data Protection Regulation (UK GDPR).

### What We Use and Why

We use personal data like your name, address, date of birth (DOB) contact details, national insurance number and employment information so that we can provide you with a service.

We also use more sensitive data about your health; and demographic data such as your gender, sex life (specifically relationships), sexual orientation, race and ethnicity and religious beliefs. This is called **Special Category Data** which requires extra protection.

If you are an offender or ex-offender, we may process some criminal offence data about you so that we can provide you with our service and so that we can manage risks to you, to our team and to the public.

### How We Collect Your Data

We receive your data from you, from the DWP/Job Centre Plus and from the treatment service. Depending on the area you live in, you may already be using a Humankind service, or you may be



receiving support from one of our partners. You must be a receiving support from a drug and alcohol treatment service in order to access an IPS project.

## Lawful Reasons for Processing

The lawful reasons (known as lawful bases) for processing are set out in the UK General Data Protection Regulation (UK GDPR). At least one of these must apply whenever we process personal data.

We use the lawful basis of **Legitimate Interests** to process your data, to provide you with the IPS Project. You have the right to request erasure of your data and to object to its processing. You can make a Subject Access Request (SAR) if you wish to have a copy of the data held about you. Please be aware that in some cases there may be exemptions to your rights. If we erase your data, we will not be able to offer you a service.

We process your health data using the **Article 9 condition (h) Health or Social care**. We only process what is necessary for the purpose; and processing is overseen by a health professional bound by the common law duty of confidentiality. This is further supported by **Schedule 1 Condition 2: Health and Social Care Purposes**.

We also process some of your health data and data about your race and ethnicity as a substantial public interest condition which is detailed in UKGDPR Article 9(2)(g). Specifically, we also refer to the Data Protection Act's Schedule 1; Part 2; 8 Equality of opportunity or treatment. In simple terms, we use this information so that we can monitor equality, because we promote equal opportunities. IPS seeks to identify any barriers to employment so that we can help you to overcome these wherever possible.

If you tell us that you are a member of a trade union, we may keep a record of this with your explicit consent. We do not ask you specifically to provide this information. You can tell us that you have changed your mind about us recording this information (also called withdrawing consent).

Where we are processing criminal offence data, we rely on:

- the Schedule 1, Condition 2; **Health and Social Care Purposes** to work with the prison and probation to provide you with healthcare.
- the Schedule 1, Condition 10; **Preventing or Detecting Unlawful Acts**, if there is a high risk of reoffending and we need to manage risks in relation to the public.
- the Schedule 1, Condition 18; **Safeguarding Children and Individuals of Risk**, to manage risks where you may present a risk to the public and service users we work with.

## Sharing Your Information with Others (also known as 'Third Parties')

SLaM (South London and Maudsley NHS Foundation Trust) have sub-contracted Humankind to provide IPS services in Southwark, Lewisham and Lambeth. IPS projects always work alongside contracted treatment providers. In some areas, the IPS project and the treatment service may both be provided by Humankind and in other areas, only the IPS project is provided by Humankind. This means that when you use our IPS service, you are aware that we will share your data to the treatment service (and vice versa, they will share your data with us).

Specifically:



- IPS in Lambeth (The Harbour and Lorraine Hewitt House) receives your data from/shares your data to:
  - SLaM (South London and Maudsley NHS Foundation Trust) who provide the Lambeth Consortium Integrated Drug and Alcohol Service
- IPS in Southwark receives your data from/shares your data to:
  - CGL (Change Grow Live) who provide the Southwark Drug and Alcohol Service
- IPS in Lewisham receives your data from/shares your data to:
  - Humankind who provide Insight Lewisham and PCRS (Primary Care Recovery Service)
  - CGL who provide Lewisham Drug and Alcohol Service

Sharing between these projects and organisations is what enables us to give you a good quality, holistic service offer. We use one management information system between the IPS project and the treatment project, so your details are up to date, no matter which project you use. Treatment specialists and employment specialists work together with you, to help you overcome barriers. This is a whole project offer, so sharing between the projects and organisations is called a “legitimate interest”. This is language from the Data Protection Act 2018, which means that we need to share your information between the IPS and treatment service so that we can deliver the project’s contractual objectives and so that we can help you achieve your goals.

### Other times when we share

There are times when legally we share your information with third parties as either a **Public Task** or as a **Legal Obligation** and we do **not** require your consent to be allowed to do this. Sometimes we do **not** need to make you aware that we are sharing. We will only share the information that is needed; and we only share the minimum information for the purpose.

Examples of this are:

- to report a crime to the police (this includes driving under the influence)
- to report abuse or neglect to social services
- to let mental health crisis services know if you are at serious risk
- if you are on a criminal justice order we will inform your Offender Manager or Probation Officer of your engagement.
- to share information in multiagency settings should you be subject to Multi Agency Risk Assessment Conferences (MARAC: to prevent domestic abuse) and/or Multi Agency Tasking And Coordination Meetings (MATAC: to prevent domestic abuse), or Multi Agency Public Protection Arrangements (MAPPA: to prevent reoffending).
- to share information (if requested to by law) with the court of law.
- any other request where we are obliged to share data as per a legal obligation which is laid down in UK law.

If you were in a life-or-death situation, we use the lawful basis **Vital Interests** to provide your personal data to the emergency services so that they may save your life.

In addition to the treatment projects, we also rely on the lawful basis of **Legitimate Interests** to share your personal data with:

- Authorities who work to protect and safeguard people such as the police and the local authority, if we identify risks and vulnerabilities that require us to share data in your best interests or in the best interests of others (particularly children, families and adults at risk).
- the prison, probation services, courts and police, if you have recently been released or are going into custody.
- we may share information to your GP where we make the decision that your life or someone else's is at risk, and we believe strongly that the GP is in a key position to help you/others. If we make this decision we will make all reasonable attempts to inform you.
- research organisations and funders who carry out evaluation and statistical work. Your data is only shared for research and planning purposes with Caldicott Guardian Approval following our National Data Opt Out Policy. Please see the section below 'You Can Opt Out of Your Personal Data Being Used For Research and Planning' which explains this in more detail

All other third-party personal data sharing is decided by you with your explicit consent. You provide us with this information on the **Sharing Consent Form**. You should update us at any point if you wish us to change these consents.

We will ask you if you wish us to share your data with NDTMS. NDTMS is the National Drug Treatment Monitoring System (NDTMS). It is used by Office for Health Improvement and Disparities (OHID) to collect information about drug and alcohol treatment in England. If you consent, your treatment service will share some of your treatment information with NDTMS. We will provide you with the IPS Privacy Notice Consent Form which is an OHID form that allows us to obtain your consent.

Approximately twice a year we will be asked to share raw personal data with the Office for Health Improvement and Disparities (OHID) so that OHID may analyse this data alongside other data from DWP and National Drug Treatment Monitoring System (NDTMS). You will be asked for your consent to share this via an OHID consent form.

With your consent, we also share your data with OHID via IPS GROW which is a tool managed by an organisation called Social Finance. We do this so that we can evidence that we are fulfilling our contractual obligations and service outcomes. Your data is pseudonymised which means that it is coded in a way that protects your identity. We share personal data including your name, location, age, national insurance number, gender and ethnicity. We share details about your employment/progress and whether you are on work related benefits.

We work in partnership with the DWP/Job Centre Plus and you can consent to your information being shared to DWP/Job Centre Plus.

## Management Information Systems (MIS)

Each IPS project shares data to the system owned by the provider who offers the treatment project. Data transferred to the treatment provider is controlled by the treatment provider and we encourage you to ask the provider for their privacy information as well.



Each IPS project will also collect, store and use data for its own purposes and this data will belong to Humankind. Where data is shared to a treatment project provided by Humankind, Humankind will store the data on a system which is called SystmOne. Humankind have a contract in place with TPP who host the system. The data on the system which is under the Humankind license is owned by Humankind.

We also use Humankind's Microsoft Teams and Office applications to store your data. Humankind complies with Cyber Essentials Plus to assure that we apply appropriate technical and organisational measures to protect your data.

We also have an incident reporting system called The Hub. This is where we record incidents such as safeguarding, death in service, health and safety and information governance incidents. We would only add your personal data to this system if you were involved in an incident. Each incident has access restrictions. Only those who are interested parties can see it and some staff who maintain the system.

We store some of your personal data on our secure networks which are restricted to our service team and may be accessed under policy by our IT Team should there be a technical issue. All Humankind workforce abide by data management policies, processes and training.

We cannot offer you a service without storing your details on these systems.

Please note that if you have consented that your data may be shared to the Department of Health of Social Care/NDTMS we add your data to IPS Grow tool (hosted by Social Finance whom we have an agreement in place with).

## Confidentiality

Information about you may be shared between IPS team members and treatment service staff. This information will be recorded on your file and in other records to enable us to give you the best service that we can and get the best possible support for you.

Only what is necessary and proportionate is shared and we are bound by the common law duty of confidentiality. In some circumstances we may share your data in order to keep you or other people safe which is a legal obligation this is explained in the section above titled **Sharing Your Information with Third Parties**.

## Transferring Your Data Outside of the UK

We do not transfer your data outside of the UK unless with your explicit consent to do so (right to portability).

## Keeping Your Information Safe

We keep your information safe by using secure ways to store it. We only keep what we need and no more than that. Everyone who handles data is trained on how to use it safely and only people who need to use it are able to.

We have a number of people who oversee that data is used safely (see 'Relevant Contacts').



Should an incident occur where we breach your data, causing a high risk to your rights or freedoms, we will inform you of this without delay and using the primary contact details you have provided. We will also report this to the ICO (who supervise organisations that handle data) via our Data Protection Officer.

## Keeping Your Information

We keep your personal data for the period stated in our records retention policy. The policy currently states that we will keep your information for 10 years from the date that you stop using the service; and for no longer than this.

Where data is shared to a treatment provider, you should also consult their privacy notice which will inform you of how long the provider keeps the data which we have shared to them.

Should there be a change to the retention period, we will update our privacy notice and notify you of this change.

## Destroying Your Information

Where your data is controlled by us, your data will be securely destroyed at the end of our retention period. It will be destroyed by us if it is electronic. Where we hold paper records, we will use a contractor who will destroy this data on our premises. If destruction is required after data has been archived with Iron Mountain, this will be destroyed securely on their premises.

## Keeping in Touch With You

As part of your support we will contact you at various stages to discuss your progress, deliver interventions and provide reminders around upcoming appointments.

This is usually via the following methods; however this is not an exhaustive list:

- letters
- online platforms such as Zoom or WhatsApp
- phones calls
- home visits (when applicable)
- e-mails\*
- text messages\*

If you do not wish to be contacted via one or all of these methods or have specific communication needs then please tell us using the **Contact Preferences Form**. You can request this from your IPS worker.

\*e-mail & text Messages should be used for non-urgent contact only. IPS workers have e-mail accounts and mobile phones but will not routinely access them throughout the day. We always recommend phoning the service if you require assistance urgently (for example cancelling / rearranging upcoming appointments).



## Your Data Rights

Under the Data Protection Act 2018 and UK GDPR, you have the following rights:

- to be informed about the collection and use of your personal data.
- to access your personal data (known as Subject Access Request).
- to have inaccurate personal data rectified; or completed if it is incomplete.
- to have personal data erased (known as the right to be forgotten).
- to request the restriction or suppression of your personal data.
- to data portability, which allows individuals to obtain and reuse their personal data for their own purposes across different services.
- to object to the processing of your personal data in certain circumstances.

We do not use any automated decision making (decisions made by a computer) or profiling (when an automated system is used to assess certain things about you) when we use your data.

Please note that some of these rights only apply in certain situations and we may not be able to fulfil every request. Where we say no to a request, we will always explain our decision in full, within the timeframe that the law says. Should you request that your data is erased please be aware that we will be unable to continue offering you a service as we require your personal data to do this effectively and safely.

To request access to your data or to contact us about any of the rights we have listed, you can request this through the service or contact our Caldicott Guardian (see below; Relevant Contacts).

## How To Complain

If you are unhappy about an issue relating to your data you can complain to us through the service you attend; or if you would feel more comfortable, you can contact the Humankind Caldicott Guardian (see below; Relevant Contacts).

To make a formal complaint to the independent regulator for personal data in the UK about the way we have used your data, contact the Information Commissioner's Office (ICO):

<https://ico.org.uk/make-a-complaint/> or call ICO on 0303 123 1113

## Relevant Contacts

You can write to us at Humankind, Inspiration House, Unit 22 Bowburn North Industrial Estate DH6 5PF.

Our Data Protection Officer (DPO) is Tori Jones. You can contact our DPO by email [dpo@humankindcharity.org.uk](mailto:dpo@humankindcharity.org.uk) or by phone 01325 731 160.

Our Caldicott Guardian is Leesa Howes. You can contact our Caldicott Guardian by email [caldicott.guardian@humankindcharity.org.uk](mailto:caldicott.guardian@humankindcharity.org.uk) or by phone 01325 731 160.