

## Living Options Devon Privacy Statement

The privacy and security of your personal information is extremely important to us. This privacy policy explains how and why we use your personal data, to make sure you stay informed and can be confident about giving us your information when you use any of our services or get involved with any of our projects at Living Options Devon (LOD).

### Your personal data is in safe hands with Living Options Devon

We use your personal data to help us provide a quality experience for you. This includes tailoring the information we share to ensure you find it relevant, useful and timely.

We respect your privacy and work hard to ensure we meet strict regulatory requirements.

We do not sell your personal data to third parties.

We will always protect your personal data and, as part of this, we regularly review our privacy notice so that you can see how we use your data and what your options are. If there are any further changes to the 'General Data Protection Regulation' (or GDPR) or related laws, we may need to amend this statement in the future.

- This privacy policy explains what data we collect as well as how and why we use your personal data
- The policy applies to you if you're a supporter of Living Options Devon (whether that's as a member, donor, volunteer, user or employee) or use any of our services, visit our website, use our social media channels, email, call or write to us. In certain circumstances we may also provide an extra privacy notice, which will always refer to this page
- Will never sell your personal data. We may at times be required to share it with organisations we are working in partnership with but, before we do, we will ensure that they meet our high privacy standards.

## Who are 'we'?

In this policy, whenever you see the words 'we', 'us', 'our' LOD or Living Options it refers to Living Options Devon and the projects it runs. Our current projects can be found [here](#).

If you have any questions relating to this privacy policy or how we use your personal data, please send them to [gdpr@livingoptions.org](mailto:gdpr@livingoptions.org) or post them to the address below. The accuracy of your information is important to us. If details such as your address change, please let us know. You can ask to see the information we hold about you at any time. You can ask us to correct information if you think it is inaccurate.

You can ask for us to remove your information at any time.

For further details on how your data is used and stored please contact us:

Email:	<a href="mailto:gdpr@livingoptions.org">gdpr@livingoptions.org</a>
Telephone:	01392 459222
SMS:	07958 517919
Address:	Ground Floor Units, 3-4 Cranmere Court Lustleigh Close Matford Business Park Exeter EX2 8PW
Our ICO number is Z2861057	
Our registered charity is number is: 1102489	

## The personal data we collect

We collect personal **data provided by you**. This includes information you give us when you join as a member, join in one of our activities, use one of our services, take action to support our work, become a volunteer or an employee.

**For example:**

- We collect personal details (such as your name, address, date of birth, email address, telephone etc) when you get in touch with Living Options Devon directly or through one of our projects – such as when you join as a member of Countryside Mobility, use one of our services (such as Time to Talk), campaign, donate, fundraise or become a
- volunteer
- We collect financial information (payment information, gift aid eligibility etc) for example when you make a donation to an appeal or become a member.
- We collect information about your interests and preferences, such as which campaigns you support, what activities Living Options Devon offers you are interested in, and how you would like us to contact you.
- If you purchase a gift voucher for someone else, your details will also be recorded.
- We sometimes have to collect and use ‘sensitive personal data’ on our employees and volunteers. This is defined as information about racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health, sexual life, and criminal allegations, proceedings or convictions. At times we will collect sensitive personal data to help us monitor equal opportunities, and to research whether we deliver great experiences for everyone, regardless of their background or beliefs, but this is only ever analysed as an aggregate from across all data rather than individual level.
- If you’re a volunteer we may collect extra information about you (such as references, criminal records checks, details of emergency contacts or medical conditions). We will keep this information for legal or contractual reasons, to protect us (including in the event of an insurance or legal claim), and for safeguarding purposes.

**We might also collect information from other organisations, when you give permission or where your personal data is available publicly.**

For example, if you have moved house but forgotten to tell us, we may use the Post Office’s National Change of Address database to update our records. Other examples may include checking national databases so we know if someone has passed away, securing a new telephone number where the current number is out of date (telematching), appending age to help us more accurately target our communications.

By using these sources of information, we can ensure that our communications get to you and that the information you receive from us is relevant.

You always have the right to restrict the way we process your data – please contact us if you wish to do so:

Email:	gdpr@livingoptions.org
Telephone:	01392 459222
SMS:	07958 517919
Address:	Ground Floor Units, 3-4 Cranmere Court Lustleigh Close Matford Business Park Exeter EX2 8PW

## How we use your Information

We will only use your personal data on relevant lawful grounds as permitted by the EU General Data Protection Regulation and Privacy of Electronic Communication Regulation. And we will use your personal data for the purpose or purposes outlined at the time you gave it to us and only with your permission. This may have been during the course of using one of our services or projects, when signing up for membership or when simply visiting our website.

Only with your permission we would also like to contact you from time to time to send you information about our services and projects. This information may include:

- Newsletter updates
- Opportunities to get your voice heard through consultations;
- Information giving events you might be interested in attending;
- Requests for volunteers and peer supporters; and
- Opportunities to feedback on our services.
  - to provide the service, product or essential information you expect from us
  - where you have given us your consent to do so, to keep you informed about: engaging with our services, volunteering with us, membership, events, conservation work, fundraising, room hire and so forth.
  - to enable trusted partner organisations to perform services on our behalf or to help us understand our supporters more effectively.
  - to better understand how we can improve our services for you

We may also need to provide your personal data if we're asked by the police, or any other regulatory or government authority investigating suspected illegal activities.

Below are the main ways we will use your data. These all depend on the nature of our relationship with you and how you interact with and use our various services, websites and activities.

We conduct research and analysis on the information we hold which can in turn create further personal data. For example, by analysing your interests and involvement with our work we may be able to build a profile which helps us decide which of our communications are likely to interest you. This analysis may be carried out by us or by third party organisations working for us.

We may also host encrypted personal data on third party websites (for example, social media platforms) to ensure you only see relevant, personalised and interesting content from those organisations.

### **If we have to share your data**

We will not sell your personal information to a third party.

We may share your information with partners to allow them to perform services on our behalf. Where applicable we have contracts in place with our partner organisations, which require them to comply with the General Data Protection Regulation and The Privacy and Electronic Communications Regulations (or PECR), and to have robust systems and processes to protect the security of your information.

We may provide your email address to digital advertising or social media companies who work on our behalf, such as Facebook and this is so we can reach you and others like you with information about how you can support our work. This data is always provided in an encrypted format and is deleted immediately after use. If you don't want to see targeted advertising from us on social media, please refer to the instructions provided by the social media site, for example on [Facebook](#), [Instagram](#), [Twitter](#) and [Google](#).

Below are some examples of the types of organisations with which we may share your data

- Analytics partners – to enable us to track the effectiveness of our website or mobile apps.
- Social media partners – so that we can effectively communicate with our supporters on social media platforms.
- Website and app partners – to help us develop websites and apps that give our users and members the best possible online experience.

For further detail on the processes used to share your information please refer to our cookie policy.

## **Cookies**

Cookies are small text files stored on your computer when you visit certain websites. We use first-party cookies (cookies that we have set, that can only be read by our website) to personalise your online experience. We also use third-party cookies (cookies that are set by an organisation other than the owner of the website, in this case Living Options Devon) to help us measure and analyse the use of our website and to provide targeted advertising. You can control the use of cookies via your browser. You can find further information in the Living Options Devon's cookie policy.

## **How do I change my cookie settings?**

Cookies can be controlled by your web browser settings. Whether our cookies are used will depend on your browser settings, so you are in control. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, please use the following links:

- [Internet Explorer cookies information](#)
- [Chrome cookies information](#)
- [Firefox cookies information](#)
- [Safari cookies information](#)

The full Living Options Devon Cookie Policy can be viewed here [www.livingoptions.org/privacy-policy](http://www.livingoptions.org/privacy-policy)

## **Links to other websites**

Our website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, they will have their own privacy policies for which we do not accept any responsibility or liability.

## **Marketing communications**

If you agree to receive information from us you can always change your mind at a later date. For more on withdrawing your consent see section 13. We will never share your information with companies or organisations outside Living Options Devon who want to use it for their marketing.



## Fundraising, donations and gifts in wills

Where we have your permission, we may invite you to support our work by making a donation, buying a raffle ticket, getting involved in fundraising activities or leaving a gift in your will.

If you make a donation, will use any personal information you give us to record the nature and amount of your gift, claim Gift Aid where you've told us you're eligible, thank you for your gift or let you know if you have won a raffle prize. If you interact or have a conversation with us, we will note anything relevant and store this securely on our systems.

If you tell us you want to fundraise to support our cause, we will use the personal information you give us to record your plans and contact you to support your fundraising efforts.

Charity Commission rules require us to know where funds have come from, as well as any conditions attached to them. We follow a due diligence process. This involves researching the financial soundness, credibility, reputation and ethical principles of donors who've made, or are likely to make, a significant donation to Living Options Devon.

As part of this process we will carry out research using publicly available information and professional resources.

### Major gifts

Where we have your consent to do so, we may use your contact information to invite you to meetings and events; send information about projects you may be interested in supporting; and update you on the impact your support is making.

As a charity reliant upon fundraised income, it is in our legitimate interests to use personal information in the ways described below, to help us understand our supporters and potential supporters, tailor our communications and use our resources effectively:

- If we invite you to an event or to meet with one of our fundraisers, or if we are in discussions with you about how you can support us now or in the future, we will use your personal information to ensure that we can have a more informed conversation with you:

- if you are a project member this typically includes: contact and membership details; the amount and purpose of any previous donations; a record of communications we have sent or received from you.
- we may note conversations and interactions we have with you where it is relevant to your relationship with us.
- We may use your information in an aggregated format to help us understand the profile of supporters like you, so that we can target our communications more effectively in future and use our resources as cost effectively as possible. (When we aggregate information we gather lots of information together and produce a report).
- We may also conduct research to understand areas of our work that you may be interested in supporting. Where we do this, we use publicly available information, such as:
  - professional profiles (for example, corporate biographies and/or LinkedIn profiles);
  - search engine and public social media results;
  - resources such as Companies House and the Charity Commission;
  - third-party publications such as Debretts, Who's Who and the Sunday Times Rich List.
- We may also use third-party aggregators of publicly available information to review financial, philanthropic or charitable, and professional information. (Third party aggregators are companies that collect data from public records and the like). If you would rather we did not do this, please just let us know and we will, of course, respect your wishes.
- In line with Charity Commission requirements, we follow a due diligence process to assess the financial soundness, credibility, reputation and ethical principles of donors who have made, or are likely to make, a significant donation to Living Options Devon. As part of this process we will conduct research using the methods referenced above.
- We are committed to looking after your data carefully and we store your personal data on our secure systems. If you are attending a meeting or event, we may need to share some basic information about you with staff, Trustees or advocates who are helping us to fundraise on a voluntary basis. It is only shared with those who need to know the information for the purposes set out in this privacy notice, when they need to know it.

If you want to change whether or how you hear from us, or have any questions about the data we hold or how long we hold it, please contact us at [gdpr@livingoptions.org](mailto:gdpr@livingoptions.org)



## Gifts in wills

If you've told us that you have left a gift in your will, or are thinking about doing so, we will keep details of this. If we have a conversation or interaction with you (or with someone who contacts us in relation to your will, such as your solicitor), will make a note of these throughout your relationship with us, as this helps to ensure we direct your gift as you wanted.

Where a donor has passed away and we are in the process of receiving their legacy gift, we will process personal data of individuals involved in the estate administration for the purpose of ensuring our compliance with legal obligations in receiving and using the legacy gift for our charitable purposes. Access to this personal data is restricted and stored for as long as necessary to administer our legacy. More detailed information about use of personal data for this purpose is provided to the estate Executors, Trustees or their professional advisors during the legacy administration process and can be found below.

We rely on legitimate interests (lawful interests) to process personal data of individuals involved with the supporter and their estate. Where we would like to process data that is not for the direct purpose of the legacy administration process, we will seek specific consent from an individual - for example, if we would like to remain in contact with a donor's relative to update them on how the legacy has been used to benefit a specific area of Living Option Devon's work.

## Where we collect personal data from

- Executors, Trustees, solicitors and any other professional third party instructed in the legacy administration process.
- Copies of wills either provided by Executors, Trustees or other professionals acting in the administration, or publicly available online.
- Other co-beneficiary charities that have a similar interest to us under the will
- The public domain

## Whose personal data we collect

- Donors who have left us a gift in their will
- Employees of organisations that we need to communicate with during the administration process including charity legacy officers, solicitor employees, estate agents etc.
- Executors of the estate and Trustees of Will Trusts, who may be family or friends of the donor, or a professional advisor such as a solicitor, accountant or banker.

- Other individuals named as beneficiaries in a will, including those who have a life interest in an ongoing Will Trust.
- Next of kin and or family members that we seek permission to thank and report on the progress of a legacy gift and how it has benefited Living Options Devon.

### **What data do we collect for gifts in wills**

- Home address and contact details.
- Co-beneficiaries' level of entitlement to any gifts or share of an estate in which we receive a benefit.
- Telephone, email, internet, fax, instant messenger use or other electronic communication details where provided to us.
- Sensitive personal information such as health status, if it is pertinent to the legacy case and there is a clear reason for doing so.

### **How do we use gifts in wills data?**

- We will only use personal information for the purposes of the legacy administration process, the purposes for which it was obtained. For example, we will not use personal data to market or fundraise from the Executor or next of kin without their express consent to do so.
- We only share your information internally where it is directly relevant to those who need to know, when they need to know it.
- We may need to share your information with 'data processors' such as associated organisations and agents who provide us with a legacy administration service or other charity beneficiaries who have a similar interest to our own. These 'data processors' will only act under our instruction for use and security of your data.

### **How do we store gifts in wills data?**

- Personal data is stored on our database with restricted access. Any paperwork containing personal data is kept to a minimum, locked away when not in use and securely destroyed when no longer needed. Our systems are subject to Living Options Devon security policies.
- Personal data is held for as long as is necessary to ensure our legal entitlement is administered without challenge. Some legacy administration cases can be ongoing for long periods, for example in a life interest case where we have an interest in an asset that someone else is entitled to live in during their lifetime. There may be some cases where a longer retention period is required, for

example where Living Options Devon is acting as Executor or Administrator and has an ongoing duty to comply with conditions attached to the gift.

## Managing volunteers

We need to use your personal data to manage your volunteering, from the moment you enquire to the time you decide to stop volunteering with us.

This could include:

- contacting you about a role you've applied for or which we think you might be interested in.
- processing expense claims you've made
- recording volunteering time you've agreed to undertake
- recognising your contribution
- asking for your opinions on your volunteering experience
- next of kin details

## Research

We carry out research with our supporters, users, staff and volunteers to get feedback on their experience with us. We use this feedback to improve the experiences we offer and ensure we know what you find relevant and interesting. If you choose to take part in research, we will tell you when you start what data we will collect, why and how we will use it. All the research we conduct is optional and you can choose not to take part. For some of our research we may ask you to provide sensitive personal data (for example, ethnicity). You don't have to provide this data and we also provide a 'prefer not to say' option. We only use it at an aggregate rather than individual level (for example, for reporting on equal opportunities). We may give some of your personal data (for example, contact information) to a research agency so that they can carry out research on our behalf.

## Recruitment and employment

If you work for us, or apply for a job with us, we will process your personal data, including sensitive personal data, to comply with our contractual, statutory and management obligations and responsibilities.

This data can include, but isn't limited to, information relating to your health, racial or ethnic origin, and criminal convictions. In certain circumstances, we may process personal data or sensitive personal data without explicit consent. You can find further information on the data we collect and why below.

Our **contractual responsibilities** include those arising from a contract of employment. This includes, but is not limited to, data relating to: payroll, bank account, postal address, sick pay, leave, maternity pay, pension and emergency contacts.

Our **statutory responsibilities** are those imposed by law on us as an employer. This includes, but is not limited to, data relating to: tax, national insurance, statutory sick pay, statutory maternity pay, family leave, work permits and equal opportunities monitoring.

Our **management responsibilities** are those necessary for the way the organisation functions. This includes, but is not limited to, data relating to: recruitment and employment, training and development, absence, disciplinary matters and contact details.

### **Use of sensitive personal data**

In certain limited circumstances, we may legally collect and process sensitive personal data without requiring the explicit consent of an employee or volunteer. We will process data about an employee's health where it is necessary, for example, to record absence from work due to sickness, to pay statutory sick pay, to make appropriate referrals to the Occupational Health Service, and to make any necessary arrangements or adjustments to the workplace in the case of disability. This processing will not normally happen without the employee's knowledge and, where necessary, consents.

We will process data about, but not limited to, an employee's or volunteers racial and ethnic origin, their sexual orientation and their religious beliefs, but only where they have volunteered such data and only for the purpose of monitoring and upholding our equal opportunities policies.

We will hold data about an employee's or volunteer's DBS Check as necessary.

### **How we secure your data**

We want to keep our users, members, volunteers, employees, partners and contractors safe, so the security of your data and of our information systems is incredibly important to us.

External threats to our data security are changing all the time, so we have a robust process for assessing, managing and protecting all of our new and existing systems to ensure they are up to date and secure.

Our staff complete mandatory information security and data protection training when they start with us and every year afterwards, to reinforce their responsibilities and requirements.

When you trust us with your data we will keep your information secure to maintain your confidentiality. Whenever your information is stored or transferred, we use strong encryption to minimise the risk of unauthorised access or disclosure. You can check this when you enter information on our website by right clicking on the padlock icon in the address bar.

## Storing information

Living Options Devon's operations are based in the UK and we store most of your data within the European Union (EU). Some organisations which provide services to us may transfer your data outside the European Economic Area but will only allow this if your data is adequately protected. Some of our systems, for instance Mail Chimp, Wufoo and Survey Monkey and social media providers, are provided by US companies and while it is our policy that we prefer data hosting and processing to remain in the EU, it may be that using their products results in your data being transferred to the USA. However, we only allow this when we are certain your data will be adequately protected in accordance with US Privacy Shield or Standard EU contractual clauses.

## Disclosing and sharing information

We do not sell or share your personal information for other organisations to use. When we allow third parties acting on behalf of Living Options Devon to access your information, we will always have complete control of what they see, how long they see it for and what they are allowed to do with it.

Where necessary, we may share the personal data we collect and process with:

- Third party research organisations
- Third party IT providers, for example who host the website or provide IT support

**Also, under strictly controlled conditions, we will share personal data with:**

- Commissioning bodies (such as Devon County Council which asks us to do work on their behalf)
- Contractors (such as the company looking after our database)
- Service providers (such as a marketing company)
- Advisors (such as our Human Resources advisors)
- Agents (such as other Charities who work on our behalf)

We may also disclose your personal information to third parties in order to comply with a legal obligation, or to enforce other agreements. It may also be used to protect the rights, property or safety of Living Options Devon and our members, supporters and visitors. This includes exchanging information with other companies and organisations to protect against fraud.

### **Sharing employee personal data**

In order to carry out our contractual and management responsibilities, we may, from time to time, need to share an employee's personal data with one or more third party supplier.

To meet an employment contract, we are required to transfer an employee's personal data to third parties, for example, to pension providers and HM Revenue & Customs.

In order to fulfil our statutory responsibilities, we're required to provide certain aspects of an employee's personal data to government departments or agencies; for example, to provide salary and tax data to HM Revenue & Customs.

### **Keeping your information**

We will only use and store your information for as long as it is required for the purposes it was collected for. How long it will be stored for depends on the information in question, what it is being used for and, sometimes, statutory legal requirements.

- We keep your information while we have a relationship with you, provide a service to you, you are a member of one of our projects and will delete or destroy it as per our Retention policy available on request. (no data is kept longer than 7 years)
- Sometimes we need to keep information for archiving in the public interest (for example Trustee meeting minutes)



- for legal or other necessary business requirements such as research, statistics and so forth.

## Your data protection rights

Individuals have certain rights over their personal data and data controllers are responsible for fulfilling these rights. Where we decide how and why personal data is processed, we are a data controller and have provided further information about the rights that individuals have and how to exercise them below.

### Access to personal data

You have a right of access to personal data held by us as a data controller. This right may be exercised by contacting us:

Email:	gdpr@livingoptions.org
Telephone:	01392 459222
SMS:	07958 517919
Address:	Ground Floor Units, 3-4 Cranmere Court Lustleigh Close Matford Business Park Exeter EX2 8PW

You may be asked to provide the following details:

- The personal information you want to access
- Where it is likely to be held
- The date range of the information you wish to access

We will need you to confirm your identity. If we hold personal information about you, we will give you a copy of the information in an understandable format together with an explanation of why we hold and use it. We will aim to respond to any requests for information promptly, and in any event within the legally required time limits (30 days). This timeframe may be extended by up to two months if your request is particularly complex.

### Withdrawal of consent

Where you have given consent for Living Options Devon to use your personal data, you have the right to withdraw that consent at any time.

You also have the right to ask Living Options Devon to stop using your personal data for direct marketing purposes.

To stop receiving an email from a Living Options Devon marketing list, please click on the unsubscribe link in the relevant email received from us, reply to an email using the word “unsubscribe” or you can contact us using the address details below.

## **Amendment of personal data**

We want you to remain in control of your personal data. You can update or amend your personal data by contacting us at the details below.

When practically possible, once we are informed that any personal data processed by us is no longer accurate, we will make corrections based on your updated information.

Alternatively, you may:

- **Telephone us:**  
01392 459222 (local call rates apply), 9.00am-5.00pm weekdays
- **Email us:**  
gdpr@livingoptions.org
- **Write to us:**  
Living Options Devon  
Ground Floor Units, 3-4 Cranmere Court  
Lustleigh Close  
Matford Business Park  
EXETER EX2 8PW

The verification, update or amendment of your personal data will take place within 30 days of receipt of your request.

## **Other data subject rights**

This privacy policy is intended to provide information about what personal data we collect about you and how it is used. As well as rights of access and amendment referred to above, individuals may have other rights in relation to the personal data we hold, such as a right to erasure / deletion ('right to be forgotten'), to restrict or object to our processing of personal data and the right to data portability. There may be other legal reasons why we need to process your personal data, but please tell

us if you don't think we should be using it. If you wish to exercise any of these rights, please send an email or write to the address above.

## When we use Legitimate Interest

We sometimes use Legitimate Interest as our legal basis for processing personal data. (Legitimate interest is the lawful basis we use your data). We always conduct a Balance Test when doing this, weighing the protection of your rights and personal data with our use of your data to continue supporting our interests. These Balance Tests are assessed by our Data Protection Office, to ensure that the rights of our supporters are maintained.

We use Legitimate Interest in some limited circumstances, in the following areas of our work: Volunteering, Membership, Data Analysis, Our Website, Fundraising, Marketing.

- Volunteering
- Membership
- Data Analysis
- Our Website
- Fundraising
- Marketing

## What to do if you're not happy

In the first instance, please talk directly to us, so we can learn from and resolve any problem or query. You can send an email with the details of any data protection complaint to [gdpr@livingoptions.org](mailto:gdpr@livingoptions.org). We will respond to any complaints we receive. You have the right to contact the Information Commissioner's Office ("ICO") (the UK data protection regulator).

You can:

**Telephone them:** 0303 123 1113 (local rate) or 01625 545 745 (if you prefer to use a national rate number).

**Visit their website at:** [www.ico.org.uk](http://www.ico.org.uk)

**Write to them:**

Information Commissioner's Office  
Wycliffe House

Water Lane  
Wilmslow  
Cheshire SK9 5AF

### **About this privacy policy**

Please check the above policies before you submit any personal data on this website. This privacy policy applies solely to the personal data collected by Living Options Devon.

Will amend this privacy policy from time to time to ensure it remains up to date, shows how and why we use your personal data, and reflects any new legal requirements. Please visit our website to keep up to date with any changes. The current version will always be posted on our website.

**This privacy policy was last updated Dec 2020**

Privacy statement for end of emails, letters, etc – should this be part of our Living Options Devon email signature:

*The privacy and security of your personal information is extremely important to us. Our privacy policy (link inserted into “privacy policy” to full policy for emails) explains how and why we use your personal data, to make sure you stay informed and can be confident about giving us your information when you use any of our services or get involved with any of our projects at Living Options Devon*

To put at the end of emails where a project has formal membership, for example Countryside Mobility where the email constitutes membership information, even if the member has not opted in to receiving information::

*This is email has been sent by Countryside Mobility in relation to your membership of the Trumper Hire scheme. Even if you haven't opted into receiving newsletters and updates about Countryside Mobility or Living Options Devon, you may still receive emails related to your membership on occ*