**DATA PRIVACY NOTICE**

**Birmingham LGBT**

**Your personal data – what is it?**

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller’s possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the “GDPR”)

**Who are we?**

Birmingham LGBT is the data controller that decides how your personal data is processed and for what purposes.

Address: Birmingham LGBT Centre, 38-40 Holloway Circus, Birmingham, B1 1EQ

Phone: 0121 643 0821

Steph Keeble is the Data Protection Officer

**How do we process your personal data?**

Birmingham LGBT complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical and organisational measures are in place to protect personal data.

We use your personal data for the following purposes:

* To process gift aid applications;
* To inform individuals of news, events, activities or services at Birmingham LGBT;
* To contact individuals via surveys to conduct research about their opinions of current services or of potential new services that may be offered;
* To enable us to provide services for the benefit of members of the public;
* To enable us to carry out point-of-care testing;
* To take bookings from members of the public for events and training courses;
* To fundraise and promote the interests of Birmingham LGBT;
* To manage our employees and volunteers;
* To maintain our own accounts and records.

**What is the legal basis for processing your personal data?**

* If the explicit consent of the data subject is given, so that we can keep the data subject informed about news, events, activities and services and other events at Birmingham LGBT via e-mail, telephone and text, use the data subject’s photographs and images, and share any sensitive personal data with other agencies, including health, housing, local government solicitors and other agencies. There is no disclosure to third parties without the data subject’s consent, unless it is to protect the vital interests of the data subject.
* If you are an employee of Birmingham LGBT and the processing is necessary for carrying out obligations under employment, social security or social protection law.
* If processing is necessary for the performance of a contract with you, for example if we use you as a consultant or a trainer.
* If processing is necessary for medical purposes (i.e. point-of-care testing) and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality.
* If processing is necessary for our legitimate interests. This means that we can process your personal data if (i) we have a genuine and legitimate reason; and (ii) we are not harming any of your rights and interests. Our legitimate interests include: processing for the purposes of delivering services; processing your gift aid donations; processing so you can volunteer for Birmingham LGBT, processing so you can attend activities and events and fundraising.

**Sharing your personal data**

Your personal data will be treated as strictly confidential and will be shared only as set out in this section.

Your personal data may be shared with members of staff of Birmingham LGBT on a “need to know” basis and with other agencies with your explicit consent unless it is to protect your vital interests or the vital interests of Birmingham LGBT.

If you are an employee of Birmingham LGBT, we will share your personal data with HMRC and our pension provider. We may also share your personal data with our HR advisors.

We may also share your personal data or disclose it to third parties when required to do so by a court order or other legal obligation, or when data is requested by government or law-enforcement authorities, or to enforce any agreements, or to protect the rights, property and safety of Birmingham LGBT, our service users or others.

**How long do we keep your personal data?**

We will keep your personal data in accordance with any legal framework.

We will keep Gift Aid declarations and associated paperwork for up to seven years after the tax year to which they relate.

We ill keep our employees’ personal files for six years and HMRC records for six years.

We will keep any information relating to recruitment for six months.

We will keep volunteer records for one year after you stop volunteering.

We will keep health records in line with statutory requirements and all other client records for a period of seven years, to ensure we are able to comply with any contractual, legal, audit and other regulatory requirements, or any orders from competent courts or authorities.

**Your rights and your personal data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

• The right to request a copy of the personal data which Birmingham LGBT holds about you;

• The right to request that Birmingham LGBT corrects any personal data if it is found to be inaccurate or out of date;

• The right to request your personal data is erased where it is no longer necessary for Birmingham LGBT to retain such data, for example, to fulfil a legal requirement.

• The right to withdraw your consent to the processing of your personal data at any time.

• The right to request that the data controller provide the data subject with their personal data and where possible, to transmit that data directly to another data controller. This only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject, and where the Birmingham LGBT processes the data by automated means.

• The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;

• The right to object to the processing of personal data. This only applies where processing is based on legitimate interests or the performance of a task in the public interest or the exercise of official authority, direct marketing and processing for the purposes of scientific or historical research and statistics.

• The right to lodge a complaint with the Information Commissioner’s Office.

**Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Policy, then we will provide you with a new data privacy notice explaining this new use before commencing the processing, and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

**Contact Details**

To exercise all relevant rights, queries or complaints please contact Steph Keeble, Director, at Birmingham LGBT by emailing stephkeeble@blgbt.org or by calling 0121 643 0821 and leaving your contact details for her to contact you.

You may contact the Information Commissioner’s Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or by post to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.