

1 Introduction

- 1.1 Liberate Limited t/a Liberate is a charity registered with the Jersey Charity Commission (no. 98) and a company limited by guarantee registered with the Jersey Financial Services Commission (no. 127909).
- 1.2 When Liberate Limited ('Liberate', 'us' or 'we' or 'our') collects your information, we are required by law to be fair in notifying individuals on how their information will be managed and to inform them of their rights. But more than that, we want to be transparent, open and ethical in our practices.
- 1.3 This data protection notice provides information on how we use personal data relating to our prospective and existing clients, partners, sponsors, supporters, service providers, enquirers and other individuals we do business with (also referred to in this notice as 'you'), including:
- Liberate clients, employees of Liberate clients, representatives of Liberate clients;
 - representatives of partner organisations, grant making bodies, sponsors and service providers;
 - complainants and enquirers.
- 1.4 A list of Liberate affiliated entities relevant to this notice and their activities is set out in the appendix to this notice.
- 1.5 We have a separate Data Protection Policy for our employees, volunteers and those wishing to become our employee/ volunteer, which can be accessed at the time of applying to Liberate.
- 1.6 We try to use plain language throughout the next sections, but there is a lot of detail to communicate, which is however important for you to understand.

2 Information held

- 2.1 We will only process personal data where we have a lawful basis to do so. The basis for processing your personal data will vary depending on the activity we collected it for. In some occurrences, we may have more than one lawful basis for processing. The information below summarises the basis on which we process personal information.
- 2.2 **Contract**
Liberate processes personal data which is necessary for the performance of a contract to which you may be a party to, or may want to enter. This includes, but not limited to, membership of our DIFERA accreditation scheme, membership of our Accès accreditation scheme, counselling support, sponsorship agreements, grants, process feedback forms.
- 2.3 **Legal obligation**
Liberate processes personal data which is necessary to comply with its obligations as a charity registered with the Jersey Charity Commissioner. This includes, but not limited to, providing statistical information to the Jersey Charity Commissioner.
- 2.4 **Consent**
Liberate processes personal data and special category data where you have provided your consent to do so. This includes, but not limited to, providing us with training feedback that includes personal data, such as your name and email address, and recruitment feedback that includes special category data, such as your nationality and religion.
- 2.5 **Avoidance of discrimination**
Liberate processes special category data that relates to the protected characteristics under the Discrimination (Jersey) Law 2013 and religious beliefs ('the Characteristics') for the

purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment of persons with the Characteristics with a view to enabling such equality to be promoted or maintained. This includes, but not limited to, providing us with survey data that includes special category data, for example, race, ethnicity, political opinions, religious beliefs, trade union membership, health, sexual orientation, criminal record/ criminal activity.

2.6 Activities undertaken

Membership of the DIFERA accreditation scheme

We will request your consent to participate in any survey associated with the DIFERA accreditation scheme. For those who consent to participate: because DIFERA is about ensuring that minority groups are being included, accepted and treated fairly, equally and with respect within your organisation, the survey asks you for information that is classed as special category data, such as your race, politics, religion, trade union membership, health, sexual orientation, criminal record/ criminal activity, that may place you in a minority within your organisation.

All DIFERA survey responses are anonymous and completely confidential and are returned to Liberate directly. Liberate do not share individual responses with your organisation. The results of the survey are passed to your organisation in the form of a summarised audit report.

If you wish to participate in the survey but, even though your response is anonymous, do not wish to share particular sensitive data with Liberate, the survey always provides respondents with an 'Other' option where you can state 'Prefer not to say' or similar.

Membership of our Accès accreditation scheme

We will use your personal data to fulfil our contract with you. Your lead's personal data may appear on correspondence, training material and the Accès audit report delivered to your organisation. We would never make your audit report available publicly.

Where your organisation elects to use our online training platform (Thinkific.com), employees personal data will be held by the platform. This data will not be used for any purpose other than to provide course completion statistics to your organisation.

Counselling support

We will use your personal and medical data to fulfil our contract with you. Your personal and medical data will appear on correspondence and reports. Your data may be shared by us with a third party, such as a healthcare provider or charity. If we need to contact a third party on your behalf we will always seek your consent before doing so to share any personal data and/or special category data with them.

You will have the right to withdraw your consent for this use at all times, and we will make this process as easy as possible.

We would never make your personal and/or medical information available publicly.

Sponsorship agreements and grants

We will use your personal data to fulfil our funding agreement with you. Your personal data may appear on reports regarding the sponsorship/grant. Your data may be shared by us publicly in connection with the sponsorship/grant with, including but not limited to, statutory bodies, media outlets, employees, volunteers, supporters.

You will have the right to withdraw your consent for this use at all times, and we will make this process as easy as possible.

Process feedback forms

We will request your consent to participate in any feedback associated with an activity Liberate is undertaking, such as a training day. For those who consent to participate: because Liberate's charitable mission is about ensuring that minority groups are being included, accepted and treated fairly, equally and with respect within your organisation, the form may ask you for information that is classed as special category data, such as your race, politics, religion, trade union membership, health, sexual orientation, criminal record/ criminal activity, that may place you in a minority within your organisation.

All feedback form respondents can elect to remain anonymous. All feedback forms are returned to Liberate directly and remain confidential to Liberate. Liberate do not share individual responses with your organisation. The results of feedback forms may be passed to your organisation, but would be in the form of a summarised report where individual respondents cannot be identified.

If you wish to complete the feedback but, even though your response is anonymous, do not wish to share particular sensitive data with Liberate, the form always provides respondents with an 'Other' option where you can state 'Prefer not to say' or similar.

Public surveys

We will request your consent to participate in any survey we launch publicly. For those who consent to participate: because Liberate is about ensuring that minority groups are being included, accepted and treated fairly, equally and with respect within society, the survey may ask you for information that is classed as special category data, such as your race, politics, religion, trade union membership, health, sexual orientation, criminal record/ criminal activity, that may place you in a minority group.

All survey responses are anonymous and completely confidential and are returned to Liberate directly. Liberate do not share individual responses with anyone outside our organisation. If made public, the results of the survey would be in the form of a summarised report where individual respondents cannot be identified.

If you wish to participate in the survey but, even though your response is anonymous, do not wish to share particular sensitive data with Liberate, the survey always provides respondents with an 'Other' option where you can state 'Prefer not to say' or similar.

Reports to statutory bodies

We will hold personal data and special category data relating to members of the public who contact Liberate for support in order to comply with our reporting obligations as a registered charity. Your name, email address and the nature of your enquiry are recorded in our system. This information is used to provide statistics to, for example, the Jersey Charity Commissioner and helps to demonstrate Liberate's charitable work. Any information made available to a statutory body would be anonymised and provided as a summarised statistic only. Individuals supported by Liberate would be unable to be identified.

Communication with other charities/service providers

We will hold personal data and special category data relating to members of the public who contact Liberate for support in order to assist you with your enquiry. Your name, email address and the nature of your enquiry are recorded in our system. This information may be used to direct you to another charity or service provider who may be able to support you. If we need to contact a third party on your behalf we will always seek your consent before doing so to share any personal data and/or special category data with them.

Communications (including marketing)

We may obtain your email address from publicly available sources, and where you have not already opted out of receiving marketing, we may use it to provide information that has a community interest. This communication will always contain an option to unsubscribe, and will not be used to sell goods or services.

We use any information you have provided for marketing purposes and to send you relevant communications about our events, campaigns and services and any other relevant initiatives. We may use your contact details to notify you of any updates and changes to Liberate's services.

You have the right to withdraw your consent for these at all times, and we will make this process as easy as possible.

We will not pass your information on to other marketing providers and we will not sell your information to any third party.

3 Data collected

3.1 We process information relevant to the above reasons and/or purposes. This information may include:

- name;
- contact details;
- family details, e.g. if you have children, a partner/spouse, parents;
- homelife details, e.g. your accommodation;
- photograph;
- financial details;
- education details;
- employment details;
- membership details, e.g. professional body;
- details of complaints;
- details of enquiries;
- contact preferences;
- preferred payment details.

3.2 Details may include your address, email, phone number, details of qualifications, details of employment such as job title, start date, end date, and salary, payments made to Liberate, queries and complaints.

3.3 We also process special category data that may include:

- racial or ethnic origin;
- religion;
- political opinion;
- Trade Union membership;
- data concerning physical or mental health;
- sexual orientation;
- criminal conviction or offence data or allegations of criminal activity.

3.4 Details may include nationality, trade union affiliation, periods of sustained ill health that affect your employment, disability.

4 Methods of data collection

4.1 We will collect data directly from you (e.g. from correspondence, surveys, change of details forms, purchase orders, feedback forms) and will create some data internally (e.g. when we assign you a system ID).

4.2 We may also collect some data from external sources. For example:

- we may be provided with information by other charities/ service providers providing you with support;
- we may conduct a search of the Jersey Financial Services Commission's registry for information relating to a company for which you act as a representative;

- service providers, such as credit check agencies, may provide information to Liberate in relation to your financial affairs.

5 Storage

- 5.1 Liberate's main information systems are located within Jersey and accessed by Liberate's employees. Liberate uses standalone PCs connected to the Internet and protected with Norton Internet Security. Liberate archives data that is no longer relevant to day-to-day operations to an offline hard disk storage device.
- 5.2 Where data is shared between Liberate's employees Microsoft Office.com is used as a cloud server. Microsoft's servers may reside outside the EEA, but comply with EEA standards for data processing and storage.
- 5.3 Where data is shared between Liberate's counsellors Zoho.com is used as a cloud server. The Zoho server used by Liberate resides within the EEA, and complies with EEA standards for data processing and storage.
- 5.4 We process information within the EEA, but may also transfer data outside of EEA to our partners/suppliers as part of our operations and service delivery. Other teams within Liberate may need to access, use and store your data in certain circumstances for the purposes listed above, e.g. to communicate with you in relation to work we are carrying out.
- 5.5 Some of our partners or service providers, or technology vendors may pass information outside of the EEA into jurisdictions where privacy laws, obligations and rights may vary. For such transfers, we will always ensure that appropriate assurance checks and measures are put in place to protect your privacy and we will also point this out to you, if applicable.
- 5.6 When conducting online surveys, Liberate uses SurveyMonkey.com. When the survey report is complete Liberate removes the raw data from SurveyMonkey's servers in the form of downloaded files to its own information systems. When the raw survey data is no longer relevant but required to be kept Liberate archives it to its offline hard disk storage.
- 5.7 When offering online training, Liberate uses Thinkific.com. When the training is complete, Liberate erases the data held on the Thinkific server. Liberate does not retain organisation's training data on its own information systems.

6 Informing us of changes

- 6.1 Please note that it is your responsibility to inform us of any change to your details during your time as a person associated with Liberate.
- 6.2 Please contact vic@liberate.je to update your information.

7 Data sharing

- 7.1 **Service providers**
Liberate uses a number of third-party service providers in order to carry out the activities described above, for example, to email you, to collect survey data from you. Liberate requires such service providers to use your personal data only for the purpose of the relevant service.
- 7.2 **Other charities/service providers**
Liberate may be contacted by other charities or service providers to provide them with information about you, for example, a States of Jersey department supporting you with an enquiry. Liberate will always seek your consent before releasing information to other charities/service providers.

7.3 **General public**
Liberate is required, as a charity registered with the Jersey Charity Commissioner, to make available to public scrutiny certain statutory records relating to our activities. Liberate may also elect to make public information in the media. Information made public would always be in the form of anonymised statistical data. Liberate will always seek your consent before releasing information into the public domain that would identify you.

7.4 **Professional advisers, regulatory and legal authorities**
Liberate may disclose your personal data to its professional advisers, legal authorities, other professional bodies, other regulators or other third parties, in order to comply with investigations, exercise or defend its legal rights or otherwise, where required by law.

8 Data retention

- 8.1 We will retain your details for as long as they are needed for the relevant purposes listed in the section 2 'Information held' above.
- 8.2 We may also retain certain records for other legitimate reasons (including after your relationship with Liberate has ended), for example, to resolve any potential disputes, to respond to investigations by statutory bodies and to comply with other reporting and retention obligations.
- 8.3 For more details on how long we keep your data for, you can review our data retention schedule below.

Data retention schedule

	Retention period	Retention period exception
For employees of DIFERA clients		
SurveyMonkey records	When survey is open for responses (2-3 weeks usually) + until survey report is signed off (approx. 4 weeks usually)	Where client requests an extension to the survey period
Individualised survey responses held offline	End of survey relevant period (3 years usually)	
Anonymised survey reports	End of client relationship + 3 years	In line with case timeframes if documentation relates to a criminal case
For employees of Accès clients		
Thinkific records	When online training is open for responses + until training report is signed off (approx. 4 weeks usually)	Where client requests an extension to the training period
For counselling clients		
Cliniko records	End of client relationship + 3 years	

For persons associated with an organisation (e.g. client, sponsor, grant maker, service provider, other charity)

All records	End of relationship + 7 years	In line with case timeframes if documentation relates to a criminal case
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For respondents to process feedback forms (paper-based)

All records	Until feedback report is completed or, where no report produced, 7 years	In line with case timeframes if documentation relates to a criminal case
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Other individuals (non-clients)

Individuals with whom Liberate has a service contract	End of contract + 7 years	In line with case timeframes if documentation relates to a criminal case
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All records belonging to an individual who has made an enquiry	First date of contact + 7 years	In line with case timeframes if documentation relates to a criminal case
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Individuals who have responded to a public survey (SurveyMonkey records)	When survey is open for responses (2-3 weeks usually) + until survey report is completed (approx. 4 weeks usually)	
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Individuals who have responded to a public survey (Individualised survey responses held offline)	End of survey relevant period (3 years usually)	
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Individuals who have responded to a public survey (Anonymised survey reports)	10 years	
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9 Your rights

- 9.1 Individual's rights are qualified (meaning they may not have these rights at all times, or in all circumstances), but generally speaking, individual's rights include:
- Right to be informed;
 - Right to subject access;
 - Right to rectification;
 - Right to erasure;
 - Right to restriction of processing;
 - Right to data portability;
 - Right to object to processing for the purpose of public functions or legitimate interests for direct marketing purposes and for historical or scientific purposes;
 - Right regarding automated individual decision-making and profiling.

- 9.2 If you want to exercise one of these rights please get in touch at:
 Liberate
 P O Box 567
 St Helier
 Jersey JE4 5WN

Alternatively, you can email: vic@liberate.je

10 Requesting copy data or updating your data

- 10.1 We will respond to any request to review and update your own information.
- 10.2 Before providing you with your personal data, we may require confirmation of your identity or further information about the data requested to assist Liberate to locate your personal data.
- 10.3 Please also let us know if you believe any data we hold to be inaccurate or if you have other concerns about our use of your personal data.
- 10.4 These rights are subject to certain exemptions which may apply, for example, in relation to criminal investigations.
- 10.5 You can update your contact details and options for receiving communications from us by contacting: vic@liberate.je.

11 Contact

- 11.1 For more information, or for further assistance with a more detailed enquiry, or if you want to exercise your rights, please contact: vic@liberate.je

12 Updates

- 12.1 From time to time we will review this document, when we make substantial changes to our processes or procedures and systems, or if laws and regulations change.
- 12.2 When we update the notice we will make reasonable efforts to contact and update those affected.

<Date of last revision – November 2020 >

13 Appendix

- 13.1 Liberate affiliated entities:
- Trans* Jersey: Liberate's transgender support group
 - BLM Jersey: Liberate's ethnic minority support group
 - Allsorted Limited: Liberate's accountants
 - BCR Law: Liberate's lawyers
 - SurveyMonkey.com: Liberate's preferred electronic survey provider
 - Gandi.net: Liberate's email provider
 - Wordpress.com: Liberate's website provider
 - Mailchimp.com: Liberate's preferred electronic mailshot provider
 - Thinkific.com: Liberate's online training system provider
 - Cliniko.com: Liberate's cloud medical database provider
 - Office.com: Liberate's cloud server provider
 - Jersey Charity Commissioner
 - Jersey Financial Services Commission
 - Government of Jersey