



# PRIVACY NOTICE

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Responsible Manager	Chief Operating Officer

# Privacy Notice

## Introduction

This Privacy Notice tells you what to expect when the Older People's Commissioner (the Commissioner) collects, uses, discloses, transfers and stores your personal information.

Please read this notice carefully to understand how we will use your personal information.

## 1. What information we may collect about you

The information we collect about you depends on why we are dealing with you. We may ask you for information such as your name, email address, postal address, telephone or mobile number, and location. Sometimes we will require you to provide additional personal information e.g. if you suffer from an illness, details of your medical history.

Please be assured that we only ask you for information that we need to be able to undertake the Commissioner's work.

We may collect information about you in the following circumstances:

- **If you call us**

When you call us we will collect information about you. We use this information in a number of ways including making a record of your call so that we can manage your query. We may also keep a record of the call for training or monitoring purposes. We may need to share your information with other organisations in order for us to be able to deal with your query. We will usually tell you if it is necessary for us to pass information on to other organisations.

- **If you ask the Commissioner to assist you**

We hold details of the people who request the Commissioner to use her powers to provide assistance such as:

- putting you in touch with organisations best placed to resolve your issue;
  - intervening directly if you have been experiencing difficulties with a public service provider that you cannot resolve locally; or
  - supporting you to make a formal complaint and monitoring how your complaint is dealt with.
- **Information we receive from others**

In some circumstances we may receive information about you from someone you have nominated to act on your behalf (for example, by way of a power of attorney, or you have specifically authorised them to contact us).

## **2. How we will use your information**

We will only use your personal information when the law allows us to.

Examples of how your information will be used including the following:

- by the Casework Team to contact you deal with your request and enquiries;
- to allow the Commissioner to carry out her work;
- to inform the management of the Commissioner's casework; and
- in aggregate (so that no individuals can be identified) to inform the Commissioner's policy function by identifying emerging issues and trends.

## **3. Contacting you**

We will use your contact information to send you important information via letters, emails or otherwise to telephone you.

We may also use the information we hold about you to send you copies of our newsletters or details of engagement activities to ensure that older people know what the Commissioner does and how she does it. We may

contact you in this way by post or by email, but will only do so where you have agreed to this. If at any time you change your mind about wanting to be contacted in this way please contact us to let us know (see paragraph 9 below for our contact details).

#### **4. Sharing Information with Third Parties**

We may share your information with:

- providers that may provide services on our behalf (for example, IT and system administration services)
- professional advisers including lawyers and auditors who provide consultancy, legal or accounting services;
- a third party organisation where it is necessary to do so to allow the Commissioner to undertake her work. In these circumstances, we tell you who that third party is and why we need to share the information.

Otherwise, we will not share your information with any third party unless:

- we have your permission to do so; or
- we are required to do so by law.

#### **5. The Commissioner's legal basis for collecting, holding and using your information**

Data protection laws set out various lawful bases which allows the Commissioner to collect, hold and use your personal information:

- To allow the Commissioner to undertake her work in accordance with her functions as defined in Commissioner for Older People (Wales) Act 2006;
- Where the Commissioner is under a legal or regulatory obligation;
- Where it is necessary for the Commissioner's legitimate interests. We will only do so there these interest are not overridden by the

interest and fundamental rights or freedoms of the individuals concerned;

- We sometimes use your personal data based on your consent. We will always tell you where this is the case and ask you to agree before we process your information.

## **6. Security and storage**

Your information will not be transferred outside of the European Economic Area.

We will take all reasonable steps to ensure that your data is treated securely and in accordance with this privacy policy.

### **How long will we keep your information**

We will only keep your information for as long as it is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

If you have contacted us with a request or an enquiry, unless we use our statutory powers as set out below, we will retain your details for a period of 5 years from the date we have concluded your matter.

If we use our statutory powers under section 3 (Review of discharge of functions) or section 5 (review of arrangements) under the Commissioner for Older People (Wales) Act 2006 we will keep our details permanently.

## **7. Your rights**

Under data protection laws, you have rights in relation to your information. You have the right to request from us a copy of the information we hold about you.

Additionally, you will have additional rights to request from us that:

- any inaccurate information we hold about you is corrected
- your information is deleted
- we stop using your personal information for certain purposes

- your information is provided to you in a portable format

Many of the rights listed above are limited to certain defined circumstances and we may not be able to comply with your request. We will tell you if this is the case.

If you make a request, we will need you to prove your identity with 2 pieces of approved identification (such as a passport and a utility bill no older than 3 months). Once we have this, we will aim to respond to you within one month.

Normally we will not charge you a fee for dealing with your request for a copy of personal information. There may be some circumstances when the law allows us to charge a fee. We will tell you if this is the case at the time of your request.

If you wish to exercise any of your rights, please contact the Data Protection Officer (contact details are found below).

## **8. Contacting us**

If you have any questions or comments about this Privacy Notice, please contact our Data Protection Officer (details below).

Write to:

Data Protection Officer  
The Older People's Commissioner for Wales  
Cambrian Buildings  
Mount Stuart Square  
Cardiff  
CF10 5FL

Email: [ask@olderpeoplewales.com](mailto:ask@olderpeoplewales.com)

Phone: 03442 640 670

If you have a complaint that we cannot resolve, you have the right to complain to the Information Commissioner's Office, which is the statutory regulator for data protection matters. The Information Commission can be contacted at <https://ico.org.uk/concerns/>.

## **9. Changes to this privacy notice**

We keep our privacy policy under regular review and we will place any updates on this page.