

## Privacy Notice – Residents

### 1. About this privacy notice

At St John's Foundation ("the Foundation", "St John's", "we", "us", "our/s") we are committed to protecting and respecting the personal data and privacy of our residents. This privacy notice sets out why we collect personal data, how we collect and use it and who it is shared with. It also explains the legal basis for the use of your personal data and the legal rights you have over the way it is used.

### 2. Who we are and how to contact us

We are the "Data Controller" of your personal data. This means that St John's determines why and how we collect and use your personal data. We are registered with the Information Commissioner's Office (registration number: Z7416361).

Our contact details are as follows: St John's Foundation, 4-5 Chapel Court, Bath, BA1 1SQ  
Telephone: 01225 486400. Email: [data.protection@stjohnsbath.org.uk](mailto:data.protection@stjohnsbath.org.uk)

### 3. What type of personal data we collect

We collect a variety of personal data in relation to your application for residence, reviewing your eligibility as a beneficiary at intervals, and keeping your information up to date while you are a resident in order to help us provide support to you, such as:

1. **Personal identifiers:** including your title, name and contact details.
2. **Information about your circumstances:** including age, gender, employment / retirement status, living situation, number of dependants, next of kin, and any other information that you choose to share with us.
3. **Financial information:** including details of income, benefits, and assets as well as bank statements as proof of eligibility.
4. **Information about our interactions with you:** including records taken of our planned and unscheduled meetings with you, participation in activities.
5. **From time to time, we may collect images of you** for media purposes, such as using a photograph of you on our website. We will only publish photographs of you with your permission. We also use your photo in our internal systems, to which only staff access.

6. **We use CCTV** at our premises, which will record images of you. We have tight security controls over CCTV recordings to keep your personal data safe.

### **Sensitive personal data**

Certain types of personal data are considered by data protection law to be more sensitive than others. This includes “special category personal data” (information relating to your health, racial or ethnic origin, details of sexual life, sexual orientation, religious beliefs, political opinions or any genetic or biometric data that is used to identify you) and “criminal offences and conviction data”.

Given the nature of our work, we may process special category data about you including:

- Information about your physical and mental health and wellbeing, which give us a full picture of your situation and needs.
- Information about your religious beliefs – for example as part of our chaplaincy.

We may also use information relating to criminal offences and convictions so that we can assess your circumstances and allow us to help you. Please note, we only use this type of information where the law allows us to.

### **4. How we collect your personal data**

We collect your personal data in the following ways:

- Information you give us directly: including when you telephone or email us, or during your period of residence.
- Information shared by known third party organisations: including your GP or other health professional, the local authority, and other trusted organisations.

### **5. How we use your personal data**

The main reason we use your personal data is to allow us to provide you with almshouse accommodation.

In particular, we use your personal data for the following purposes:

1. Providing you with accommodation. providing advice on benefits and living costs.
2. Providing you with support to help improve your life and prospects, including pastoral support and
3. Safeguarding your health, wellbeing, and safety, which may involve talking to other organisations or

agencies about you, making referrals to or liaising with other health services, or contacting your next of kin.

4. Communicating with you about and running our services, events and activities.

5. At your request, providing additional services run by third parties that we manage on your behalf such as emergency call providers.

## 6. Failure to provide personal data

When we collect personal data, we will make it clear whether you are required by law, or under a contract, to provide it, and what will happen if you do not.

## 7. Our rationale (our legal basis) for processing your personal data

Data protection law requires us to have a “lawful basis” for using your personal data. Depending on the purposes for which we use your data, we may rely on one or more of the following lawful bases:

<p><b>Vital interest:</b> It may be necessary for us to use your information to protect your vital interests or those of another individual. For example, providing your details to a medical professional in the case of an emergency.</p>	<p><b>Legal obligation:</b> It may be necessary for us to use your information to comply with our legal obligations.</p>	<p><b>Contract:</b> It may be necessary for us to use your information to fulfil a contract you have signed with us.</p>
<p><b>Legitimate interest:</b> It may be necessary for us to use your personal data for the purposes of “legitimate interests” of St John’s or a third party, where your interests do not override ours. Examples include:</p> <ul style="list-style-type: none"> <li>○ Maintaining our records and reviewing our services to help us improve.</li> <li>○ Facilitate any changes to our operations or structure.</li> <li>○ Keeping our people safe.</li> <li>○ Sharing information with trusted third parties, such as the police or health</li> </ul>		<p><b>Recognised Legitimate Interests:</b> For example:</p> <ul style="list-style-type: none"> <li>○ Assisting a public authority (such as a local authority, the NHS or the police) in the performance of its public task or the exercise of its official authority.</li> <li>○ In the event of an emergency.</li> <li>○ Where necessary to help detect, investigate or prevent a crime, or catch and prosecute an offender or suspect.</li> </ul>

professionals (for example, for safeguarding reasons).	○ Where necessary to safeguard you or another individual.
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A note about consent: we rarely need to rely on your consent to process your personal data. There may be limited occasions where we do need your consent, such as if you sign up to receive a newsletter from us or when we will seek your consent to share personal information with residents, non-immediate family members and your friends outside of St John’s Foundation.

You may withdraw consent at any time by emailing us at [data.protection@stjohnsbath.org.uk](mailto:data.protection@stjohnsbath.org.uk). Please note, any use of your personal data before you withdrew your consent will still be valid.

**8. Our rationale (our legal basis) for processing your sensitive personal data**

We need to identify an additional condition to allow us to use this type of information. We need to use this type of information without your consent in the following situations:

Where necessary in order to protect yours or another person’s vital interests.	Where necessary for reasons of substantial public interest:  To support individuals with a particular disability or medical condition.  For safeguarding individuals at risk.  For safeguarding the economic well-being of individuals	Where necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity (for example, providing information to a court where a claim has been made).
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**9. Who has access to your personal data outside of St John’s?**

We will only share your personal data with third parties where the law allows us to. Routinely, we may share your personal data with the following third parties, to enable us to provide our services, fulfil our charitable objectives, or comply with our legal obligations. These include:

- Public bodies such as the local authority, police, fire brigade, and the NHS.
- Organisations who help us host events.
- Regulators such as the Charity Commission.

- Organisations who provide services for us, for example our legal advisors, appointed accountants, our IT services providers and parties providing mailing and marketing services.

Note: we will also share some information with your immediate family, your next of kin, other residents, other relatives and your friends outside of St John’s Foundation. And if someone has an active power of attorney for you, we will share information with them.

For more information, see our leaflet “**Your personal information and St John’s Foundation**”

## **10. Transfers of your personal data outside the UK**

We may sometimes transfer your personal data to countries outside the UK, which are subject to different data protection laws. We may do this where for example, we use suppliers in a third country or data is stored on servers outside the UK.

If we do this, we will always ensure that any personal data transferred outside the UK continues to be protected as if it were being held in the UK.

## **11. How long we keep your personal data for**

We will only store your personal data for as long we need it to fulfil the purposes we collected it for. Usually, we keep records of our residents in our database for up to seven years following our last contact with you.

When deciding how long to keep your personal data, we consider the amount and type of data, why we need it, how sensitive it is, and the potential harm if something went wrong. We keep all of the information we hold under review and will securely delete or anonymise personal data which is no longer required.

## **12. Your rights**

You have the following rights in relation to your personal data:

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| <p>a) Right to be informed – You have a right to information about how we collect and use your personal data (this is contained within this privacy notice).</p> | <p>and certain other information to check that we are processing your data lawfully.</p>  |
| <p>b) Right of access to your personal data – You can ask us to confirm whether we are holding your personal data, request a copy of your personal data</p>      | <p>c) Right to rectification – You can ask us to correct any information about you if you think it is factually wrong, or to update or complete information if you think it’s incomplete.</p> |

- d) Right of erasure – You can ask us to erase information about you in some circumstances although there might be reasons why we cannot do this.
- e) Right to restrict our processing of your personal data – You can ask us to stop processing your personal data, for example if you want us to establish its accuracy or you're questioning our legal basis for processing it. This right only applies in certain circumstances.
- f) Right to object – You can object to our use of your personal data in certain circumstances. Please note, you always have a right to object to the use of your personal data for direct marketing purposes.
- g) Right to data portability – You can ask us to transfer your personal data to you or to another organisation free of charge and in a structured, commonly used format which is openly accessible. This right only applies in limited circumstances.

Some of these rights do not apply in all circumstances and we may be able to refuse or partially refuse requests in certain circumstances such as where a legal exemption applies.

### **13. Automated decision-making and profiling**

Automated decision-making is when a computer or similar electronic system uses personal data to make decisions about people without any human involvement.

Profiling involves collecting various pieces of information about a person in order to analyse or evaluate certain aspects relating to that person or to make predictions about them (for example, how that person may behave or what their preferences are).

We do not use your personal data in automated decision-making, including profiling (i.e. we do not make decisions about you by way of automated means without human involvement).

### **14. Your right to complain**

In the first instance, please contact us to discuss your concerns and we will make every effort to resolve any issues.

You also have the right to make a formal complaint to the Information Commissioner's Office (ICO) – please see <https://ico.org.uk/make-a-complaint/> or call 0303 123 1113.

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

We may update and change this Privacy Notice from time to time. If we make a substantial change that affects your rights, we will notify you.

