

Who Cares? Scotland: Volunteer & Volunteer Applicant Privacy Notice



**WHO
CARES?**
SCOTLAND

EQUALITY | RESPECT | LOVE

Date of first issue	2016
Date of most recent revision	July 2022
Version number	3
Date of SMT approval	August 2022
Responsibility for Review	Evidence & Impact Manager (Data Protection Lead) For Review July 2024

1. Background

Each and every one of us has control over our personal information.

Looking after your data securely is important to us.

We take our information management responsibilities very seriously and we safely and securely store all information. We will be open and transparent about the way we hold and use your information. All the data that we gather is managed in strict accordance with the General Data Protection Regulation (GDPR), The Data Protection Act 2018 and the Privacy and Electronic Communications Regulations (PECR).

These regulations are designed to protect and empower communities.

2. About Who Cares? Scotland

Who Cares? Scotland is a national voluntary organisation, working with people with care experience across Scotland. We also provide support to children and young people with Additional Support Needs and to those going through the Children's Hearing System. Our registered charity number is SC026076, and you can contact us at:

Who Cares? Scotland
40 Wellington Street
Glasgow
G2 6HJ

Tel: 0141 226 4441

Who Cares? Scotland's Evidence & Impact Manager holds data protection responsibilities. She can be contacted if there are any questions about this policy, with any specific questions about any individual's information, or if you wish to make a complaint. Her contact details are as follows: 0141 226 4441 or mydata@whocaresScotland.org.

If you feel that your data has not been handled correctly, or if you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling 0303 123 1113 or [online](#).

Who Cares? Scotland commits to collect the minimum amount of information we need to support you on your volunteering journey.

We do not make any decisions based on automated decision making. This means that no decisions will be taken regarding your information without people being involved. We do not make decisions electronically.

We explain our privacy approach to managing your personal information in the following sections.

3. Why do we need to process your personal information?

Volunteers support all our work, enriching and enhancing the experiences of our young people by bringing diverse skills and personalities to our organisation.

For the purposes of this document, volunteers are defined as all those offering their time in an unpaid capacity, it therefore includes members of the National Representative Body (NRB) and Board Members/Trustees.

We want to be able to support you throughout your volunteering journey with us and the personal information you give us helps us do this in the following ways:

- it enables us to keep in touch with you about volunteering opportunities
- it allows us to process your volunteering application and check your eligibility to support our work
- it enables us to inform you of training opportunities, news, activities, and events
- it allows us to invite you to our meetings, events, and volunteer nights
- it helps us to get feedback on your volunteering experience

Personal information will also be anonymised and collated in a way that cannot be linked to you, so we can:

- understand if our volunteering offer is available to all; this information will be shared with our funders and will help us to ensure we are as inclusive as possible.

4. What personal information do we process about you?

Who Cares? Scotland collects and processes a range of information about you.

This includes:

During the recruitment process

- your name, address, and contact details, including email address and telephone number and date of birth
- details of your qualifications, experience, employment history and 'financial/political interests' (Board Members only)
- your national insurance number
- information about your nationality
- information about your criminal record
- information about medical or health conditions, including whether you have a disability for which Who Cares? Scotland needs to make reasonable adjustments; and
- equal opportunities monitoring information, including information about your care experience, ethnic origin, gender, sexual orientation, health and religion or belief (optional, if you do not wish to disclose any of this information, you have the option to select 'Undisclosed' or 'Prefer not to say').

Volunteers

- your name, address, photograph, and contact details, including email address and telephone number, date of birth and gender
- details of your qualifications, experience, and employment history and 'financial/political interests' (Board Members only)
- information about your next of kin and emergency contacts
- information about your nationality
- information about your criminal record
- details of your schedule (days of work and working hours)
- details of any complaints and concerns or investigations in which you have been involved, including any warnings issued to you and related correspondence
- assessments of your performance, including supervision and training you have participated in
- information about medical or health conditions, including whether you have a disability for which Who Cares? Scotland needs to make reasonable adjustments; and

- equal opportunities monitoring information, including information about your care experience, ethnic origin, gender, sexual orientation, health and religion or belief (optional, if you do not wish to disclose any of this information, you have the option to select 'Undisclosed' or 'Prefer not to say').

5. What personal information do we process about you in relation to pre-Volunteering checks?

We undertake a range of pre-volunteering checks for all volunteers to check employment history etc. and to confirm your eligibility to work with vulnerable children and adults (via a live Protection of Vulnerable Groups (PVG) certificate).

In accordance with the Protection of Vulnerable Groups (Scotland) Act 2007 (PVG), it is an offence for an individual to do, or seek or agree to do, regulated work of the type from which they are barred. It is also an offence for an organisation to knowingly recruit an individual who is barred to do regulated work of the type to which the barring relates.

To ensure that volunteers are permitted to undertake regulated work Who Cares? Scotland requires volunteers complete a PVG application and provide two forms of identification, including Photo ID. The PVG application comprises two parts and is completed online through Disclosure Scotland's secure portal. Who Cares? Scotland will complete Part 1 of the form which asks for the Name, Date of Birth, Email address and Address of the individual and submit this to Disclosure Scotland for purposes of processing the PVG application. Part 2 of the form is completed by the individual and asks for further personal information, including: personal details – name and address, mother's maiden name; Birth details – date of birth, town of birth, country of birth and nationality; contact details – day and evening contact details and e-mail address; additional information including national insurance, passport, driving licence, nationality details etc; current address and address history; and declaration details. Who Cares? Scotland does not hold a copy of the application form once it has been sent to Disclosure Scotland and does not retain documents provided to prove identity.

Who Cares? Scotland receives a paper certificate from Disclosure Scotland to advise of the outcome of the application. This information is accessed by the Volunteer Manager and the named countersignatory for the application (if different) and the PVG number and outcome status only is retained by Who Cares? Scotland. The paper PVG certificate is securely destroyed. An electronic copy of the PVG certificate is also provided to the named countersignatory and is deleted once the paper copy is received.

All PVG Scheme members are subject to on-going monitoring (continuous updating). This means that when you are a PVG Scheme member your vetting information is kept up to date by Disclosure Scotland and if there is new information about you this will be assessed

to determine if you are unsuitable to do regulated work with children or vulnerable adults. If Disclosure Scotland contact Who Cares? Scotland with new information, we will hold this information for the purposes of determining the impact of volunteering with us. If you stop volunteering with Who Cares? Scotland and no longer carry out regulated work, you can choose to leave the PVG Scheme by contacting Disclosure Scotland:

<https://www.mygov.scot/organisations/disclosure-scotland>.

You are also responsible for ensuring that your personal details held by Disclosure Scotland are kept up to date.

6. Collecting your information

We collect information about you directly from you.

We will only collect information that is relevant for us to support you in your volunteering activity. It is important therefore, that this information is correct and up to date. The information you provide will be treated as confidential, will not be used for selection purposes, and is used for monitoring purposes only.

7. Who might we share your information with?

During the recruitment process

The information you provide will be shared internally with staff involved in the recruitment process. We may also share this information with external parties who are involved in the recruitment process, such as joint funders or commissioning partners.

As part of the recruitment process, we may need to share your data with third parties in order to conduct any necessary background checks and vetting processes, such as contacting previous employers/referees to obtain a reference, and Disclosure Scotland to conduct criminal record checks.

Volunteers

Your information will be shared internally, including with members of the Volunteer team and HR and Business Support, the manager of the area/service you support, and IT staff if access to your data is necessary for the performance of their roles.

Who Cares? Scotland will also share Board Member's/Trustee's data with regulatory bodies such as the Office of the Scottish Charity Regulator (OSCR) and Companies House, and with your prior consent, some of your personal data will be made available on public fora such as our website.

We may also pass on personal data in urgent or exceptional circumstances. Examples include:

- To comply with a court order or request from statutory regulator (e.g., the Scottish Social Service Council – SSSC)
- To protect public health, for example to comply with contact tracing during the coronavirus pandemic
- When necessary to protect the health, safety and welfare of volunteers or staff members, for example if a volunteer / staff member does not check in as expected when lone working
- To prevent serious physical harm to a person
- To protect someone's vital interests – this refers to life or death situations.

Wherever it is possible and reasonable to do so, Who Cares? Scotland commits to consulting an individual about the need to share their information in advance. However, the urgent or exceptional nature of the above circumstances means this may not always be possible.

During your time volunteering with us, you may choose to share your story or photograph by contributing to our magazines, blogs, or reports. You will sign a media consent form when recruited as a volunteer however, we will also seek specific consent before we share information with anyone outside of Who Cares? Scotland.

8. Storing your information safely and securely

Your information is private. We have a duty to keep it safe. We store your information on a secure computer system. We may also hold some information about you on paper, but we ensure there are appropriate measures in place to guarantee this data remains secure.

Who Cares? Scotland has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused, or disclosed, and is not accessed except by its employees or volunteers in the performance of their duties.

Where Who Cares? Scotland engages third parties to process personal data on its behalf, they do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

9. What if your information changes?

If any of your personal or contact details change, it is important that you tell us straight away, so we have the most up-to-date information to communicate with you about your volunteering and other services.

To do this, please amend your personal details on Better Impact and advise the Volunteering Team immediately.

10. How long will we retain your information?

If you are unsuccessful in your application to become a volunteer with us, then any information you provide during the recruitment process will be held on file for a maximum of six months following completion of the recruitment process. This allows us to respond to any requests for feedback or further information related to the recruitment process. After this period all information will be securely destroyed.

If you are successful in your application and become a volunteer with Who Cares? Scotland, we will hold your personal data for as long as you wish to volunteer with us. Many of our volunteers take a break between their volunteering activity and re-join the team when they can. Your information will be held in our records until you tell us otherwise, or we have not heard from you for a period of six months, or you formally leave your volunteering role.

The periods for which your data is held after the end of volunteering are set out in the Management of Data Policy.

11. What the law says

The law says that we must:

- Collect and use your personal information fairly and lawfully
- Keep your information secure
- Respect the rights given to you through information laws which include rights that allow you to question, complain, correct, remove, and restrict the information held about you
- Make sure the information that we hold is adequate, relevant, accurate and up to date

The data protection laws also say we must have a valid lawful basis in order to process your personal information. Depending on the circumstance, Who Cares? Scotland relies on the following legal bases when processing your data:

- We have a legitimate interest in processing your personal data before, during and after the end of the volunteer relationship e.g., to maintain accurate and up-to-date volunteer records and contact details and to provide references on request for current or former volunteers.
- We need to ensure that we are complying with our legal obligations. For example, we are required to conduct a criminal record check with Disclosure Scotland.

Where Who Cares? Scotland relies on legitimate interests as a reason for processing data, we have considered whether those interests are overridden by the rights and freedoms of volunteers and have concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed for statutory purposes (e.g., for health and safety purposes).

Where we process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring. No applicant will be treated more or less favourably on the grounds of their care background, age, disability, gender, gender reassignment status, race, religion or belief, sexual orientation, marital or civil partnership status or pregnancy/maternity status.

The information that you provide will help us to monitor the diversity profile of our volunteer team and the effectiveness of our equalities policy. The information you provide will be treated as confidential, will not be used for selection purposes and used for monitoring purposes only.

Data that Who Cares? Scotland uses for these purposes is collected with the express consent of volunteers, which can be withdrawn at any time. Volunteers and applicants are entirely free to decide whether to provide such data and there are no consequences of choosing not to.

Your Right to See the Information We Hold About You

You have the right to see any information that we hold about you except:

- Information that could harm you or someone else
- Information about some legal matters such as if a serious crime has been committed
- Information that is private to someone else

If you want to see your records, you can speak to a member of staff you know, and they will help you to put your request in writing if needed, or you can contact mydata@whocarescotland.org directly.