

Fair Processing Privacy Notice

Safe Passage International

Updated March 2019

1. INTRODUCTION

1.1 Objective

We, Safe Passage International, will process Personal Data (which may be held on paper, electronically or otherwise) about our Beneficiaries and we recognise the importance of treating such Personal Data in a lawful and appropriate manner, in accordance with the European General Data Protection Regulation ("GDPR").

The purpose of this fair processing notice ("Notice") is to make you aware of how we will use your Personal Data and the measures and processes we have put in place in order to ensure that we comply with the GDPR which will provide adequate protection when Personal Data is Processed by us.

This Notice may be amended from time to time.

1.2 Scope

This Notice applies to Safe Passage International, 136 Cavell Street, Whitechapel, London, E1 2JA ("Charity", "we" or "us", "our"). We act as a Data Controller for the Personal Data we collect about our Beneficiaries.

We process a wide range of Personal Data, which includes, but is not limited to: your name, address, telephone number, email address, date and country and place of birth.

The Charity Processes this information for to fulfil its charitable objectives and the project Safe Passage International's day-to-day purposes such as communicating with its Beneficiaries, legal partners, operations, and administering Beneficiary relationships.

1.3 Notice Responsibility

This Notice is owned by Helen Manley ("Data Protection Manager"). If you have any questions or problems relating to this Notice including around implementation, please get in touch with the Data Protection Manager at Helen.manley@safepassage.org.uk .

2. WHAT THIS FAIR PROCESSING NOTICE COVERS

2.1 This notice covers:

- 2.1.1 fair and lawful Processing;
- 2.1.2 what Personal Data we collect about you;
- 2.1.3 how we collect Personal Data;
- 2.1.4 what we use Personal Data For;
- 2.1.5 when we record communications;
- 2.1.6 international Transfers of Personal Data;
- 2.1.7 when we may disclose your Personal Data;
- 2.1.8 how we protect your Personal Data and where we store it;
- 2.1.9 your rights in relation to the Personal Data we collect; and
- 2.1.10 How long we will hold your Personal Data for;
- 2.1.11 how we update or change this notice;
- 2.1.12 how you can contact us; and
- 2.1.13 complaints.

2.2 Definitions used in this Notice can be found at schedule 1.

3. FAIR AND LAWFUL PROCESSING

3.1 We will usually only process your Personal Data where:

3.1.1 Processing is necessary to comply with our legal obligations;

3.1.2 Processing is necessary for the performance of a contract to which you are party, or in order to take steps at your request prior to entering into such contract;

3.1.3 Processing is necessary for our legitimate interests or the legitimate interests of others (except where such interests are overridden by your interests or rights requiring the protection of Personal Data);

3.1.4 Processing is carried out in the course of the legitimate activities of a not-for-profit body; or

3.1.5 Processing is necessary for the establishment, exercise or defence of legal claims.

3.2 For the purposes of 3.1.3, above, the legitimate interests pursued by us and others include the interests set out in clause 6.1 (below).

4. WHAT PERSONAL DATA WE COLLECT ABOUT YOU

4.1 We typically Process the following types of Personal Data about you:

4.1.1 Your name, address, telephone number, email address, date and country and place of birth;

4.1.2 Your employment and housing status;

4.1.3 Your residency status and supporting documents including biometric cards;

4.1.4 Other identification documentation, such as a photocopy of your passport, driving licence, ID card or other documentation. Copies of these documents may include a photograph of your face and shoulders;

4.1.5 Family photographs proving relationship between the Beneficiary and the family member residing in an EU member state;

4.1.6 Details of your journey to Europe and your asylum interview records;

4.1.7 Details of your communication history between you and your family members;

4.1.8 Documentation relating to relevant physical or mental health conditions.

4.2 These types of Personal Data may include Special Personal Data for example, racial or ethnic origin, political opinions, religious or philosophical beliefs and the Processing of genetic data, biometric data and data concerning health.

4.3 In certain circumstances it may be mandatory for you to provide us with your Personal Data, to enable us to provide services to you, make referrals to services on your behalf, or to comply with our legal obligations. In other circumstances, it will be at your discretion whether you provide us with Personal Data or not. However, failure to supply any of the Personal Data we may request may mean that we are unable to maintain or provide services to you. Your Personal Data will only be processed to the extent that it is necessary for the specific purposes notified to you.

4.4 We make every effort to maintain the accuracy and completeness of your Personal Data which we store and to ensure all of your Personal Data is up to date. However, you can assist us with this considerably by promptly contacting us if there are any changes to your Personal Data or if you become aware that we have inaccurate Personal Data relating to you (see section 11 below). We shall not be responsible for any losses arising from any inaccurate, inauthentic, deficient or incomplete Personal Data that you provide to us.

5. HOW WE COLLECT PERSONAL DATA

5.1 The Charity usually collects your Personal Data from the information you submit during the course of Safe Passage International's work with you. This will typically be through emails, telephone calls, forms and documents used when you or a family member agree to participate in our family reunion service, are named as an authorised person to act

on behalf of another family member. We will also collect Personal Data when we monitor or record communications and/or through use of technology, please see further information set out below.

6. WHAT WE USE PERSONAL DATA FOR

- 6.1 The Charity will Process Beneficiary Personal Data in connection with its family reunion service including:
 - 6.1.1 To establish whether an individual fall within the remit of a Safe Passage International Beneficiary;
 - 6.1.2 To assess whether Safe Passage International is able to assist the Beneficiary;
 - 6.1.3 To remain in contact with the Beneficiary;
 - 6.1.4 To contact the relatives of the Beneficiary;
 - 6.1.5 To discuss the Beneficiary's case with the relevant lawyers or third-party actors to determine whether the individuals have a reunification case; and
 - 6.1.6 To provide direct or indirect advice (including legal advice) and assistance to Beneficiaries.
 - 6.1.7 For any other legitimate charitable purpose; and
 - 6.1.8 As otherwise permitted or required by any applicable law or regulation.

7. WHEN WE RECORD COMMUNICATIONS

- 7.1 The Charity and persons acting on our behalf may record and/or monitor communications (including telephone conversations over landlines and mobile phones, emails, instant messaging, fax and other electronic communications) between our employees, agents, consultants, contractors or other personnel and our Beneficiaries. The Charity only does this to the extent permitted by applicable law, for legitimate interests or other purposes permitted or required by law.
- 7.2 The Charity collects this type of Personal Data for several reasons including but not limited to:
 - 7.2.1 pursuing its legitimate interests
 - 7.2.2 complying with applicable law and regulation;
 - 7.2.3 complying with internal procedures and policies;
 - 7.2.4 facilitating administration and support;
 - 7.2.5 assisting with security, and crime prevention purposes.

8. INTERNATIONAL TRANSFERS OF PERSONAL DATA

- 8.1 Because the project Safe Passage International run the Charity is a global project, Beneficiary Personal Data may be Transferred to and Processed by entities within the Charity or to its pro bono legal partners other than the entity that collected the Personal Data.
- 8.2 We and/or persons acting on our behalf may Process Transferred Beneficiary Personal Data for specific legitimate purposes (identified in section 6 above) The Charity will not Process any such Transferred Personal Data in a way that is incompatible with these purposes.
- 8.3 If we transfer your Personal Data outside of the European Union, we will have in place safeguards to make sure your Personal Data is transferred and treated in a way that is consistent with and which respects the EU and UK laws on data protection. If you would like to obtain copies of such safeguards you can request them from us on the contact details set out below in Section 14.

9. WHEN WE MAY DISCLOSE YOUR PERSONAL DATA

- 9.1 The Charity does not and will not sell, rent or trade your Personal Data. We will only disclose your Personal Data in the ways set out in this Notice and in the following circumstances:

- 9.1.1 to third parties who Process your Personal Data on our behalf (such as our systems providers);
- 9.1.2 to third parties who Process your Personal Data on their own behalf but through providing you with a service on behalf of us (including, without limitation, our pro bono or legal aid lawyer partners);
- 9.1.3 to any third party to whom we assign or novate any of our rights or obligations;
- 9.1.4 to any prospective buyer in the event we sell any part of our business or its assets or if substantially all of our assets are acquired by a third party, in which case your Personal Data could form part of one of the assets we sell; and
- 9.1.5 to any government, regulatory agency, enforcement or exchange body or court where we reasonably believe that we are required to do so by applicable law or regulation or at their request;

10. HOW WE PROTECT YOUR PERSONAL DATA AND WHERE WE STORE IT

- 10.1 The Charity is committed to safeguarding and protecting Personal Data and maintains appropriate security to protect any Personal Data you provide us with from improper or accidental disclosure, use, access, loss, modification or damage.

11. YOUR RIGHTS IN RELATION TO THE PERSONAL DATA WE COLLECT

- 11.1 If you wish to update or modify/correct any of your Personal Data that we store, to access your Personal Data, receive a copy of the Personal Data we collect from you, or if you would like us to stop or restrict Processing of any of your Personal Data which we hold, delete your Personal Data or transfer your Personal Data to a third party, to the extent you are entitled to do so under applicable law, you can make such a request by writing to the address set out below. We will respond to your request within the time prescribed by applicable law.
- 11.2 In any of the situations listed above, in order for us to comply with our security obligations and to prevent unauthorised disclosure of data, we may request that you prove your identity by providing us with a copy of a valid means of identification.

12. HOW LONG WE WILL HOLD YOUR PERSONAL DATA FOR

- 12.1 We will only retain your Personal Data for as long as necessary to fulfil the purpose for which it was collected or to comply with legal, regulatory or internal policy requirements. However, if you wish to have your Personal Data removed from our databases, you can make such a request by writing to the address set out below in section 14. Subject to any legal or regulatory requirements, we will then delete this information.

13. HOW WE UPDATE OR CHANGE THIS NOTICE

- 13.1 We may change or update parts of this Notice in order to maintain our compliance with applicable law and regulation or following an update to our internal practices. We will do this by updating this document.
- 13.2 This Notice was last updated in August 2018. Any future updates will be notified through our webpage, please be aware that you may not necessarily be notified of such a change; however, if we change anything important about this Notice (the information we collect, how we use it or why) we will notify you.

14. HOW YOU CAN CONTACT US

- 14.1 If you would like to contact us in relation to this Notice or anything else in connection with the Personal Data we collect on you, including, without limitation, where you would like to update your Personal Data, would like a copy of the data we collect on you or would like to raise a complaint or comment, please contact the Data Protection Manager, Jawed Neshat, 136 Cavell Street, Whitechapel, London E1 2JA.

15. COMPLAINTS

- 15.1 If you consider that we have not followed the applicable data protection principles as set out in the GDPR in respect of Personal Data about yourself, you should raise the matter with your normal Charity representative or contact the Data Protection Manager whose contact details are set out above in Section 14.
- 15.2 If you feel that any matter raised with your normal Charity representative, the Data Protection Manager or in the organisation has not been taken seriously you are entitled to lodge a complaint with the Human Resources, Helen Manley, contacted at hr@safepassage.org.uk.

Schedule 1

DEFINITIONS

Beneficiaries means unaccompanied child and vulnerable adult asylum-seekers and refugees seeking family reunion with their family members residing in an EU member state.

Data Controller means any legal entity which alone or jointly with others determines the purposes and means of Processing of Personal Data.

Data Processor means any legal entity which Processes Personal Data on behalf of the Data Controller.

European Economic Area means Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom (including after the finalisation of the Brexit negotiations).

General Data Protection Regulation (GDPR) means the Regulation 2016/679, on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data.

Personal Data means any recorded information we hold about you from which you can be identified. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you.

Processing means any action that is performed on Personal Data such as obtaining, transferring, storing, organising, modifying, using, disclosing, deleting, anonymising or Transferring such data, and "Process", "Processes", or "Processed" shall be construed accordingly.

Transfer and its cognates, means transferring, or making available Personal Data to another entity by any means.

Pro bono or legal aid external lawyers(s) means external lawyers who provide family reunion services on a pro bono or legal aid basis to the Beneficiaries, connected through the Charity and who are based in the European Economic Area.