

# Privacy notice



## Who we are

Via is a vibrant and innovative drug and alcohol charity committed to helping those who are affected by drug and alcohol use. Providing support to individuals, their families and the wider communities across London, the North West, South West, and East of England.

## Privacy notice

UK General Data Protection Regulation (GDPR) requires all Data Controllers to inform individuals how their personal data will be processed and held. This privacy statement explains how we use any personal information we collect about you when you use this website and access our services. Via is compliant with the national data opt-out policy.

## Registration as Data Controller & contact details for the Registered Data Protection Officer

Our legal name is registered as Via Community Ltd.

Our registered offices are at: Passmores House, Third Avenue, Harlow, Essex, CM18 6YL.

Our contact details are:

Tel: 0207 421 3100

Website: [www.viaorg.uk](http://www.viaorg.uk)

Via's Data Protection Officer is: Dr Arun Dhandayudham, Executive Medical Director

If you have any queries regarding the information we hold about you or have questions relating to our privacy statement you can contact our Data Protection Officer on the below details.

**Tel:** 0207 421 3100

**Email:** [quality@viaorg.uk](mailto:quality@viaorg.uk) or by post at the address above.

## What we collect and why

Via is a charity within the health and social care sector commissioned by local authorities to provide treatment support. Our legal bases for processing data are defined in the table below:

Applicable Legislation	Our reason for processing
Article 6 (1) (a) Consent	<ul style="list-style-type: none"><li>• To provide Service Users with a treatment service that is tailored to individual need</li><li>• To employ our staff</li></ul>
Article 6 (1) (b) Performance of a Contract	<ul style="list-style-type: none"><li>• Managing contracts with individuals e.g. employees</li><li>• Agreements for individuals volunteering in Via services</li></ul>
Article 6 (1) (c) Legal Obligation	<ul style="list-style-type: none"><li>• Managing TUPE transfers for employees</li><li>• Transfer of service user data between providers</li></ul>

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	<ul style="list-style-type: none"> <li>• Submission of Drug Rehabilitation Requirement and Alcohol Treatment Requirements reports for court proceedings</li> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> </ul>
<p><b>Article 6 (1) (e)</b> processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;</p>	<ul style="list-style-type: none"> <li>• Via is a not-for-profit organisation commissioned by local authorities to provide health care services based upon statutory requirements under the Health and Social Care Act 2012.</li> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> </ul>
<p><b>Article 6 (1) (f)</b> processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.</p>	<ul style="list-style-type: none"> <li>• To provide a service to our service users</li> </ul>
<p><b>Processing Special Category Data</b></p>	
<p><b>Applicable Legislation</b></p>	<p><b>Our reason for processing</b></p>
<p><b>Article 9 (2) (a)</b> the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject</p>	<ul style="list-style-type: none"> <li>• To process sensitive information that will provide Service Users with a treatment service that is tailored to individual need and considerate of Special Category information</li> </ul>
<p><b>Article 9 (2) (b)</b> processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;</p>	<ul style="list-style-type: none"> <li>• Employment and safeguarding purposes</li> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> </ul>
<p><b>Article 9 (2) (f)</b> processing is necessary for the establishment, exercise or defense of legal claims or whenever courts are acting in their judicial capacity;</p>	<ul style="list-style-type: none"> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> </ul>
<p><b>Article 9 (2) (g)</b> processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and</p>	<ul style="list-style-type: none"> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> <li>•</li> </ul>

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<p>provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;</p>	
<p><b>Article 9 (2) (h)</b> processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;</p>	<ul style="list-style-type: none"> <li>• Via is a not-for-profit organisation commissioned by local authorities to provide health care services based upon statutory requirements under the Health and Social Care Act 2012.</li> </ul>
<p><b>Article 9 (2) (i)</b> processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.</p>	<ul style="list-style-type: none"> <li>• To design and contribute to research projects which will inform how services within the sector are commissioned and delivered going forward</li> <li>• To produce new and exciting innovations which enhance Via's existing service delivery.</li> </ul>
<p><b>Article 9 (2) (j)</b> processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89 (1) based on Union or Member State law which shall be proportionate to aim the pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interest of the data subject.</p>	<ul style="list-style-type: none"> <li>• To design and contribute to research projects which will inform how services within the sector are commissioned and delivered going forward</li> <li>• To produce new and exciting innovations which enhance Via's existing service delivery.</li> <li>• Legal proceedings and obtaining advice for prospective legal proceedings, for establishing, exercising or defending legal rights or where Via has a specific legal requirement for processing information</li> </ul>

## How we use your information

The personal information collected about you, or the individuals that you are referring to our services, will be used to help us implement recovery treatment packages that are tailored to support the needs of our service users' recovery and to support the continued development and improvement of the services we provide.

Information submitted through our online enquiries form will be reviewed and shared with the Via department or service identified as appropriate for processing the information that you have provided.

Processing of information includes the following activities:

### Service user, family members and carer data

- Storing hard copy (paper) and soft copy (electronic) records of data in an archived format when no longer required for processing.

- Storing data relating to deceased individuals who have accessed services through Via.
- Writing to GPs and informing them of service user treatment with Via or informing them of new registrations.
- Working with criminal justice services and providing treatment assessments for service users.
- Working with probationary services where service users are required to take part in a criminal justice requirement.
- Working with prison services for continued treatment.
- Working with safeguarding teams to ensure individuals at risk receive the appropriate support.
- Working with pharmacies, monitoring and processing data in relation to needle exchange and supervised consumption programmes.
- Via shares information with the National Drug Treatment Monitoring Service (NDTMS). This information is collected on behalf of the Office for Health Improvement and Disparities (OHID) and is used to monitor numbers accessing treatment support.
- Designing and contributing to research and innovation projects, to support the continued improvement of treatment and services.
- This is in line with National Data Opt-Out Policy.
- Local authorities for monitoring, evaluating and reviewing substance misuse treatment services.
- Transferring data to new drug and alcohol treatment providers at the start or end of a service contract.
- Recording and monitoring incidents, accidents and complaints for internal investigations and audits.
- Compliance with legal obligations.

## Employee data

- Staff administration
- Payroll and pension administration
- Staff wellbeing
- Health administration and services
- Equal Opportunities monitoring
- Surveying of staff to support organisational initiatives
- Business management and planning
- Workforce planning, and the provision of facilities such as estates, car parking and IT/telecoms
- Accounting and auditing
- Prevention/detection of fraud, crime and or prosecution of offenders
- Education and training
- Management of organisational change
- Supporting emergency preparedness and business continuity
- Compliance with legal obligations.

## Retention

We will hold your personal data on our systems for as long as you are a user of Via services and for as long afterwards as is necessary to comply with our legal obligations. We will retain your personal information in an archived format as directed by our organisational Records

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Management and Retention Policy until it is confidentially destroyed. This applies if you enter treatment with Via or if you have submitted a compliment or complaint.

Where your information relates to a general enquiry about Via services, information will be removed from our systems after a period of six months.

## Your right of access

You have the right to ask us for copies of your personal information. This right will always apply. Please be aware that there are some exemptions, which means you may not always receive all the information we process.

You can ask for copies of your information by asking your keyworker or by submitting a written request to your service or alternatively to [quality@viaorg.uk](mailto:quality@viaorg.uk)

For more information about this right, we recommend you obtain further information from <https://ico.org.uk/your-data-matters/your-right-of-access/>.

## Your right to be informed

Your right to be informed is met by the provision of this privacy notice, and similar information when we communicate with you directly.

## Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies.

Should Via receive a request to correct any data, we will take reasonable actions and will investigate if the data is accurate. This will include a review of the records held and processes followed when recording the data. Upon completion of the review, Via will:

- Advise you of the outcome in writing
- Confirm the outcome of the investigation, detailing the actions that have been taken, e.g. confirm if the information has been corrected or if not, the reason why the rectification has not taken place
- Where information has been shared with other organisations and then later rectified, share the details of the rectification with the applicable parties.

In order for us to complete this process, we would ask that you provide your reasons and where possible any evidence to support your request for rectification.

Further information relating to rectifying your data can be found at: <https://ico.org.uk/your-data-matters/your-right-to-get-your-data-corrected/>.

## Your right to data portability

The right to data portability allows individuals to obtain and reuse their personal data for their own purposes. This right is only available where the legal basis for processing under the GDPR is consent, or for the purposes of a contract between you and Via.

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For this to apply the data must be held in electronic form. It allows for personal data to be moved, copied or transferred easily from one IT environment to another in a safe and secure way.

## Your right to object

You have the right to object to the processing of personal data about you on grounds relating to your situation. The right is not absolute, and we may continue to use the data if we can demonstrate compelling legitimate grounds.

## Your right to erasure

You have the right to request to have your personal data erased, which is also known as the right to be forgotten. The right only applies to data Via holds at the time you make the request. It does not apply to data that may be created in the future. The right is not absolute and only applies in certain circumstances.

## Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to track visitors/users of the website and compile statistical reports on website activity.

For further information visit <https://www.aboutcookies.org/>.

You can set your browser not to accept cookies and the above website tells you how to remove cookies from your browser. However, in a few cases some of our website features may not function as a result.

## Via Connect

Via works in partnership with an external organisation to provide the Via Connect service.

Data relating to your use of the web and mobile application (known as usage data) includes IP address, length of visit, navigation paths and may be processed to analyse the use of the web and mobile applications and to improve the service.

Account data includes your name and email address added by Via so you can use the application. Occasionally, we may need to contact some users to confirm account data and this can be done via email.

Service data includes personal information recorded on the web and mobile applications in the course of using the service. The service data may be processed for the purposes of operating the web and mobile applications, providing the service, ensuring the security of the web and mobile applications, maintaining back-ups of databases and communicating with you.

## Via Capital Card®

The Capital Card is Via's reward card scheme to support service users during their recovery journey, as well as families and carers. It rewards engagement through a simple earn-spend points system.

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Information is collected when service users register for the card or complete a transaction using their Capital Card. The initiative is managed by two secure electronic systems: the local Via case management system (varies depending on service) and an external organisation's platform (the third-party provider).

Capital Card spend partners are companies or organisations within the local community or online that provide spend options to service user (e.g., cafés, colleges). When a service user engages with a spend option, the spend partner will have a limited amount of information about the service user: their initials, their Capital Card ID and their current Capital Card balance.

To produce a Capital Card ID, we use minimal information that can identify service users. In Via-led services, the service user's initials (first letter of first and surname) and database ID are shared with the third-party provider, and any spend partner that the service user chooses to engage with.

In our Surrey partnership service (i-access), the service user's initials (first letter of first and surname), day and month of birth and the day that the service user registered with the Capital Card, e.g. GH 1505 17022019, are shared with the third party provider and any spend partner that the service user chooses to engage with. Surrey service users are required to sign an additional consent form.

Service users' consent to being part of the Capital Card scheme can be withdrawn at any time.

## Links to other websites

Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We encourage you to read the privacy notices on the other websites you visit.

## Right to complain to the Information Commissioner

If you have any concerns in the way in which Via processes personal data, please get in contact with us. Alternatively, you can make a complaint using Via's complaint procedure that will be fully investigated.

You have the right to complain to the Information Commissioner if you are not happy with any aspect of Via's processing or believe that we are not meeting our responsibilities as a data controller.

The contact details for the Information Commissioner are:

Information Commissioner's Office  
Wycliffe House  
Water Lane,  
Wilmslow, SK9 5AF

Website: [www.ico.org.uk](http://www.ico.org.uk)