

PRIVACY NOTICE

Who are we?

Kyle & Lochalsh Community Trust (KLCT) can be contacted about your personal data and data protection, including making a subject access request using the below details:

Postal Address: Toll Office, Kyle of Lochalsh, IV40 8AZ

Tel: 01599534505

Email: info@lochalsh.uk

Introduction

The processing of personal data is governed by the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR). This requires organisations that process personal data to meet certain legal obligations. KLCT is the data controller under the meaning of the act which means we collect and process personal data.

Information Collected

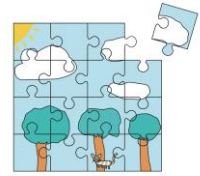
We only collect information from you needed for effective running of KLCT. Information may be held digitally or hard copy.

Membership:

Our membership is very important to us as it shows how we represent our community. We need to collect this information from you to deliver effective communications regarding your membership, to keep you updated on relevant news and events and to communicate with you if you are involved in delivering community projects, events or activities. We collect information on your membership application form including name, address, contact phone and email address. We also collect optional data for Gift Aid purposes. The data is collected under legal obligation, legitimate interest and consent where relevant.

Volunteers:

KLCT gathers information on volunteers to manage, support and recognise volunteers' contribution to the Trust. This includes contact information: name, address, contact phone and email address, personal information such as medical history, financial information if required for reimbursement of expenses; ID for PVG if required. The data is collected under legal obligation, legitimate interest and consent where relevant.



How do we use your data?

We may use your information to:

- Maintain a membership and volunteer database
- Deal with your enquiries
- Inform you of news, events, activities or services related to KLCT, its projects and membership;
- Seek your views or comments on our projects and activities
- Notify you of changes to the trust
- Fundraise and promote the interests of the charity
- Maintain our accounts

We are legally required to hold some types of information to fulfil our statutory obligations. We will hold your personal information on our systems for as long as is necessary for the relevant activity, or as long as is set out in any relevant contract you hold with us. We review our retention periods for personal information on a regular basis.

Your information may from time to time be transferred and/or processed outside the EEA, usually through a third party. This will only be done where we have confirmed that the country to which your data has been transferred provides a level of personal data protection comparable to that provided in European law.

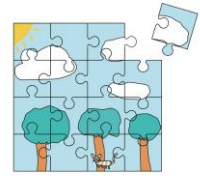
What is the legal basis for processing your personal data?

- Legitimate interests of KLCT or our appointed third party, except where such interests are overridden by the interests, rights or freedoms of the data subject, to inform you members about general meetings and proposed resolutions or to inform about changes to office location and contact details
- Contract basis for the performance of a volunteer contract or to take steps to enter a contract
- Consent by the data subject to you informed of our activities and inform you about upcoming meetings, services, surveys, events and opportunities via membership form completion with consent for correspondence; or by opting in to Newsletter mailing by freely providing your email address
- necessary processing for reasons of preventative or occupational medicine, for assessing the working capacity of volunteers, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of UK or EU law or a contract with a health professional
- processing relates to personal data manifestly made public by the data subject, for example photographs and videos.
- legal obligation e.g. OSCR requirement that we “Keep registers of charity trustees and of members” and grant funding reporting/monitoring requirements of our funders
- legal obligation for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity.
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Kyle & Lochalsh Community Trust is a Scottish Guarantee Company (SC430036) registered as a Scottish Charity (SC043360).

Registered office: J & H Mitchell W.S., 51 Atholl Road, Pitlochry, PH16 5BU

Document reviewed 08/04/22 KM



Sharing your personal data

Your personal data will be treated as strictly confidential, and will only be shared with other organisations and individuals to comply with a legitimate interest or a legal obligation i.e. OSCR, Companies House or funders. To email you information, collect your views and store our information in a cloud-based system we may share your data with third party processors including MailChimp, Survey Monkey and Microsoft.

We will only share your data with any additional third parties outside of the organisation with your consent.

How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary. HR data is kept for a period of at least 6 years following the termination of employment; some personal financial data will be destroyed after 2 years; Health and Safety information must be held for a minimum of 40 years.

Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which Kyle & Lochalsh Community Trust holds about you (the Right to Access)
- The right to request that Kyle & Lochalsh Community Trust corrects any personal data if it is found to be inaccurate or out of date; (the Right to Rectification)
- The right to request your personal data is erased where it is no longer necessary for Kyle & Lochalsh Community Trust to retain such data; (the Right to Erasure)
- The right to withdraw your consent to the processing at any time; (the Right to Object)
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing; (the Right to Restrict)
- The right to object to the processing of personal data, (the Right to Object)
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (the Right to Data Portability)

Requesting information (The Right to Access)

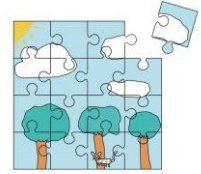
Please provide all requests in writing to the individual at the top of this notice. To help provide the information on a timely basis you may need to provide copies of id and proof of address.

Asking someone else to make a subject access request on your behalf: You can ask someone else to request information on your behalf – for example, a friend, relative or solicitor. We must have your authority to do this. This is usually a letter signed by you stating that you authorise the person concerned to write to for information about you, and/or receive our reply.

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When We Won't Release Information

The law allows us to refuse your request for information in certain circumstances – for example, if you have previously made a similar request and there has been little or no change to the data since the original request.

The law also allows us to withhold information where, for example, release would be likely to: reveal the identity of another person, or information about them.

Where we are unable to consent to your request, we will set out the reasons in writing.

Deleting your Records (the Right to Erasure)

In certain circumstances it is possible for you to request us to erase your records. Further information is available on the ICO website (www.ico.org.uk). If you would like your records to be erased, please inform us immediately and we will consider your request. In certain circumstances we have the right to refuse to comply with a request for erasure and if applicable we will supply you with the reasons for refusing your request.

Restrictions on Processing (the Right to Restrict Processing and the Right to object)

In certain circumstances you have the right to 'block' or suppress the processing of personal data or to object to the processing of that information. For further information refer to the ICO website (www.ico.org.uk). Please inform us immediately if you want us to cease to process your information or you object to processing so that we can take the appropriate action.

Withdrawal of Consent

Where you have consented for us to contact you with details of other services we provide we may continue to process your data and contact you for that purpose after our contractual relationship ends. You may withdraw consent for the firm to contact you in relation to details of other services we provide at any time during the performance of the contract or thereafter. We will then cease to process your data but only in connection with contacting you with details of other services we provide. Note that the withdrawal of consent does not make the other bases on which we are processing your data unlawful. We will therefore continue to process your data under the terms of our contract and for other reasons set out in this privacy notice.

Obtaining and Reusing Personal Data (the Right to Data Portability)

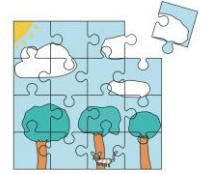
The right to data portability only applies to personal data an individual has provided to KLCT; where the processing is based on the individual's consent or for the performance of a contract; and when processing is carried out by automated means

You may be able to request your personal data in a format which enables it to be provided to another organisation. We will respond to any requests made without undue delay and within one month. We may extend the period by a further two months where the request is complex, or a number of requests

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are received but we will inform you within one month of the receipt of the request and explain why the extension is necessary

Further processing

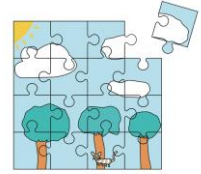
If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Where and whenever necessary, we will seek your prior consent to the new processing.

To exercise all relevant rights, queries of complaints please contact us in writing using the contact details at the top of this notice.

Complaints

If you have any questions or concerns regarding our processing of personal data, you can complain to us in writing on the contact details above. If you are dissatisfied with the response, then you can refer to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF



APPENDIX 1

CONSENT as the basis of all consent forms

By signing this form you are confirming that you have read Kyle & Lochalsh Community Trust's Data Protection Policy and Privacy Notice and that you are consenting to Kyle & Lochalsh Community Trust holding and processing your personal data to keep you informed about our organisation's activities and inform you about upcoming meetings, services, surveys, events and opportunities:

Name:

Address:

Telephone:

Email address:

We will use your details provided above to keep you informed about our organisation's activities and inform you about upcoming meetings, services, surveys, events and opportunities.

If you consent to us contacting you for this purpose please select how you would like us to contact you:

- ☐ By email []
- ☐ by post []
- ☐ by phone []

Where you do not grant consent we will not be able to use your personal data except in certain limited situations, such as where required to do so by law, our Articles of Association or to protect members of the public from serious harm. E.G. Notifications of our General Meeting by at least one of the above means.

You can also cancel your membership with KLCT by choosing below:

- ☐ I no longer wish to be a member of KLCT []

If you do grant consent, please note you can withdraw your consent to the above purposes at any time by contacting development@lochalsh.uk

Please note that all processing of your personal data will cease once you have withdrawn consent but this will not affect any personal data that has already been processed prior to this point.

SIGNED

DATED