

# **South West Heritage Trust**

## **Data Protection, Privacy and Security Policy**

**22 May 2018**



# South West Heritage Trust

## Data Protection, Privacy and Security Policy V1.4

### Introduction

The privacy and security of your personal data is very important to the South West Heritage Trust (SWHT). We want you to understand what we do with the personal data you supply to us and how you can control the ways that data is used.

#### 1. Who we are

- 1.1 The South West Heritage Trust (“we”) is a charity and a company limited by guarantee registered in England.

Company number: 09053532

Charity Number: 1158791

Registered office: South West Heritage Trust, Somerset Heritage Centre, Brunel Way, Norton Fitzwarren, Taunton, Somerset TA2 6SF

We are registered as a data controller under the Data Protection Act 1998, and our Data Protection Register number is ZA166041.

The South West Heritage Trust is parent to a subsidiary trading company called South West Heritage Trust Trading Limited.

Company number: 09222720

- 1.2 We manage and store personal data in accordance with the General Data Protection Regulation (GDPR), effective from 25 May 2018.
- 1.3 We will make any electronic communications in accordance with the Privacy and Electronic Communications Regulations (PECR).
- 1.4 We promise to respect any personal data you share with us, or that we get from other organisations, and to keep it safe. We aim to be clear about our intentions when we collect your data and not do anything you wouldn’t reasonably expect.
- 1.5 Developing a better understanding of the people who access our physical and digital sites through their personal data allows us to make better decisions, prepare appropriate communications and fundraise more efficiently, as well as enabling us to achieve our goal of celebrating and protecting our rich heritage, helping everyone to enjoy it now and in the future.
- 1.6 We have adopted an ‘opt-in only’ communication policy. This means that we will only send communications to those that have explicitly stated that they are happy for us to do so via their preferred channel(s) (email, SMS, phone or post) or if any other legal basis exists for us to do so.
- 1.7 If you would like to receive communications from the South West Heritage Trust but have not opted in please contact us on 01823 278805 or at [info@swheritage.org.uk](mailto:info@swheritage.org.uk).

### **2. Where we collect information about you from**

2.1 We will only ever collect personal information for a clearly stated purpose, including data that will be helpful in improving our services. When processing data we will always have a legal basis for doing so. The legal reasons for data collection and retention are defined in the General Data Protection Regulations (GDPR).

#### **2.2 Direct information collection**

2.2.1 You may give us your information in order to access our services or to communicate with us, register as a supporter or volunteer, attend an event, donate, purchase our products, receive news or visit a site.

2.2.2 When you access our free Wi-Fi at any of our sites or use our public access computers, you are required to provide personal information for security purposes. You will be given options to opt in to receive communications from us.

#### **2.3 Website or 'app' information collection**

2.3.1 SWHT Supporters Scheme. If you join our Supporters Scheme your details will be stored so that we can contact you about subscription renewal and provide you with other information relevant to the Supporters Scheme.

2.3.2 E-newsletters. Our E-newsletters are sent via Charity Digital using the Dotdigital Email Marketing Platform, a third-party provider. You can opt out at any time. According to the information provided we may contact you based on: your postcode; sites/services selected; areas of interest selected.

2.3.3 Online enquiry/contact forms. Your details will be used for the purposes of recording and responding to your enquiry.

2.3.4 The website is linked to Google Analytics which collects anonymous data to provide us with information about how our website is used and to help us improve our service.

2.3.5 The website uses 'cookies' to collect information about how the site is used. On first entering the website users are asked to consent via a pop-up to the use of cookies. Cookies mean that a website will remember you. They're small text files that sites transfer to your computer (or phone or tablet). They make your interaction with a website faster and easier – for example by automatically filling your name and address in text fields. For further information about the cookies used by our website please see [Appendix B: Website cookies](#).

2.3.6 The type of device you're using to access our website or apps, and the settings on that device, may provide us with information about your device, including what type of device it is, what operating system you're using, what your device settings are, and why a crash has happened. Your device manufacturer or operating system provider will have more details about what information your device makes available to us.

### 2.4 Indirect information collection, from other organisations

2.4.1 Indirect information collection means information we receive when you give permission to other organisations to share the information you give them or it is available publicly.

2.4.2 We may combine information you provide to us with information available from external sources to gain a better understanding of our supporters and to improve our fundraising methods, products and services. We will only do this if your consent has been granted, or has been implied through your privacy settings.

2.4.3 The information we get from other organisations may depend on your responses to questions they ask you or on your privacy settings. You should regularly check your privacy settings. Such information comes from the following sources:

- a. Third party organisations. You may have given permission for a company or other organisation to share your data with third parties, including charities. This could be when you buy a product or service, register for an online competition or sign up with a comparison site.
- b. Social Media. Depending on your settings, or the privacy policies for social media and messaging services like Facebook, WhatsApp or Twitter, you might give us permission to access information from those accounts or services.
- c. Information available publicly. This may include information found in places such as Companies House and information that has been published in articles or newspapers.

## 3. What personal data we collect and how we use it

3.1 The type and quantity of information we collect and how we use it depends on why you are providing it.

3.2 Examples of the types of data we collect include:

- Full name and personal details including contact information (e.g. home address and address history, email address, home and mobile telephone numbers)
- Date of birth or age
- Gender

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- Financial information
- Information and opinions on the services we have provided
- Education and employment details (if applying for paid positions, as volunteers or for work experience with the SWHT)
- Details of electronic devices you may use to connect to our services
- Where relevant, family and spouse/partner details and relationships to other supporters, for example when joining as a joint or family supporter

### 3.3 We will mainly use your data to:

- Provide you with the services, products or information you have asked for
- Distribute newsletters, mailings and event invitations
- Ensure our fundraising messages and communications are appropriate and relevant to you
- Administer your purchase, donation, supporter subscriptions or support your fundraising, including processing gift aid
- Ensure we know how you prefer to be contacted
- Understand how we can improve our services, products or information
- Notify you about Supporter benefits
- Thank you for your support
- Keep a record of your relationship with us

### 3.4 We may also use your personal information to detect and reduce fraud and credit risk.

### 3.5 We use profiling and screening techniques to ensure communications are relevant and timely, and to provide an improved experience for our supporters. Profiling also allows us to target our resources effectively, which donors consistently tell us is a key priority for them. Profiling and screening allows us to understand the background of the people who support us and helps us to make appropriate requests to supporters who may be able and willing to give more than they already do. Importantly, it enables us to raise more funds sooner and more cost-effectively than we otherwise would.

### 3.6 With your consent, we will contact you directly to let you know about the progress we are making with particular campaigns or initiatives and to ask for donations or other support about future campaigns that we believe will be of interest to you. This is to ensure that you never miss out on an opportunity to support the Trust should you wish to do so. We make it easy for you to tell us how you want us to communicate, in a way that suits you. Our forms have clear marketing preference questions and we include information on how to opt out when we send you marketing. If you don't want to hear from us, that's fine. Just let us know when you provide your data or contact us on 01823 278805 or [info@swheritage.org.uk](mailto:info@swheritage.org.uk).

### 3.7 You can change your communication preferences or unsubscribe at any time by contacting us. In the case of social media messages, you can manage your social

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media preferences via that social media platform. You can unsubscribe to our email mailing lists at any time by following the unsubscribe link.

- 3.8 We may collect and retain your information if you send feedback about our services or make a complaint.
- 3.9 Your personal data may be turned into statistical or aggregated data, which can't be used to identify you, and used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described above.

### **4. Using your personal data: the legal basis**

- 4.1 We will use your personal data, as necessary, to perform our contract with you to provide a service:
- a) to take steps at your request before entering into a contract
  - b) to decide whether to enter into a contract
  - c) to manage and perform the contract
  - d) to update our records
  - e) to trace where you live if we have to contact you about a service
  - f) to send you marketing communications directly relating to your contract
- 4.2 We will use your personal data, as necessary, to meet our own legitimate interests or those of other people and organisations, e.g.:
- a) for good governance, accounting, and managing and checking our business processes
  - b) to manage and provide services
  - c) to monitor emails, calls and other communications related to the services we provide
  - d) for market research (to find out what you think of us), analysis and developing statistics
- 4.3 We will use your personal data, as necessary, to comply with a legal obligation, e.g.:
- a) when you exercise your rights under Data Protection law and make requests
  - b) to comply with legal and regulatory requirements and related disclosures
  - c) for activities relating to the prevention, detection and investigation of crime
  - d) to check your identity
  - e) to manage and provide services
  - f) to monitor emails, calls, and other communications, related to the services we provide
- 4.4 We will use your personal data, as necessary, to perform a public task where there is a clear basis in law, e.g.:

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- a) Some of our functions fulfil the statutory obligations of local authorities, including Devon and Somerset County Councils

4.5 We will use your personal data on the basis of your consent, e.g.:

- a) to send you marketing communications where we have asked for your consent to do so
- b) when you ask us to disclose your personal data to other individuals or organisations, or otherwise agree to disclosures

4.6 You are free at any time to change your mind and withdraw your consent. The result might be that we can't do certain things for you.

#### **5. How we keep your data safe and who has access to it**

5.1 We ensure that there are appropriate technical controls in place to protect your personal details. For example, our ICT network is protected and routinely monitored for stability and security.

5.2 We undertake regular reviews of who has access to personal information we hold in order to ensure that your information is only accessible by appropriately trained staff, volunteers and contractors.

5.3 We may use external companies to collect or process personal data on our behalf. We do comprehensive checks on these companies before we work with them, and put a contract in place that sets out our expectations and requirements, especially regarding how they manage the personal data they have collect on our behalf or have access to.

5.4 In other circumstances we will only ever share your data if we have your explicit and informed consent. If the relevant Data Protection law allows, we may share your personal data:

5.4.1 with local authorities for whom we provide services, including Devon and Somerset County Councils

5.4.2 with companies, organisations and individuals acting on our behalf who help us provide services

5.4.3 with companies, organisations and other individuals who provide services to us

5.4.4 with organisations for whom we supply a service

5.4.5 with our legal and other professional advisors, including our auditors

5.4.6 with government bodies and agencies in the UK and overseas (e.g. HMRC who may in turn share it with relevant overseas tax authorities and with regulators e.g. the Financial Control Authority and the Information Commissioner's Office)

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- 5.4.7 with courts, to comply with legal requirements, and for the administration of justice
- 5.4.8 in an emergency or otherwise to protect your vital interests
- 5.4.9 to protect the security or integrity of our business operations
- 5.4.10 with market research organisations who help to improve our products or services
- 5.4.11 with anyone else where we have your consent or where it is required by law
- 5.5 Some of our suppliers run their operations outside the European Economic Area (EEA). Although they may not be subject to the same Data Protection laws as companies based in the UK, we will take steps to make sure that they provide an adequate level of protection in accordance with UK Data Protection law. By submitting your personal information to us you agree to this transfer, storing or processing at a location outside the EEA.
- 5.6 It may be necessary to retain your personal data for future use. The following criteria are used to determine data retention periods for your personal data:
  - 5.6.1 Retention in case of queries. We will keep your personal data for as long as necessary to deal with your queries
  - 5.6.2 Retention in case of claims. We will keep your personal data for as long as you might legally bring claims against us
  - 5.6.3 Retention in accordance with legal and regulatory requirements. We will keep your personal data, after we have provided a service, based on our legal and regulatory requirements.

## 6. Keeping your information up to date

- 6.1 Where possible we use publicly available sources to keep your personal information up to date, for example by reference to the Post Office's National Change of Address database.
- 6.2 We really appreciate it if you let us know when your contact details change.
- 6.3 You have a right to ask us to stop processing your personal data, and if it's not necessary for the purpose that you provided it to us for we will do so. Contact us on 01823 278805 or [info@swheritage.org.uk](mailto:info@swheritage.org.uk) if you have any concerns.
- 6.4 The right to erasure does not apply if processing is necessary for one of the following reasons:
  - To comply with a legal obligation
  - For the performance of a task carried out in the public interest or in the exercise of official authority

- For archiving purposes in the public interest, scientific research, historical research or statistical purposes where erasure is likely to render impossible or seriously to impair the achievement of that processing
- For the establishment, exercise or defence of legal claims

6.5 You have a right to ask for a copy of the information we hold about you, although we may charge an administration fee of £10 to cover the costs involved. If there are any errors in the information we provide, please let us know and we will correct them.

6.6 If you want to access your information, send a description of the information you want to see and proof of your identity by post to the Business Services Team, South West Heritage Trust, Somerset Heritage Centre, Brunel Way, Norton Fitzwarren, Somerset TA2 6SF. We do not accept such requests by email in order to ensure that we only provide personal data to the right person.

## 7. Your rights under relevant Data Protection law

7.1 Your rights are as follows (though these rights do not apply in all circumstances):

- The **right to be informed** about our processing of your personal data
- The right to have your personal data **corrected if it's inaccurate** and to have **incomplete personal data completed**
- The right to **object** to processing of your personal data
- The right to **restrict processing** of your personal data
- The right to **have your personal data erased** (the "right to be forgotten")
- The right to **request access** to your personal data and information about how we process it
- The right to **move, copy or transfer your personal data** ("data portability")
- Rights in relation to **automated decision making** including profiling

7.2 If you have any questions please send them to [info@swheritage.org.uk](mailto:info@swheritage.org.uk), and for further information see the [Information Commissioner's guidance \(external link\)](#).

7.3 If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance, or directly with the Information Commissioner's Office at <https://www.ico.org.uk/concerns>.

## 8. Changes to this Policy

8.1 We may change this Privacy Policy from time to time. If we make any significant changes in the way we treat your personal information we will make this clear on the South West Heritage Trust website or by contacting you directly.

8.2 If you have any questions, comments or suggestions, please let us know by contacting the Business Services Team, South West Heritage Trust, Somerset Heritage Centre, Brunel Way, Norton Fitzwarren Somerset TA2 6SF or email [info@swheritage.org.uk](mailto:info@swheritage.org.uk).

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### Appendix A: Free Wi-Fi and Public Access Privacy Policy (*under review*)

### Appendix B: Website Cookies



SWHT Website  
Cookies Policy v1.1.c

| Version | Date             | Author        | Changes   |
|---------|------------------|---------------|---|
| 1.0     | 14/12/2017       | A. Brazington | Created   |
| 1.1     | 09/05/2018       | A. Sherman    | Various revisions and formatting. Embed related documents |
| 1.2     | 22 May 2018      | A. Sherman    | Merge of data privacy notice                              |
| 1.3     | 26 July 2018     | B. Jerrett    | Added updated Cookies Policy                              |
| 1.4     | 4 September 2020 | B. Jerrett    | Updated email marketing information                       |