

## **Privacy Notice for Trustee, Directors and Members**

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In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform you, as prospective Trustee, Directors or Members of Castle Cavendish Foundation, of the types of data we process about you. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

### **A) DATA PROTECTION PRINCIPLES**

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

### **B) TYPES OF DATA HELD**

We will collect, hold share or otherwise use the following:-

- a) personal details such as name, previous names, address, phone numbers;
- b) date of birth, country of birth, nationality;
- c) Current Trustee/Director positions (type, term of office any specific positions held on the board);
- d) your photograph;
- e) Information about business and pecuniary interests;
- f) references;
- g) Information provided as part of an application for appointment;
- h) Signed Trustee Declaration Forms;
- i) Training/skills records

### **C) COLLECTING YOUR DATA**

Most of the information comes from you. We may also collect information from third parties Trustee or Volunteer Recruitment agencies and publically available resources, including online sources. In addition, we may obtain information from CCTV, mail and instant messaging systems, intranet and internet facilities, telephones, voicemail and mobile phone records.

#### **D) LAWFUL BASIS FOR PROCESSING**

The law on data protection allows us to process your data for certain reasons only.

We only collect and use personal information about you when the law allows us to do so. The information below categorises the types of data processing we undertake and the lawful basis we rely on.

<b>Activity requiring your data</b>	<b>Lawful basis</b>
Establishing and maintaining effective governance	Our legitimate interests
Meeting statutory obligations for publishing and sharing details of Trustees and Directors	Legal obligation
Making reasonable adjustments for disabled individuals	Legal obligation
Making decisions in relation to appointment to Trustee/Director	Our legitimate interests
Assessing training needs	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

#### **E) SPECIAL CATEGORIES OF DATA**

Special categories of data are data relating to your:

- a) health
- b) sex life
- c) sexual orientation
- d) race
- e) ethnic origin
- f) political opinion
- g) religion
- h) trade union membership
- i) genetic and biometric data.

We carry out processing activities using special category data:

- a) for the purposes of equal opportunities monitoring
- b) to determine reasonable adjustments

Most commonly, we will process special categories of data when the following applies:

- a) you have given explicit consent to the processing
- b) we must process the data in order to carry out our legal obligations
- c) we must process data for reasons of substantial public interest
- d) you have already made the data public.

#### **F) FAILURE TO PROVIDE DATA**

Your failure to provide us with data may mean that we are unable to proceed with an appointment.

#### **G) WHO WE SHARE YOUR DATA WITH**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information with:-

- Government departments or agencies to meet our legal obligations;
- Professional advisers and consultants to enable them to provide the service we have contracted them for;
- Service providers to enable them to provide the service we have contracted them for;

Employees or Trustees within our company will have access to your data which is relevant to their function. All employees with such responsibility have been trained in ensuring data is processing in line with GDPR.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us. We have a data processing agreement in place with such third parties to ensure data is not compromised. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

We do not share your data with bodies outside of the European Economic Area.

#### **H) PROTECTING YOUR DATA**

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

#### **I) RETENTION PERIODS**

We only keep your data for as long as we need it for. We maintain a file to store personal information, which is kept secure.

When you are no longer a serving Trustee/Director we remove your personal data from our contact databases, list of declarations of interests, email contact lists and website. Our bank, The Charities Commission and Companies House are all advised that you are no longer active Trustee/Director of Castle Cavendish Foundation.

#### **J) AUTOMATED DECISION MAKING**

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

#### **K) YOUR RIGHTS**

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it;
- b) the right of access to the data we hold on you. We operate a separate Subject Access Request policy and all such requests will be dealt with accordingly;
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) the right to restrict the processing of the data;
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) the right to object to the inclusion of any information;
- h) the right to regulate any automated decision-making and profiling of personal data.

In addition to the above rights, you also have the unrestricted right to withdraw consent, that you have previously provided, to our processing of your data at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact the Chief Executive.

#### **L) MAKING A COMPLAINT**

If you think your data rights have been breached, you are able to raise a complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

#### **M) DATA PROTECTION COMPLIANCE**

Our appointed compliance officer in respect of our data protection activities is:

Jane Simpson  
0115 964 8351  
[jane@castlecavendish.org.uk](mailto:jane@castlecavendish.org.uk)