

TILEHURST PEOPLE'S LOCAL CHARITY

Formerly the Poor's Land Charity of Tilehurst, founded 1811 (incorporating Wheat's Charity, 1731)

Regd Charity No. 204048 Website: www.tilehurstplc.org.uk

Postal address: Tilehurst People's Local Charity, c/o Clerk to the Trustees, P.O. Box 2802, Reading RG30 4GE

Email address: clerk@tilehurstplc.org.uk

DATA PRIVACY NOTICE

Tilehurst People's Local Charity

Registered Charity No. 204048

1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone, or in conjunction with any other information which is in the possession of the 'Data Controller' or is likely to come into its possession.

The processing of personal data is governed by the [Data Protection Act 2018 \(PDF download, 354 pages, 2.9MB\)](#) which incorporates the UK General Data Protection Regulation ('GDPR') legislation.

2. Who are we?

The Board of Trustees (*'the Board'*) of the Tilehurst People's Local Charity (*'the Charity'*) is the 'Data Controller'. This means the Board decides how your personal data is processed and for what purposes.

Under [The Data Protection Regulations 2018](#), the Information Commissioner's Office (*'the ICO'*) maintains a register of Data Controllers. The Board is not registered as a Data Controller with the ICO because it is exempt from registration. The exemption relates to the fact that:

- The Charity was established as a not-for-profit organisation which does not make a profit or uses any surplus it makes only for its own (charitable) purposes and not to enrich anyone;
- The Charity only processes information necessary to establish or maintain membership or support;
- The Charity only processes information necessary to provide or administer activities for people who are members of the organisation or have regular contact with it;
- The Charity only holds information about individuals whose data needs to be processed for these exempt purposes;
- The Charity restricts the personal data it processes to personal information that is necessary for these exempt purposes.

3. How do we process your personal data?

The Board of the Charity complies with its obligations under GDPR:

- by keeping personal data up to date;
- by storing personal data securely, and by destroying it securely;
- by not collecting or retaining excessive amounts of personal data;
- by protecting personal data from loss, misuse, unauthorised access and disclosure;
- by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for many different **purposes**, including the following:

- To enable us to operate our grant-making activities (which include assessing submissions, verifying need, considering applications, providing payments / goods / services, confirming benefits realisation, liaising with other local charities, preventing fraud);
- To administer the leasing, licensing, sale and management of the Charity's land (including leasing land to the Local Authority and licensing plots for allotment gardening);
- To administer our own financial accounts and other records (including records of grant applications, awards and outcomes, and records of Charity personnel);
- To manage our Charity personnel (i.e. Trustees and Officers);
- To respond to enquiries and other correspondence from the public about the Charity;
- To comply with the Charity's governing document (*'the Scheme'*), and with all applicable laws, regulations and Charity Commission guidance;
- To produce anonymised testimonials for publicising the achievements of the Charity and for promoting its activities and reputation.

The Charity may process your personal data for one or more *purposes*, and in each instance there may be a different *legal basis* for that processing.

4. What is the legal basis for processing personal data?

Personal Data

There are six possible lawful bases for processing personal data, as laid down by GDPR. Of these, only five are used by the Charity – these are:

- **Consent** – where you have given consent for your personal data to be used for a specific purpose;
- **Public Interest** – where the processing is necessary for the performance of a task carried out in the public interest with a clear basis in law;
- **Legitimate Interests** – where the processing is necessary for the legitimate interests of the Charity (or a third party) – except where there is a good reason to protect your personal data which overrides those legitimate interests;
- **Contract** – where the processing is necessary for you and/or the Charity to fulfil an agreement or contract (e.g. a contract with a company to supply goods/services to you);
- **Legal Obligation** – where the processing is necessary for you and/or the Charity to comply with the law (e.g. compliance with Charity law, regulations and the Scheme).

Special Category Personal Data

Data which reveals religious/philosophical beliefs or which concerns racial/ethnic origin, health, sexual life, sexual orientation, political opinions or trade union membership is classed as being in a *'special category of personal data'*. GDPR lays down ten lawful bases for processing these special categories of data. Of these lawful bases, only one is used by the Charity – this is:

- **Explicit Consent** – where you have given explicit consent to the processing of the data for one or more specified purposes.

5. Sharing your personal data

Your personal data will be treated confidentially by restricting how it may be shared.

Within the Charity

Your data may be shared only with those Trustees, Officers and other personnel of the Charity who have a 'need to know' in order to discharge their responsibilities and fulfil their role/function within the Charity.

Outside of the Charity

Your data will not be shared with any third parties outside the Charity unless:

- we have sought and obtained your explicit consent, or
- there are legitimate interests for sharing data (see below), or
- there is a legal requirement to share data (e.g. if required by the Charity's regulator).

There may be legitimate interests for the Charity to share your data with any of the following organisations:

- The Charity's '*Data Processors*' – including the Charity's:
 - Solicitors – in their capacity as the Charity's agent in legal matters;
 - Bankers – in their capacity as the Charity's agent in financial transactions;
 - Insurers – in their capacity as the Charity's agent in insurance matters;
 - Qualified Surveyors / Designated Advisers – in their capacity as the Charity's agent in matters related to the leasing, licensing, selling and management of land;
- Relevant suppliers of goods and services – e.g. in order to verify transactions or quotations specified by grant applicants, and to enable grants to be delivered to beneficiaries;
- Relevant caring agencies specified by grant applicants as the referees/sponsors of their application;
- Other relevant charities operating in the greater Reading area – (a) where an applicant has applied simultaneously to one or more other charities, or (b) where, in the opinion of the Board, an applicant's needs may be better served by a different charity, or (c) in order to protect the Charity against deception or fraudulent applications. These other charities may include but are not limited to:
 - Reading Dispensary Trust (Regd. No. 203943)
 - The Earley Charity (Regd. No. 244823)
 - Berkshire Nurses & Relief in Sickness Trust (Regd. No. 205274)
 - Christian Community Action Ministries (Regd. No. 1065627)
 - Citizens' Advice Reading (Regd. No. 1042542)
 - Doctor Ellerton's Charity (Regd. No. 203622)
 - Launchpad Reading (Regd. No. 279859)
 - Green Girls' Foundation (Regd. No. 309149)
 - The Englefield Charitable Trust (Regd. No. 258123)
 - Home-Start Reading (Regd. No. 1110638)
- The Police – e.g. in order to notify them of a report or suspicion of a crime, civil offence or threat to persons or property.

6. How long do we keep your personal data?

We generally keep personal data for the minimum necessary period, according to the type of data and the purpose to which it is put. For example:

- Personnel records are normally kept for a minimum of six years beyond the end date of the individual's involvement with the Charity. Trustee names are included in the Charity's annual reports and accounts and are therefore retained in the public domain indefinitely.

- Personnel recruitment records of applicants and unsuccessful candidates are normally kept for a minimum of two years beyond the end of the recruitment process, although contact details may be kept for a minimum of six years.
- Contact details for other organisations are retained (and updated) indefinitely.
- General correspondence records are normally kept for a minimum of two years after the final exchanges (or two years after the project/events/topic to which the correspondence relates).
- Subject access records are normally kept for a minimum of two years after the response is issued.
- The full records of (unsuccessful) grant applicants are normally retained for a minimum of two years following the Board's decision on the application, although summary details of the applicant and the grant requested are retained for a minimum of ten years.
- The full records of beneficiaries (i.e. successful grant applicants) are normally retained for a minimum of two years following the Board's decision, although summary details of the applicant and the grant awarded are retained for a minimum of ten years.
- Records of applications for an allotment are normally retained until the awarding of an allotment licence, or for a minimum of ten years after the application is submitted, or for ten years after the renewal of consent in respect of the application.
- Records of allotment licensees and allotment vehicle licensees are normally retained for a minimum of three years after the licence determination date.

For further information please refer to the detailed records of processing activities (see section 10 below) for the relevant type of data.

Note about Email Systems

These are proprietary computer systems which operate as communication channels, and not as structured filing systems for personal data organised by the identity of the data subject. The Data Controller may have no facilities (or very limited facilities) for locating, selecting or deleting personal data relating to a named individual. Consequently some personal data may persist in such systems for longer than the retention periods given in this Data Privacy Notice.

7. Your rights and your personal data

You have the following rights under GDPR with respect to your personal data (unless it is subject to an exemption):

- **Consent Withdrawal** – the right, where the legal basis for processing is your consent, to withdraw your consent at any time;
- **Access** – the right to request a copy of the personal data about you held by the Charity;
- **Rectification** – the right to request that the Charity corrects any personal data if it is found to be inaccurate or out of date;
- **Erasure** – the right to request that your personal data is erased where it is no longer necessary for the Charity to retain such data;
- **Restriction** – the right, where the accuracy or processing of your data is in dispute, to request a restriction on further processing;
- **Objection** – the right to object to processing of data for a 'direct marketing' purpose, or on the legal basis of 'legitimate interests';
- **Escalation** – the right to lodge a complaint with the Information Commissioner's Office.

Automated Processing

GDPR defines additional rights where the automated processing or profiling of personal data occurs – the right to Data Portability, and the right not to be subjected to automated processing. Since the Charity does not perform any automated processing or profiling, there is no personal data to which these rights are applicable.

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection 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, legal bases and processing conditions. Wherever and whenever necessary, we will seek your prior consent to the new processing.

9. Contact details

To exercise all relevant rights, queries or complaints – in the first instance, please contact the Clerk to the Trustees. The Information Commissioner's Office will expect any complaint to be raised initially with the Charity as Data Controller.

Charity Administrator	Information Commissioner's Office
The Clerk to the Trustees, P.O. Box 2802, Tilehurst, Reading, RG30 4GE	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
For email clerk@tilehurstplc.org.uk	For email, visit website ico.org.uk/global/contact-us/email/
Telephone 0789 979 8335 (preferably evenings and weekends only, except by arrangement)	Telephone 0303-123-1113 (office hours, Monday – Friday)

10. Records of Processing Activities (RPA)

These detailed records describe the processing activities which apply to each set of personal data held under the control of the Board of Trustees. The descriptions are structured using the standard headings given below.

The RPA are currently being updated and reviewed, and may be published in due course on the Charity's website.

RPA Standard Headings

- **Reference & Title** – ID & name by which the collection of personal data is known.
- **Data Subjects** – the persons whose personal data is held.
- **Data Description** – the various types of data held.
- **Source** – how the data was collected, identifying any forms used.
- **When Collected** – the timing of data collection, or any triggering events.
- **How Held** – e.g. electronically and/or on paper.
- **Custodian** – who holds the data collection (and any forms) on behalf of the Board.
- **Purpose** – the reasons why the data is needed, and the uses to which it is put.
- **Legal Basis** – the GDPR-defined legitimacy to process the data for those purposes.
- **Internal Sharing** – how any data is shared within the Charity, and with whom.
- **External Disclosure** – how any data is disclosed outside the charity, and to whom.
- **Retention** – how long data is retained for, including any minimum/maximum periods.
- **Destruction & Archiving** – whether destroyed (e.g. hard-copy forms) or deleted (e.g. electronic records) or permanently archived (e.g. County Archives).

Sets of Personal Data

- RPA-01 – Charity Personnel Records
- RPA-02 – Charity Personnel Recruitment Records

- RPA-03 – Other Organisations Contact Records
- RPA-04 – General Correspondence Records
- RPA-05 – Subject Access Request Records
- RPA-06 – Grant Applicant Records
- RPA-07 – Beneficiary Records
- RPA-08 – Allotment Applicant Records
- RPA-09 – Allotment Licensee Records
- RPA-10 – Allotment Vehicle Licensee Records

11. Document Review and Approval

This version of the Data Privacy Notice was reviewed and approved by the Board of Trustees of the Tilehurst People's Local Charity on 8th November 2022.

It will be reviewed and re-approved when required or after five years have elapsed since the last review.