

# ISP-26 Fair Processing Notice

## Introduction

Charities Trust handles personal information in compliance with the Data Protection Regulations. We recognise the importance of the correct and lawful processing of personal data in maintaining confidence in our operations. We fully endorse and adhere to the principles set out in the UK GDPR and The Data Protection Act (2018).

Under the legislation, Personal Data is defined as “any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

## Purpose

The purpose of a Fair Processing Notice is to ensure that Charities Trust processes personal data fairly and lawfully.

Under Data Protection Regulations there is a requirement to inform data subjects of this:

- Why we need personal data
- How it will be used and
- Who it will be shared with

## Scope

This Fair Processing Notice applies to all Data Subjects whose personal data is processed by Charities Trust.

This is data relating to a living individual who can be identified from the data which is likely to come into our possession. It includes names and contact details of donors or personal details held in relation staff members including educational and prior employment details.

## Responsibilities

The Data Protection Officer / Data Compliance Manager is responsible for ensuring that this notice is placed in front of potential data subjects prior to Charities Trust collecting/processing their personal data.

## Why does Charities Trust collect and store personal data?

The personal data we collect will be used for the following purposes:

- In providing Payroll Giving and other charitable donation services to employer organisations and their employees we require a limited level of personal data relating to individual donors and fundraisers.
- In recruiting, managing and administering the employment of our staff we require further personal data including some sensitive classes of information.
- It is necessary for us to collect this personal data in order to provide these services. We are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of privacy.

### **How Charities Trust uses your information**

Charities Trust will process – that means collect, store and use – the information you provide in a manner that is compatible with the UK GDPR.

We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary.

In some instances the law sets the length of time information has to be kept, but in most cases Charities Trust will use its discretion to ensure that we do not keep records outside of our normal business requirements.

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

### **Special Categories of Sensitive Personal Data**

Certain data are classified under the Regulation as ‘special categories’, and includes details such as ethnic origin, biometric data, genetic data and health data.

Charities Trust does not collect any special categories of sensitive personal data on donors.

Charities Trust may collect limited information relating to special categories of sensitive personal data for employees.

### **Processing information fairly and lawfully**

Charities Trust processes information only where:

1. As an employee you have given your consent, or
2. As a donor, we have a lawful basis to

Under the UK GDPR regulations Charities Trust lawful bases for processing personal data are as follows:

**Consent:** the individual has given clear consent for Charities Trust to process their personal data for a specific purpose.

**Contract:** the processing is necessary for a contract in place between Charities Trust and the individual.

**Legitimate interests:** the processing is necessary for Charities Trust's legitimate interests in providing a service to the individual.

### **Charities Trust's Registration as a Data Controller**

Charities Trust is registered as a Data Controller with the Information Commissioner's Office (ICO).

### **Ensuring your personal information is safe and accurate**

Charities Trust ensures that information held on our computer systems and in our paper filing systems is secure to guard against unauthorised or unlawful processing or accidental loss, destruction of, or damage to personal data. In order to carry out its functions Charities Trust may receive information about you from others or give information to others, but we can only do this in accordance with the law.

Charities Trust only collects and records personal information that is necessary to carry out its functions, nothing more.

Charities Trust checks that the personal information being recorded and held is accurate.

## **Retaining information**

We will only retain the information if a business or regulatory need exists. It is not kept longer than is necessary for that purpose. To this end, Charities Trust has in place and applies a formal retention policy for recorded information.

## **Your rights to access your personal information**

Under the Data Protection Regulations you have the right to ask to see the information which Charities Trust holds about you and why.

Before we are able to assist with your request, we need you to confirm your identity and what data you require. Please use our Subject Access Request Form to start this process.

Where it is appropriate for Charities Trust to respond directly to requests for access to personal data, we aim to comply as quickly as possible. We will ensure that we deal with requests within 30 days of receipt.

## **Data sharing/Third Parties**

Any third parties from whom we receive personal data or to whom we pass personal data are also required to comply with the Data Protection Regulations.

Charities Trust will only pass on donor personal data to third parties (charity beneficiaries) where explicit approval to do so has been given.

Charities Trust will make some statutory and routine disclosures of employee personal data to third parties where appropriate. These third parties include:

- HM Revenue and Customs (HMRC)
- Pension schemes
- Potential employers (where a reference is requested)
- Benefits Agency as required by the Social Security Administration Act 1992
- Child Support Agency as required by the Child Support Information Regulations 2008 (no.2551)
- Benefit providers (e.g. Childcare Voucher and Cycle to Work providers)

Charities Trust may also use third party companies as data processors to carry out certain administrative functions on behalf of the organisation. If so, a written contract will be put in place to ensure that any personal data disclosed will be held in accordance with the Data Protection Act.

We may pass your personal data on to our service providers who are contracted to Charities Trust in the course of dealing with you. Our contractors are obliged to keep your details securely, and use them only to fulfil the service they provide you on our behalf. Once your service need has been satisfied or the case has been closed, they will dispose of the details in line with Charities Trust's procedures.

## Complaints about how we process your personal information

In the first instance, an individual should contact Charities Trust using our standard complaints procedure.

Complaints should be addressed to:

The Data Protection Officer  
Charities Trust  
2nd Floor, Eleanor Rathbone House Unit 16  
Connect Business Village  
24 Derby Road  
Liverpool, L5 9PR

email: [compliance@charitiestrust.org](mailto:compliance@charitiestrust.org)

If you remain unsatisfied regarding our handling of your personal data, you have the right to complain to the Information Commissioner's Office.

## Glossary

<b>Data controller</b>	The person who decides the purposes for which, and the manner in which, personal information is to be processed. This may be an individual or organisation. Charities Trust is a data controller because it provides Payroll Giving and other charitable donation services to employer organisations and their employees. Also as an employer CT processes personal data relating to its employees.
<b>Data subject</b>	The person whose personal information is held by a data controller.
<b>Subject access</b>	The right of data subjects to receive a copy of the information held about them, a description of why their information is being processed, and details of anyone who may see a copy of their data, to whom it may be transferred, and the logic involved in any automated decisions taken on the basis of that data.
<b>Personal data</b>	Information relating to a living individual, from which that individual can be identified, or which can be used to identify a living individual in conjunction with other information held (or likely to be held) by a data controller. Personal data/information includes expressions of opinions about that person, or indications of intent towards them.
<b>Special Categories of Sensitive Personal Data</b>	Information relating to an individual consisting of: <ul style="list-style-type: none"> <li>• the racial or ethnic origin of the data subject</li> <li>• his/her political opinions</li> <li>• his/her religious beliefs or other beliefs of a similar nature</li> <li>• whether he/she is a member of a trade union</li> <li>• his/her physical or mental health condition</li> <li>• his/her sexual life</li> <li>• the commission or alleged commission by him/her of any offence or any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings.</li> </ul>
<b>Processing</b>	The processing of personal data includes obtaining, recording, holding or carrying out any operation on the data.
<b>Principles</b>	To comply with UK GDPR, organisations broadly speaking need to embed six privacy principles within their operations: <ol style="list-style-type: none"> <li>1. Lawfulness, fairness and transparency</li> <li>2. Purpose limitations</li> <li>3. Data minimisation</li> <li>4. Accuracy</li> <li>5. Storage limitations</li> <li>6. Integrity and confidentiality</li> </ol>