



BRATHAY TRUST

Privacy Policy

POLICY & MANAGEMENT GUIDELINES

SUMMARY POLICY STATEMENT

Brathay Trust and Brathay Services Ltd (Brathay) are committed to protecting your privacy and security. This policy explains how and why we use your personal data, to ensure you remain informed and in control of your information.

This Privacy Policy applies to anyone who Brathay comes into contact with. It gives an overview of how Brathay uses personal data. We have a range of supplementary privacy notices where more detail is needed.

We will **never** sell your personal data and will only ever share it with organisations we work with where necessary and if its privacy and security are guaranteed.

Our Data Protection Officer is our Compliance Manager.

Questions? Any questions you have in relation to this policy or how we use your personal data should be addressed to the Compliance Manager, Brathay Trust, Brathay Hall, Ambleside, Cumbria, LA22 0HP or data-protection@brathay.org.uk

We are the controller of the personal data we process.

POLICY DETAILS

1. THE INFORMATION WE COLLECT

Personal data you provide

We collect data you provide to us during our usual operations. This includes information you give when joining or communicating with us. For example:

- personal details when you become a participant, client, customer, employee etc.
- payment information such as credit/debit card or bank details
- your interests and preferences (such as campaigns or the ways you support us).
- medical and emergency contact details when you volunteer or attend a course.

Information recorded due to your involvement with Brathay

Your activities and involvement with Brathay will result in personal data being recorded. This could include details of how you have helped us, the roles you have been employed in, or how you have been involved with our campaigns and activities. It might also include details of programmes or events with which you have been engaged.

If you decide to donate to us, then we will keep records of when and how much you give to a particular project or appeal.

Information we generate

We conduct research and analysis on the information we hold, which can generate personal data. For example, by analysing your interests we may build a profile which helps us decide which of our communications are likely to interest you.

Information from third parties

We sometimes receive personal data about individuals from third parties. For example, if we are partnering with another organisation. We may use third parties to help us conduct research and analysis on personal data and this can result in new personal data being created.

Your information may be shared with us by independent third parties when you have indicated that you wish to support Brathay (e.g. JustGiving or Facebook). You should check their Privacy policy to understand how they will process your data.

We may collect information from social media where you have given us permission to do so, or if you post on one of our social media pages.

Sensitive personal data

We may ask you to provide sensitive personal data such as information relating to physical and mental health. When this does occur, we will take extra care to ensure your privacy rights are protected.

Accidents or incidents

If an accident or incident occurs whilst you are with us, we will keep a record which may include personal or sensitive personal data. This information is retained for legal reasons, safeguarding purposes and to protect us (e.g., in the event of an insurance or legal claim). If this does occur, we will take extra care to ensure your privacy rights are protected. We may also be required to share this with the appropriate statutory bodies and partners.

1. THE INFORMATION WE COLLECT- continued

Those working with us

If you are working with Brathay in any capacity we may collect extra information about you (e.g. references, criminal records checks etc.). This information will be retained for legal reasons, to protect us and you and for safeguarding purposes.

2. HOW WE USE INFORMATION

We only ever use your personal data with your consent, or where it is necessary:

- as part of our contract with you
- to comply with the law
- to protect your vital interests
- for our own (or a third party's) legitimate interests.

In any event, we will only use your information for the purpose or purposes it was collected for (or else for closely related purposes):

Marketing

We use personal data to communicate with people, to promote Brathay and help with fundraising.

Administration

We use personal data for administrative purposes to allow us to deliver our services.

Internal data analysis

We carry out analysis of the data to determine the success of campaigns and appeals, better understand behaviour and responses and identify patterns and trends. This helps inform our work and makes Brathay a stronger and more effective organisation and helps us provide a better experience (e.g. through more relevant communications).

Anonymised data

We may aggregate and anonymise personal data so that it can no longer be linked to any person. This information can be used for a variety of purposes, and helps inform our actions and improve our campaigns, fundraising, products/services, and materials.

3. DISCLOSING AND SHARING DATA

Information will be shared internally with relevant staff for whom access to the data is necessary for the performance of their roles.

We will **never** sell your personal data. If you have opted-in to communications, we may contact you with information about our partners, or third-party products and services. These communications will always come directly from Brathay.

We may share personal data with subcontractors or suppliers who provide us with services. These activities will be carried out under a contract which imposes strict requirements on our supplier to keep your information confidential and secure.

3. DISCLOSING AND SHARING DATA- continued

In our work with children and families, it will sometimes be helpful to share information with other professionals. We do this to ensure you receive the best possible service. We will only do so with your agreement, and we will talk with you about this first, unless we are concerned about the welfare of a child, young person, or vulnerable adult:

- We will share personal information with the appropriate authorities if we consider it to be a safeguarding incident or concern of harm. Any such sharing is in accordance with our Safeguarding Policy.
- We will share personal information with the appropriate authorities if we are legally required to or consider it to be a health and safety incident or concern of harm.

Where we partner with other organisations, we may also share information with them (for example, if you register to attend an event we organise together). We will only share information when necessary and for the purposes that you have provided the data to us.

4. WORKING WITH PEOPLE

We process data relating to those:

- We interview, employ, or otherwise engage, to work at Brathay.
- Who volunteer or partner with us.
- Who engage with us as beneficiaries of our services or activities.

We collect personal information when the law allows, to operate and develop our business. This includes objective data, such as information needed to pay employees or subjective data such as questionnaires or performance reviews.

We may collect additional information with your consent. You may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Information we collect from employees or volunteers may be mandatory or voluntary. Whenever we seek to collect information from you, we aim to make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Individuals have a right to make a '*subject access request*' to gain access to personal information that Brathay holds about them. If you are an employee details of this process can be obtained via Brathay's intranet, for others by emailing data-protection@brathay.org.uk

5. MARKETING

Brathay will ask its supporters to “opt-in” for marketing communications giving you the choice what you receive and how you receive it). Where we communicate via a social media platform, we adhere to the rules of the specific platform governing that marketing activity.

What does ‘marketing’ mean?

Marketing covers a range of activities including offering things for sale as well as news and information about our charity, campaigns, and work; volunteering opportunities; appeals and fundraising; events, courses, and activities; products, services and offers; leaving a legacy and taking part in projects.

When you receive a communication, we may collect information about how you respond to or interact with that communication. This may affect how we communicate with you in future.

Marketing communications

Email communications are provided as a benefit to our clients, customers, supporters, members etc. These are only sent if you opt in, and you can unsubscribe at any time. You may be asked to select newsletters specific to your areas of interest. If so, these same areas of interest are used for marketing.

Fundraising

As a charity, we rely on donations and support from others to continue our work. Sometimes, we will contact members and supporters with fundraising material and communications. This might be about an appeal or to suggest ways you can raise funds (e.g. a sponsored event or activity or buying a product if Brathay will receive some of the proceeds).

Photographs, audio, and video footage

Photos, and audio or video footage may be used in printed publications, on Brathay’s websites and social media channels, and in the media, to promote the work of Brathay and they may be shared with external partners (where appropriate) for them to use to support Brathay’s work.

Images, audio, and video footage may be used to illustrate narrative. This is not attributed to you personally unless your name is included.

Unless necessary for the context of a written, audio or video piece, names are not used.

All digital content is stored securely. Where stored by Brathay, images, audio and video content have no individual name(s) associated, unless required as above.

Files are stored in accordance with relevant legislation and our Document Retention Policy.

Images and video clips posted to social media channels are subject to the terms and conditions of the service providers. Once posted, images and videos will remain on these platforms indefinitely, unless removed by Brathay (where possible) or the service provider.

You can decide not to receive communications or change how we contact you at any time. If you wish to do so, please contact hello@brathay.org.uk.

6. BUILDING PROFILES OF SUPPORTERS AND TARGETING COMMUNICATIONS

We use personal data to build profile to enable us to understand those we work with and improve our relationships with them and provide a better supporter experience.

Analysis and grouping

We use profiling techniques to ensure communications are relevant and timely, and to provide an improved experience. We do this to understand the background of the people. This helps us make appropriate contact about relevant activities. Profiling also allows us to target our resources effectively, a key priority for our supporters.

Profiling allows focused communications, products, and information. The profiling we carry out includes analysing common characteristics and preferences. We do this by assessing various types of information including behaviour or demographic information. In doing this, we may use additional information from third party sources.

7. PARTICIPANTS ON OUR CHILDREN AND YOUNG PEOPLES' PROGRAMMES

Permission from parents or legal guardians: If the individual is under 18 or is an adult with learning disabilities, we will gain informed agreement from a parent or legal guardian for them to attend events without parents or guardians, as well as marketing (particularly photographs or video), research and evidencing our impact.

It is necessary for us to collect personal data to deliver our services and programmes safely and effectively. When we collect and manage information from individuals under the age of 18) or adults with learning disabilities, we aim to collect it in a way which is appropriate for the age or level or understanding of the individual.

We will not collect, store, or use this personal data unless fully informed agreement has been gained by participants and, for individuals under 18 or adults with learning disabilities, their parent/legal guardian.

8. UNDERSTANDING OUR IMPACT

As a learning organisation we seek to understand and evidence the impact of what we do and develop our offer based on that. To allow us to do this we need to collect data from adults and young people. Brathay asks individuals to "opt-in" for research.

When we collect this information, we aim to manage it in a way which is appropriate for the age and understanding of the individual. The information can be collected before, during and after a programme or through wider consultation / research (for example personal demographics, referral information, evidence of a change in outcomes or case studies).

We will not use this personal data for marketing unless it has been anonymised and aggregated.

9. HOW WE PROTECT DATA

We employ a variety of physical and technical measures to keep your data safe and to prevent unauthorised access to, or use or disclosure of, your personal information. We are a Cyber Essentials Accredited organisation. Electronic data and databases are stored in secure systems with access controls. Staff receive relevant training and are required to follow robust procedures when handling personal information.

Payment security

Brathay complies with the Payment Card Industry Data Security Standard (PCI-DSS) published by the PCI Security Standards Council and will never store card details.

If you use a credit card to donate or purchase something online, we will only collect the relevant payment information needed for the transaction. We will not request PIN numbers or bank security information.

Where we use electronic processes to capture financial data, we use the Secure Sockets Layer (SSL) protocol to encrypt the data between your browser and our servers.

We are not responsible for the security of the systems you use to engage with us such as your home computer or the internet, and any online communications are at the user's own risk.

CCTV

Some of our premises have CCTV. You may be recorded when you visit them. CCTV is there to help provide security and to protect both you and Brathay. CCTV will only be viewed if necessary (e.g. for security reasons or to detect or prevent crime).

Where we have installed a webcam or use a drone, we will ensure that it is an appropriate distance so that people cannot be readily identified from the footage. Brathay complies with the Information Commissioner's Office CCTV Code of Practice.

10. STORAGE

What we store

Our preference is to store data electronically however on occasion it is necessary to store hard copy data. All data is held securely within the information security requirements of data protection legislation and access is limited to those with a specific need to process the data.

Where we store information

Brathay's operations are based in the UK, and we store our data within the UK or European Union. Some organisations which provide services to us may transfer personal data outside of the UK or European Union however these transfers will be subject to adequate data protections. Data is not transferred outside the UK if contract terms prohibit this.

How long we store information

Under data regulations, we are required to make sure that we use and store information for so long as it is required for the purposes it was collected. How long information will be stored depends on the information in question and what it is being used for. We regularly review what information we hold and delete what is no longer required. Details are in our Document Retention Schedule.

11. COOKIES AND LINKS TO OTHER SITES

Cookies

Our website uses local storage (such as cookies) to provide you with the best possible experience and to allow you to make use of certain functionality (such as being able to shop online). For more information visit the 'Website Privacy Notice' available on our websites.

Links to other sites

Our websites (www.brathay.org.uk and www.brathaychallenges.com) may contain hyperlinks to other websites. We are not responsible for the content or functionality of any of those external websites.

If an external website requests personal information from you the information you provide will not be covered by Brathay's Privacy Policy.

Social Media Sites

We use social media. This policy covers how we will use any data collected from those pages. It does not cover how the providers of social media websites will use your information. You should refer to their policies if you wish to understand how they use your data.

12. KEEPING YOU IN CONTROL

We want to ensure you remain in control of your personal data. Part of this is making sure you understand your legal rights, which are as follows:

- The right to be informed. You have the right to be informed about the personal data we collect, share, and hold about you.
- The right to access. You can obtain a record of the personal data we hold about you, why we hold it and who we disclose it to by making a Subject Access Request internally via the intranet or externally by emailing data-protection@brathay.org.uk.
- The right to erasure. You can ask us to remove your personal details from our records (though this will not apply where it is necessary for us to continue to use the data for a lawful reason).
- The right to restrict processing. You can ask us to stop or suppress the use of your personal data. However, we will continue to store your data but not further process it. This is not an absolute right and will only apply in certain circumstances.
- The right to rectification. The accuracy of your data is important to us. If we have captured information about you that is inaccurate or incomplete, we will update it.
- The right to object. You have the right to object to the processing of your personal data in certain circumstances and the absolute right to stop their data being used for direct marketing. We do this by ensuring you opt in initially and have the opportunity to opt out at every stage thereafter.
- Rights in relation to automated decision making and profiling. We respect your right not to be subject to a decision that is based in automated processing.
- The right to data portability. Where technically feasible, you have the right to get your data from us in a way that is accessible and machine-readable. You also have the right to ask us to transfer such data to another organisation where technically feasible to do so.

12. KEEPING YOU IN CONTROL - continued

There are exceptions to the rights above and, though we will always try to respond to your satisfaction, there may be situations where we are unable to do so. For more information on your individual rights, please see the Information Commissioner's Office <https://ico.org.uk/>

If you wish to exercise them, please email data-protection@brathay.org.uk or write to our Compliance Manager, Brathay Trust, Brathay Hall, Ambleside, Cumbria, LA22 0HP.

Complaints

If you wish to make a complaint (including a complaint about fundraising activity) you can do so in accordance with our complaints policy by emailing chiefexecutiveoffice@brathay.org.uk or in writing to Chief Executive Office, Brathay Trust, Brathay Hall, Ambleside, Cumbria, LA22 0HP.

If you are not happy with our response relating to your data protection rights, or you believe that your data protection or privacy rights have been infringed, you can contact the Information Commissioner's Office which regulates and enforces data protection law in the UK. Details of how to do this can be found at www.ico.org.uk

TRAINING

Training in these standards is part of Brathay's mandatory training.

RESPONSIBILITIES

Trustees

Responsible for:

- Overall responsibility for a policy which ensures compliance with the relevant statute.

Chief Executive & Leadership Team

Responsible for:

- Development and maintenance of procedures needed to implement the policy.
- Maintenance of the policy.
- Reporting to Trustees.

Management

Responsible for:

- Design and implementation of procedures.
- Dissemination throughout their team and ensuring day to day operational compliance.
- Reporting to the Leadership Team.

Individual Responsibility (Workers and Contractors)

Responsible for:

- Compliance with procedures.
- Identifying potential improvements through day-to-day work.
- Reporting to the management.

ASSOCIATED GUIDANCE AND DOCUMENTS

Document Retention Schedule