



# Michael and Christine Foulger Charitable Trust



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## PRIVACY NOTICE

### Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual. The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the *General Data Protection Regulation* (the “GDPR”) and the *Data Protection Act 2018*.

### Who are we?

This Privacy Notice is provided to you by the Michael and Christine Foulger Charitable Trust (“the Foulger Trust”), which is the data controller for your data.

### Other data controllers the Foulger Trust works with:

- Regulatory Bodies e.g. The Charity Commission.
- Contractors e.g. auditors, letting agents.
- Financial bodies e.g. banks.
- The four beneficiary organisations.

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the Foulger Trust.

A description of what personal data the Foulger Trust processes and for what purposes is set out in this Privacy Notice.

### The Foulger Trust will process some or all of the following personal data where necessary to perform its tasks:

- Whilst the four beneficiary organisations operate non-personal bank accounts, the applications for grants may contain personal information such as names, telephone numbers, addresses, and email addresses;
- Contractors may provide personal details such as names, telephone numbers, addresses, and email addresses, as well as personal bank accounts (e.g. sole traders)
- Tenants may provide personal details such as names, telephone numbers, addresses, and email addresses, as well as gender, age, marital status, nationality, immigration status, right to abode, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Trustees may provide personal details such as names, telephone numbers, addresses, and email addresses, photographic images, as well as gender, age, and confirmation that they meet the legal requirements to be a Trustee;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

### How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
  - information about your physical or mental health or condition in order to take decisions on your fitness for becoming a Trustee of the Foulger Trust;
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest.

### **Do we need your consent to process your sensitive personal data?**

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

### **The Foulger Trust will comply with data protection law. This says that the personal data we hold about you must be:**

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

### **We use your personal data for some or all of the following purposes:**

- To determine grant applications;
- To contact you by post, email, or telephone;
- To help us to build up a picture of how the Trust is meeting its charitable objectives;
- To enable us to meet all legal charity and tenancy obligations;
- To promote the Foulger Trust;
- To maintain our own accounts and records;
- To notify you of changes to our policies, processes, Trustees and other role holders;
- To process relevant financial transactions including grants made by, and payments for goods and services supplied to, the Foulger Trust.

### **What is the legal basis for processing your personal data?**

The Foulger Trust is a registered charity. Most of your personal data is processed for compliance with a legal obligation governing the activities of the Foulger Trust. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the Foulger Trust's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

### **Sharing your personal data**

This section provides information about the third parties with whom the Foulger Trust may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading "Other data controllers the Foulger Trust works with";
- Our agents, suppliers and contractors. For example, we may ask a letting agent to manage our tenancies.

## **How long do we keep your personal data?**

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits. The Foulger Trust will retain grant applications until the first anniversary of the end of the financial year in which is processed (i.e. between 13 to 24 months). In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

## **Your rights and your personal data**

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

### **1) *The right to access personal data we hold on you***

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request, but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

### **2) *The right to correct and update the personal data we hold on you***

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

### **3) *The right to have your personal data erased***

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

### **4) *The right to object to processing of your personal data or to restrict it to certain purposes only***

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

### **5) *The right to data portability***

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

### **6) *The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained***

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

### **7) *The right to lodge a complaint with the Information Commissioner's Office.***

- You can contact the Information Commissioner's Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **Transfer of Data Abroad**

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas, so on occasion some personal data may be accessed from overseas.

### **Further processing**

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

### **Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on our website <http://www.foulgertrust.chelveston.org.uk> This Notice was updated in May 2018.

### **Contact Details**

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, The Michael and Christine Foulger Charitable Trust, Ashbury, Caldecott, Wellingborough, Northants, NN9 6AR.

Email: [Clerk@foulgertrust.chelveston.org.uk](mailto:Clerk@foulgertrust.chelveston.org.uk)