

Draft FOLK Privacy Policy Issue 2 May 2018

Introduction.

The Friends of Leckhampton Hill and Charlton Kings Common is a small community based organisation that undertakes conservation work on a voluntary basis in partnership with the Cheltenham Borough Council. A limited range of Members' personal data is collected and processed as part of the administration of the group's activities.

For this reason, FOLK is bound by the requirements of the General Data Protection Regulation (GDPR), which comes into effect on 25 May 2018. This is European Union legislation, which is being enacted in the UK by Act of parliament. This will supersede the 1998 Data Protection Act.

This issue of the FOLK Privacy Policy is based on a current understanding of the requirements of the GDPR as they apply to small organisations and as set out on the website of the Information Commissioner's Office (ICO) <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/>. The ICO's guidance will be kept under review and the FOLK policy will be revised accordingly. How FOLK will comply with these requirements is listed below.

1. The lawful basis for the collection and use of personal data by FOLK

The GDPR sets out six bases upon which an organisation is permitted to store and use personal data. Only one is needed by any organisation. These bases are:

1. Obtaining consent
2. Necessary for the performance of contract
3. Necessary for compliance with legal obligation
4. Having a "legitimate" interest
5. Having a "vital" (i.e., life and death) interest
6. Having a "public" interest (This only applies to public bodies.)

In the light of FOLK's constitution and activities three qualifying conditions appear to apply:

- Consent is obtained when application is made for membership
- It is necessary for the performance of FOLK's contract because people who join FOLK would expect their personal data to be used so that they may receive relevant information.
- FOLK also has a legitimate interest in communicating with Members and applicants for membership and these individuals would not suffer any negative impact as a direct result of that communication.

2. Overall responsibility for Members' personal data

The GDPR requires each organisation to identify a Data Controller, i.e., an individual or body which takes responsibility for determining the purpose and means of processing personal data. FOLK's Executive Committee will act as its Data Controller.

3. Why do we store and use personal data?

FOLK will store and process personal data so that it has a record of its membership to enable administration of membership subscriptions, to support the management of work parties and to have a means of communicating with members, applicants for membership and others who wish to be informed of its activities

4. Who will process the data? The Data Processors

The following roles and Offices within the FOLK constitution will have responsibility for the normal processing of Members' data under the supervision of the FOLK Executive Committee:

Membership Secretary, Treasurer, Secretary, Work Party Coordinator, Newsletter Editor and FOLK's auditor. Other individuals may require ad hoc access to the data and this would be under the strict supervision of the Executive Committee.

5. How is personal data stored?

The persons nominated by FOLK as Data Processors will store personal data by one or more of the following methods:

- i. electronic files on their personal computers;
- ii. retaining any necessary paper records

6. Data Protection rights of members

- Individuals have the right to be informed about the collection and use of their personal data.
- Individuals have the right to access their personal data and any supplementary information. This allows them to be aware of and to verify the lawfulness of the processing.
- The GDPR includes a right for individuals to have inaccurate personal data rectified, or completed if it is incomplete. An individual can make a request for rectification verbally or in writing.
- The GDPR introduces a right for individuals to have personal data erased. Individuals can make a request for erasure verbally or in writing.

7. Consent

As FOLK has at least one of the valid bases for holding and processing personal data, it is not therefore strictly necessary to obtain explicit consent. However, in the interests of openness and to demonstrate good practice, FOLK has determined that, as well as signing and dating an application form, individuals completing a Membership Application Form or a Membership Renewal Form will be asked to tick a statement indicating that they give their consent for FOLK to hold and use their personal data. Confirmation of consent will be sought at the time of membership renewal

Proposed wording

I/we give consent for The Friends of Leckhampton Hill and Charlton Kings Common to hold personal data and to use it as described below:

- Members' details will be processed fairly and lawfully in order to satisfy the agreement entered with you on your admittance to membership. This will ensure that you receive the latest news and information about all FOLK's activities.
- Your details will be kept safely and securely and you have the option to opt out of our communications at any time.

In order to be able to demonstrate that FOLK has met its duties in this respect, a signed copy of the application form or renewal form will be retained by The Society.

8. Is personal data shared with any other organisations?

FOLK has not shared personal data with any other party and would not do so in the future, without the explicit consent of members.

FOLK's nominated Data Processors may share personal data with other individual members of the committee for the fulfilment of their duties and with the approval of the FOLK Executive Committee

9. How will FOLK communicate to members, applicants and others how the requirements of the GDPR have been met?

- FOLK's Data Protection Policy will be published on its website. Paper copies will be available on request for members with no internet access.
- FOLK will publish a summary statement ("Privacy Notice") on its Data Protection policy and practice.
- The Membership Application Form and Membership Renewal Form will include a brief summary of information about FOLK's use of personal data.

10. How do individuals raise concerns about The Society's storage and use of personal data?

- All concerns about the storage and use of data must be directed in the first instance to the FOLK Secretary.
- A formal response must be made by FOLK within 30 days.
- Any individual who is not satisfied with FOLK's response has the right to raise the concern with the Information Commissioners Office on 0303 123 1113.

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