

THE NEWSTRAID BENEVOLENT FUND DATA PROTECTION POLICY

NewstrAid is fully committed to the observation of the data protection legislation in our work. With particular relevance to our Welfare Department and the confidential nature of the details held, we believe in respecting the rights of every individual, including the right to have his or her data dealt with carefully and sensitively.

NewstrAid is registered with the Information Commissioner's Office to gather, process and maintain the personal data of clients (beneficiaries) and staff.

The General Data Protection Regulation (GDPR) is enforced in the UK from 25 May 2018. This policy sets out how the NewstrAid Benevolent Fund (henceforward referred to as The Charity) will comply with the GDPR and all other relevant legislation, by covering the following areas:

1. Definition of key terms
2. Our understanding of the GDPR and all other relevant UK legislation.
3. How the GDPR fits into our objectives
4. Meeting our responsibilities under the GDPR and all other relevant UK legislation.
5. Respecting the rights of the individuals we work with under the GDPR and all other relevant legislation.
6. How our fundraising work complies with GDPR and all other relevant UK legislation.

1. Definition of the key terms:

Personal data: data conveying any information relating to an identified or identifiable natural person. This may include name, address, identifier numbers (e.g. telephone); it also includes online or electronically stored identifiers, if they can be used alone or in combination to identify a person. In addition, there is a category of 'special category data' which includes genetic, biometric and medical data; racial and ethnic identity; religious and political beliefs; and sexual orientation.

Data controller: the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of processing personal data

Data processor: a natural or legal person, public authority, agency or other body which is responsible for processing personal data on behalf of the controller

Data processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

Data Champion: the person or persons appointed by the Board of Trustee, who alone or jointly with others, determines the purposes and means of processing personal data

Data subject: the individual to whom the personal data belongs. This could be an applicant, beneficiary, donor, potential donor, trustee, employee, volunteer, contractor, or any other individual whose personal data are held by us.

Consent: means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. Our understanding of the GDPR and all other relevant UK legislation.

The GDPR is an EU-wide law that replaces the previous Data Protection Act (1988). The purpose of the GDPR (together with the Data Protection Act 2018) is to help EU citizens better understand and control how their personal data is being used, and how to raise objections if necessary. The GDPR achieves this by placing responsibilities on data controllers and data processors; and by giving rights to data subjects who have given consent to data processing.

In the UK, compliance with the GDPR is overseen by the Information Commissioner's Office (ICO). The NewstrAid Benevolent Fund is registered with the ICO as a data controller (registration number: ZA141934). The Charity is also a data processor under the GDPR. The Board of Trustees of the Charity has assessed the scale of our data processing and decided that the quantity of data being processed does not justify appointing a Data Protection Officer. However, the trustees have appointed a Data Champion to determine the purposes and means of processing personal data.

3. How GDPR fits into The Charity's charitable objectives

The Charity is a benevolent society that exists to provide welfare for persons who are, or have been, employed in the selling and distribution of newspapers and magazines in the UK, including their immediate family and dependents who are in need, hardship or distress. The Charity does this by offering financial support (long term and one off), state benefit advice, debt advice counselling, support for the disabled and their carers, and signposting to other organisations that could help as well as offering emotional support via our authorised anxiety support service. To carry out this work fairly and effectively, the Charity processes personal data from individuals making an enquiry about our work, grant applicants, beneficiaries, potential donors, donors, etc. The Charity also holds personal

data from our employees, contractors, volunteers, trustees and other supporters and we use this data to ensure that our organisation functions effectively. The Charity has contracts with other organisations and may need to share personal data in order to fulfil obligations made to applicants, beneficiaries, volunteers, donors, trustees and others. The Charity recognises that all of these uses of personal data fall within the remit of the GDPR.

The Charity will only use process personal data where we have a legal basis to do so and will always respect our data subject's rights. We may process personal data because the data subject has consented to us doing so or because we consider we have a legitimate interest to do so. Where we do rely on a legitimate interest to process personal data information, we will always ensure that this is done in a way that respects the rights of our data subjects. Other reasons may include using information because we have a legal obligation to do so or because we have to fulfil contractual obligations.

4. Meeting our responsibilities under the GDPR and all other relevant UK legislation.

The GDPR sets out six responsibilities for organisations processing personal data. These responsibilities are recognised by the Board of Trustees and in practice will be delegated to the appointed Data Champion and the Chief Executive Officer. The responsibilities are:

4.1 Consent

Personal data must be '*processed lawfully, fairly and in a transparent manner in relation to individuals*'.

Note: The GDPR gives six lawful bases for processing personal data: consent; contract with the data subject; legal obligation; vital interests; public interest; and legitimate interest. Further explanation of these bases can be found on the ICO website.

In our work with applicants, beneficiaries, donors and potential donors, The Charity processes personal data under the **lawful basis of consent**. To comply with this, the Charity informs individuals about the data we require from them and sets out how it will be used. The Charity explains our use of personal data on our Privacy Statement, on our Beneficiary Application form and on our website. The Charity will always ask for written consent from the individual.

- The Charity processes personal data from trustees and staff under the **lawful basis of a legitimate interest** with the data subject. For example, The Charity has a legal obligation to use information when we claim Gift Aid. To comply with this, the Charity and the data subject have signed contractual agreements.

Data subjects can tell us to stop contacting them, or change the way in which we do so, e.g. email, post, telephone, SMS etc. by getting in touch with us. We will keep a record of any requests to stop receiving marketing from us to ensure that we do not communicate with those data subjects in the future, unless they tell us they want to hear from us again.

4.2 Purpose of using personal data and Disclosure

Under GDPR, personal data must be *'collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes'*.

The Charity uses personal data to carry out our charitable objectives as set out in section 3 above.

The Charity principally collects personal information to provide data subjects with the services, products or information they have requested. Where we use personal data, it may be because the data subject consented to us doing so. Some examples can be found below:

- The data subject has given consent to use the information for a specified purpose (including grant administration, marketing emails and newsletters, etc.)
 - For internal administration, analyses, impact measurement and service reviews
 - For fundraising support, feedback surveys and sending newsletters
- We have a legal obligation to use personal data, for example to claim Gift Aid, remunerate employees, repay volunteer expenses, etc.
- We are using personal data in pursuit of a legitimate interest, for example:
 - To make potential beneficiaries aware of the help we offer.
 - To manage our relationship with members, supporters, volunteers and donors, for example to invite people to events

We may also keep a record of conversations we have with a data subject, feedback a data subject provides and any marketing/fundraising materials we send out to a data subject.

We may also need to share data with third parties, called 'data processors', (e.g. suppliers of goods or services) in order to fulfil our agreement with an individual, we seek consent from the individual and we have a GDPR-compliant Data Sharing Agreement with those third parties].

We may also need to disclose personal data if required to do so by law. For example, we are legally required to provide personal data to HMRC if a data subject has agreed to us claiming Gift Aid on their behalf.

We do not use data for other purposes.

4.3 How we collect personal data

Under the GDPR, personal data must be *'adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed'*.

The Charity carries out regular audits on all its data collection, processing, and storage functions to check that data are adequate, relevant and limited to that which is necessary to fulfil our charitable objectives and run our organisation effectively.

The charity receives and stores personal information supplied to us in writing, via email, via the telephone, in person or online when applying, enquiring, or registering for help, employment, trusteeship, champion or volunteering opportunities or when attending events or donating money to the Charity.

We may also receive personal information from third parties, for example, a welfare officer, charity, agency or organisation who refers you to our service.

Where grant recipients have provided information about their experience of applying for a grant, by whatever means, we will explain what the information will be used for and whether it will be held anonymously or not/ or it will always be used anonymously unless you agree otherwise. For example, to write case studies which can be used in our communications including PR and media activity, digital and social media, campaigning, fundraising materials and internal communications, to help us raise awareness of our mission. We would never use a personal story without obtaining the data subject's consent first, we would always contact the data subject to discuss the use of their story in further detail each time.

4.4 Under the GDPR, personal data must be *'accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay'*,

The Charity takes care to collect data accurately by using an application form; telephone questionnaire; documented face-to-face interviews, etc. and has reasonable administrative procedures for amending or erasing inaccurate data as necessary. There is regular training for staff and volunteers on how data is to be collected and updated, stored or erased.

When designing forms and other structures to gather information and also when gathering information at an individual level, we will always observe fully conditions regarding the fair collection and use of information, we will ask:

- Do we really need this information about an individual? Do we know what we're going to use it for? Is it only required to the extent that it is needed to fulfil operational needs or to comply with any legal requirement?
- Have we ensured the quality of the information?
- Is the data subject likely to understand the nature of the data held and what it will be used for and does the data subject fully understand how they might exercise their rights under the Act?
- If we are asked to pass on personal information, would the data subject expect us to do this, if specific permission has not been given?
- Are we satisfied the information is being held securely, whether it's on paper or on computer?
- Have we taken opportunities to ensure that personal information is accurate and up to date?

- Do we delete or destroy personal information as soon as we have no more need for it?
- Does it meet the legal obligation to specify the purpose for which the information will be used?

4.5 How long we keep your personal data

Under the GDPR, personal data must be *'kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed'*.

The Charity has set out a timescale for erasing data that we no longer need for processing purposes. When no longer needed, paper records will be shredded and electronic records will be deleted or permanently anonymised. This process is documented as part of our regular data audit and recorded in our Retention Policy (available upon request).

4.6 Security of your personal data

Under the GDPR, personal data must be *'processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.'*

The Charity's data audit has assessed the risks to personal data. We have put in place appropriate managerial procedures to safeguard and secure the information we collect. We have set up reasonable levels of protection for physical and electronic records that include locked filing cabinets with control of access to keys; locked offices, again with key control; fire precautions; password protected computers; adequate levels of permission to access computer files; adequate anti-virus software; adequate back-up procedures; adequate agreements for data stored in the cloud or offsite; encryption of personal data if it being transferred electronically; regular training for staff and volunteers on data security.

The Charity recognises that any breach of unencrypted personal data must be reported to the ICO within 72 hours of our becoming aware of the breach. The Charity has enshrined this within our Data Breach policy.

4.7 Staff & Volunteer training

The Charity will raise awareness of the GDPR and all relevant UK legislation, its policy and the legal obligations upon it to all staff and volunteers who have access to personal data. It will also ensure that there is appropriate data protection training for staff and volunteers on an ongoing basis.

5. Respecting the rights of the individuals we work with under the GDPR

The GDPR sets out rights for individuals (i.e. data subjects), which the Charity recognises and respects.

- 5.1. **The right to rectification:** The Charity will correct data that is wrong when asked to do so by data subject
- 5.2. **The right to erasure:** The Charity will delete some, or all, of a data subject's information on request, unless it needs to be kept for legal reasons.
- 5.3. **The right to restrict processing:** The Charity will stop processing some, or all, data on request, unless there are overriding legal reasons.
- 5.4. **The right to data portability:** The Charity will provide data in a suitable format when requested to do so.
- 5.5. **The right not to be subject to automated decision-making (sometimes called 'profiling'):** The Charity will not use automated decision-making if the data subject objects.
- 5.6. **The right to access:** The Charity will respond to a written subject access request (SAR) within 30 days and will provide the data subject with whatever personal data, if any, is readily available in our records. Where the request is manifestly unfounded or excessive you may charge a "reasonable fee" for the administrative costs of complying with the request.

6. How our fundraising complies with GDPR and all relevant UK legislation.

We fundraise from within the UK news trade, the same constituency from which come our beneficiaries. When we contact individuals for fundraising purposes, we are clear that fundraising is our aim. We provide individuals with a copy of our Privacy Statement upon request and obtain their informed consent before collecting personal data. We contact individuals via our agents, by use of the process known as "pseudonymisation", which in effect means the Charity has no personal data about the individuals approached. Our email newsletters are only sent to individuals who have given us their explicit consent and contain an 'unsubscribe' facility, and this is used to prevent further unwanted email contact.

The Charity does not pass our fundraising contacts to other parties and does not buy mailing lists for fundraising purposes.

This policy was approved by the Board on 13.12.18

Date to be reviewed: April 2021