Rukungiri Orphan Partnership (ROP)

003 - GDPR

The Charity will ensure that all personal data that it holds will be:

- ☑ processed lawfully, fairly and in a transparent manner;
- ☑ collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- ☑ adequate, relevant and limited to what is necessary;
- ☑ accurate and kept up to date;
- ☑ kept in a form which permits identification of data subjects for no longer than is necessary;
- ☑ 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.

Definitions

Data Subject

A data subject is an identifiable individual person about whom the Charity holds personal data.

Contact Information

For the purposes of this Policy, "Contact Information" means any or all of the person's:
Full name (including any preferences about how they like to be called);
Full postal address;
Telephone and/or mobile number(s);
E-mail address(es);
Social media IDs/User Names (*e.g.:* Facebook, Skype, Hangouts, WhatsApp)

Lawful Processing

The Charity will obtain, hold and process all personal data in accordance with the GDPR for the following lawful purposes.

In all cases the information collected, held and processed will include Contact Information (as defined in **Error! Reference source not found.** above).

By Consent

a) People who are interested in, and wish to be kept informed of, the activities of the Charity.

b) Subject to the person's consent, this may include information selected and forwarded by the Charity on activities relevant to those of the Charity by other organisations.
Note: this will not involve providing the person's personal data to another organisation.

The information collected may additionally contain details of any particular areas of interest about which the person wishes to be kept informed.

The information provided will be held and processed solely for the purpose of providing the information requested by the person.

By Legal Obligation

People where there is a legal obligation on the Charity to collect, process and share information with a third party – *e.g:* the legal obligations to collect, process and share with HM Revenue & Customs payroll information on gift aid received by the Charity.

The information provided will be held, processed and shared with others solely for the purpose meeting the Charity's legal obligations.

The right to be informed

When collecting personal information, the Charity will provide to the data subject free of charge, a Privacy Policy written in clear and plain language which is concise, transparent, intelligible and easily accessible containing the following information:

- ☑ Identity and contact details of the controller
  Note: where the organisation has a controller's representative and/or a data protection officer, their contact details should also be included
- ☑ Purpose of the processing and the lawful basis for the processing
- ☑ The legitimate interests of the controller or third party, where applicable
- ☑ Categories of personal data
  Not applicable if the data is obtained directly from the data subject
- ☑ Any recipient or categories of recipients of the personal data
- ☑ Details of transfers to third country and safeguards
- ☑ Retention period or criteria used to determine the retention period
- ☑ The existence of each of data subject's rights
- ☑ The right to withdraw consent at any time, where relevant
- ☑ The right to lodge a complaint with a supervisory authority
- ☑ The source the personal data originates from and whether it came from publicly accessible sources
  Not applicable if the data are obtained directly from the data subject
- ☑ Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data
  Not applicable if the data are NOT obtained directly from the data subject
- ☑ The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences.

In the case of data obtained directly from the data subject, the information will be provided at the time the data are obtained.

In the case that the data is not obtained directly from the data subject, the information will be provided within a reasonable period of the Charity having obtained the data (within one month), ***or,*** if the data are used to communicate with the data subject, at the latest, when the first communication takes place*;* ***or*** if disclosure to another recipient is envisaged, at the latest, before the data are disclosed.

The right of access

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him/her are being processed, and, where that is the case, access to

The right to rectification

The data subject shall have the right to require the controller without undue delay to rectify any inaccurate or personal data concerning him/her.

The right to erase

- Except where the data are held for purposes of legal obligation or public task, the data subject shall have the right to require the controller without undue delay to erase any personal data concerning him/her.
  Note: This provision is also known as "The right to be forgotten".

The right to restrict processing

- Where there is a dispute between the data subject and the Controller about the accuracy, validity or legality of data held by the Charity, the data subject shall have the right to require the controlled to cease processing the data for a reasonable period of time to allow the dispute to be resolved.

The right to data portability

- Where data is held for purposes of consent, the data subject shall have the right to require the controller to provide him/her with a copy in a structured, commonly used and machine-readable format of the data which he/she has provided to the controller, and have the right to transmit those data to another controller without hindrance.

The right to object

- The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him/her which is based Public Task or Legitimate Interest (**Error! Reference source not found.** or **Error! Reference source not found.**), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him/her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- At the latest at the time of the first communication with the data subject, the right referred to in paragraphs · and · o· · o· · o· shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

Requirements

Data Controller and Data Protection Office

Data Controller

A Data Controller will be appointed by the Board of Trustees. In the absence of the Data Controller (*eg:* on holiday or on sick leave) the Chair of the Trustees will act as the Data Controller.

The Data Controller shall implement appropriate technical and organisational measures to ensure and be able to demonstrate that processing is performed in accordance with this Regulation.

Those measures shall be reviewed and updated where necessary.

Data Protection Officer

The scale and scope of the data collected and processed by the Charity does not justify the appointment of a Data Protection Officer.

Privacy Policy (see separate Privacy Policy document)

The Charity will have a Privacy Policy which it will make available to everyone on whom it holds and processes personal data. Clauses are generic and apply to all Privacy Policies.
Clauses are specific to the nature of the data being collected, held and processed.

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In the case that the data is not obtained directly from the data subject, the information will be provided within a reasonable period of the Charity having obtained the data (within one month), ***or,***
if the data are used to communicate with the data subject, at the latest, when the first communication takes place*; **or*** if disclosure to another recipient is envisaged, at the latest, before the data is disclosed.

Any deviations or breaches from this policy must be reported to the Chair of the Trustees where further action may be considered.

Date of Change:	Changed By:	Comments: