

# THE FINDHORN VILLAGE CONSERVATION COMPANY

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## DATA PRIVACY NOTICE

The Findhorn Village Conservation Company (TFVCC)

### Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR)

### Who are we?

The Findhorn Village Conservation Company is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

### How do we process your personal data?

- TFVCC complies with its obligations under [the GDPR] by keeping personal data up to date;
- by storing and destroying it securely;
- by not collecting or retaining excessive amounts of data;
- by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. We use your personal data for the following purposes: -
  - To enable us to provide a voluntary service for the benefit of the public as specified in our constitution.
  - To administer membership records.
  - To fundraise and promote the interests of the charity.
  - To manage our employees and volunteers.
  - To maintain our own accounts and records.
  - [Our processing also includes the use of CCTV systems for the prevention of crime].
  - To operate the TFVCC website and deliver the services that individuals have requested.
  - To inform individuals of news, events, activities or services running at TFVCC
  - To process gift aid applications.
  - To contact individuals via surveys to conduct research about their opinions of current services or of potential new services that may be offered.
  - To invite you to take part in community consultation activities and to process their results.
  - To contact individuals via surveys to conduct research about their opinions of current services or of potential new services that may be offered.
  - To manage job applications and interviews.
  - To manage appointments and work of consultants and/or advisors.

A Company Limited by Guarantee registered in Scotland Reg No SC 397770 Charity No SC044408  
Registered Office : Findhorn Village Centre, The Old School, Church Place, Findhorn IV36 3YR

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- To respond to questions, comments, and/or proposals from members or other third parties.
- To administer garage lease applications and subsequent correspondence.
- To administer motorhome booking system

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

These fall under either article 6 or article 9 – dealt with separately below.

### Compliance with Article 6 processing

- Consent of the data subject
  - Membership form completion
  - Consent form completion
  - Garage lease applicants
  - Motorhome stopover booking applicants
- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract
  - Employment contracts
  - Contractor contracts
  - Volunteer contracts
  - Garage leases
  - Motorhome stopover bookings
- Processing is necessary for compliance with a legal obligation
  - OSCR requires that we “Keep registers of charity trustees and of members”
  - Grant fund reporting and monitoring requirements of our funders
- Processing is necessary for the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.
  - Contact members about general meetings and proposed resolutions
  - Contact Trustees, the Company Secretary and the independent financial examiner about general meetings
  - Contact members to inform about TFVCC office location and contact details

### Compliance with Article 9 Processing

- Explicit consent of the data subject to the “Consent Form” (Appendix 1)
  - To inform Data Subjects about our organisation’s activities and inform you about upcoming meetings, services, surveys, events, and opportunities
- Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement;

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- Processing relates to personal data manifestly made public by the Data Subject, for example photographs and videos;
- Processing is carried out by a not-for-profit body and the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and there is no disclosure to a third party without consent.
- Processing is necessary for the establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity;
- Processing is necessary for reasons of preventative or occupational medicine, for assessing the working capacity of an employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional;
- Processing is necessary for the reasons of public interest in the area of public health;
- Processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes. [Where the personal data are collected direct from the data subject, the data subject must be informed whether he or she is obliged to provide the personal data and the consequences, if he/she does not provide the data].

## Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with other organisations and individuals to comply with legitimate interest or a legal obligation i.e OSCR, Companies House or funders. In order to email you information, collect your views and store our information in a cloud based system we will share your data with third party processors such as MailChimp, Survey Monkey, and Dropbox.

We will only share your data with third parties outside of the organisation with your consent.

## How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary. Membership data is kept until end of membership period; HR data is kept for a period of at least 6 years following the termination of employment; some personal financial data will be destroyed after 2 years; Health and Safety information must be held for a minimum of 40 years.

## Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which TFVCC holds about you;
- The right to request that TFVCC corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for TFVCC to retain such data;

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- The right to withdraw your consent to the processing at any time];
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable)
  
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
  
- The right to object to the processing of personal data, (where applicable)
  
- The right to lodge a complaint with the [Information Commissioners Office](#).
  
- Transfer of Data Abroad. Please refer to our Data Protection Policy

## Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection 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. Contact Details To exercise all relevant rights, queries of complaints please in the first instance, contact us at: [findhornvcc@gmail.com](mailto:findhornvcc@gmail.com)

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## APPENDIX 1

### CONSENT TO KEEP YOU INFORMED

By signing this form you are confirming that you have read this Data Protection Notice and that you are consenting to The Findhorn Village Conservation Company (TFVCC) holding and processing your personal data for the following purposes (please tick the boxes where you are happy to grant consent):

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Name:

Address:

Telephone:

Email address:

Insert relevant purposes where you will be relying on consent to process the personal data, for example: -

- To keep you informed about news, events, activities and services;
  - To contact you with surveys about current events;
  - All of the above.
- 
- By email [ ]
  - by text [ ]
  - by post [ ]
  - by phone [ ]

You can grant consent to all the purposes; one of the purposes or none of the purposes.

Where you do not grant consent we will not be able to use your personal data except in certain limited situations, such as where required to do so by law, our Articles of Association or to protect members of the public from serious harm.

You can also cancel your membership with TFVCC by choosing below:

- I no longer wish to be a member of TFVCC

If you do grant consent, please note you can withdraw your consent to all or any one of the above purposes at any time by contacting [findhornvcc@gmail.com](mailto:findhornvcc@gmail.com)

Please note that all processing of your personal data will cease once you have withdrawn consent but this will not affect any personal data that has already been processed prior to this point.

SIGNED

DATED

[insert name and registered charity number if applicable]