

Privacy Policy

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 (GDPR).

Who are we?

SENScot 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?

- SENScot 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 our charitable activities for the benefit of the public good as specified in our constitution;
 - To administer membership records;
 - To fundraise and promote the interests of the charity;
 - To manage our employees;
 - To maintain our own accounts and records.
 - To operate our website and deliver the services that individuals have requested.
 - To inform individuals of news, events, activities or services running at SENScot through our weekly bulletin.
 - To contact individuals via surveys to evaluate services, conduct research about their opinions of current services or of potential new services that may be offered.
 - Partnership for procurement – we have set out a separate policy for these activities.

What is the legal basis for processing your personal data?

Article 6 processing:

- Consent of the data subject for photographs to be taken for marketing purposes and processing data for:
 - Event management
- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract in relation to reporting to funders on activities which may include case studies and images;
- Processing is necessary for compliance with a legal obligation in relation to the charity and company law requirements; 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. This is in relation to: -

Weekly bulletin

It is necessary for us to process contact details for this purpose, and that the mailing is a proportionate way of approaching individuals to connect and inform about activities and policy developments happening in the third sector. We have taken into account that the nature of the data being processed is names and email addresses only, and that it would be reasonable for these individuals to expect that they may receive these mailings as they have previously subscribed to them. We have determined that the impact is likely to be minimal however we have clear opt out of receiving this in the future.

SEN administration

It is necessary for us to process members details for this purpose of our governance requirements, and that processing is a proportionate way of approaching individuals to connect and inform as this is our core charitable activity. We have taken into account that the nature of the data being processed is names and contact details only, and that it would be reasonable for these individuals to expect that they may receive these mailings as they have previously joined as members of a network. We have determined that the impact is likely to be minimal however we have clear opt out of receiving this in the future.

SEN newsletters

It is necessary for us to process contact details for this purpose, and that the mailings is a proportionate way of approaching individuals to connect and inform as this is our core charitable activity. We have taken into account that the nature of the data being processed is names and email addresses only, and that it would be reasonable for these individuals to expect that they may receive these mailings as they have previously subscribed to them and joined as a member. We have determined that the impact is likely to be minimal however we have clear opt out of receiving this in the future.

Salesforce

It is necessary for us to process contact details for this purpose, and that the mailings is a proportionate way of collating information about social enterprises as this is our core charitable activity. We have taken into account that the nature of the data being processed is names and contact details only, and that it would be reasonable for these individuals to expect that they may have their information shared to connect and network as they have previously had dealing with us in the past. We have determined that the impact is likely to be minimal.

Surveys

It is necessary for us to process contact details for this purpose, and that the surveys are

a proportionate way of collating information and obtaining opinions about events and the charity's activities. We have taken into account that the nature of the data being processed is names and contact details only, and that it would be reasonable for these individuals to expect that they may have their information used to obtain their opinion. We have determined that the impact is likely to be minimal.

Article 6 processing:

- Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement in relation to the processing of staff data;
- 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.

Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared

- only with: Funders, where necessary.
- IT company for maintenance and repair.

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 up to a maximum period of 7 years, in particular:

- Staff administration – collected when staff are recruited at the point of collection and is updated when changes to staff and/or data and shall be retained for 7 years after the employment ends.
- Membership administration - collected at membership application and point of collection and is updated when membership records change. The members are exhibited on website and are kept for 6 years after membership ends.
- Company law compliance - collected when directors join the board and point of collection and amended when there are any changes to the board. For company regulation, these details are show on the public record on Companies House. These records shall be retained for 6 years following the end of the directorship.
- Charity law compliance - collected when trustees join the board and at the point of collection and amended when there are changes to the board. These details may be requested by/disclosed to a member of the public as this is a statutory requirement.
- Events – collected when event is marketed at the point of collection and delegate lists are provided on day of event and these are retained indefinitely for historical/statistical purposes.
- Fundraise and raise awareness of charitable work – collected at the point of contact with the data subject and shall be retained indefinitely for reporting/historical/statistical purposes.
- Weekly bulletin – collected when individuals subscribe at the point of collection and this shall be held until subscriber opts out.
- SEN member administration – collected when member joins at the point of collection. Members are exhibited on website (organisations only and this data is retained for 6 years after membership ends.
- SEN newsletters – collected when individuals subscribe at the point of collection and this shall be held until

subscriber opts out.

- Sales Force – collected when member joins at the point of collection which is retained indefinitely for reporting/historical/statistical purposes.
- Surveys for evaluation or research - collected when organisation provides data or database at the point of collection and retained indefinitely for reporting/historical/statistical purposes.
- Images – collected at events, the point of collection and may be used on website or reporting to funders and shall be retained indefinitely for reporting/historical/statistical purposes.
- Reporting for funders – collected during charitable activities and shared indefinitely for reporting/historical/statistical purposes.

We keep your personal data for no longer than reasonably necessary and we only retain your data for the following above purposes and use the following criteria to determine how long to retain your personal data; statutory, reasonable timeframes and on some occasions as a record of our charitable activities.

Your personal data and your rights

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 we hold about you;
- The right to request that we correct 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 us to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right to request that we provide the you 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.

The Information Commissioner's Office Scotland
45 Melville Street
Edinburgh EH3 7HL
Telephone: 0303 123 1115
Email: Scotland@ico.org.uk

Transfer of data abroad

When we process data it is in electronic format and occasionally transferred to countries or territories outside the EU:

- Staff administration records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- Membership administration records are held on SharePoint. The servers are in the US and Privacy Shield is in place;
- Company law compliance records are held on SharePoint. The servers are in the US and Privacy Shield in place;
- Charity law compliance records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- Events records are held on Eventbrite. The servers are in the US and a Privacy Shield is in place;
- Fundraising and charitable activities data records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- SEN administration records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- SEN newsletter subscribers are held on Mailchimp and Salesforce. The servers are in the US and a Privacy Shield is in place;
- SEN member and member records are held on Salesforce? The servers are in the US and a Privacy Shield is in place;
- P4P records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- Survey data records are shared with SurveyMonkey/Mailchimp. The servers are in the US and a Privacy Shield is in place;
- Records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- Images are held on SharePoint. The servers are in the US and a Privacy Shield is in place;
- Reporting records are held on SharePoint. The servers are in the US and a Privacy Shield is in place;

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:

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