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## POLICY STATEMENT

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### Introduction

Toc H is committed to protecting and respecting your privacy.

This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

### 1. Definitions

**Data controller** - A controller determines the purposes and means of processing personal data.

**Data processor** - A processor is responsible for processing personal data on behalf of a controller.

**Data subject** – Natural person

#### Categories of data: Personal data and special categories of personal data

**Personal data** - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

**Special categories personal data** - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

**Processing** - means 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.

**Third party** - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

### 2. Who are we?

Toc H is the data controller. This means we decide how your personal data is processed and for what purposes. Our contact details are: Toc H PO Box 15824, Birmingham B13 9UL. For all data matters contact Toc H's Data Representative at the above address or 0121 44 33 55 2

### 3. The purpose(s) of processing your personal data

We use your personal data for the following purposes:

The smooth running of Toc H as a membership organisation, and where necessary to comply with current legislation

current legislation.

#### 4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

- Toc H may hold the following Personal data:
  - Name
  - Address
  - Telephone number
  - Email Address
  - Date of Birth
  - Records of financial donations
- Toc H does not hold any Special categories of data

We have obtained your personal data from records that were passed to us when the staff were made redundant in 2008 and from your membership application form.

#### 5. What is our legal basis for processing your personal data?

##### a) Personal data (article 6 of GDPR)

**Our lawful basis for processing your general personal data:**

<input type="checkbox"/> Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	We are a membership organisation and we keep information so that we can carry out that role.
<input type="checkbox"/> Processing necessary for compliance with a legal obligation	The legislation says that Toc H has to hold information on donors and keep all accounting information for current year plus six years.
<input type="checkbox"/> Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	We are unable to function as a membership organisation without holding this data.

##### b) Special categories of personal data (article 9 of GDPR)

**Our lawful basis for processing your special categories of data:**

<input type="checkbox"/> Processing necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement	<b>We need to hold staff records.</b>
<input type="checkbox"/> Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided that the processing relates only to members or former members (or	<b>Toc H does hold information that meets this description.</b>

those who have regular contact with it in connection with those purposes); and there is no disclosure to a third party without consent	
<input type="checkbox"/> Processing necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes	<b>We hold Toc H archives for the purpose of public interest.</b>

More information on lawful processing can be found on the [ICO website](#).

## 6. Sharing your personal data

Your personal data will be treated as strictly confidential, and will be shared only with those people with a legal basis to require the information to be shared, and where your immediate health is concerned.

## 7. How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary and for a period of seven years in in the case of financial information order to comply current legislation. There may well be individuals named in the minute books that are eventually placed in the archives, Membership information will be placed in the archives.

## 8. Providing us with your personal data

You are under no statutory or contractual requirement or obligation to provide us with your personal data. But failure to do so will have the following consequences that we will not be able to provide you with any of the services we currently provide.

## 9. 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 the 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 to retain such data;
- [THE RIGHT TO WITHDRAW YOUR CONSENT TO THE PROCESSING AT ANY TIME, WHERE CONSENT WAS YOUR LAWFUL BASIS FOR PROCESSING THE DATA];
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- 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 i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

## 10. Transfer of Data Abroad

**We do not transfer personal data outside the European Economic Area.**

### **11. Automated Decision Making**

**Toc H do not use any form of automated decision making in our Charity.**

### **12. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Privacy 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.

### **13. Changes to our privacy policy**

Any changes we may make to our privacy policy in the future will be provided to you by mail and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

### **14. How to make a complaint**

To exercise all relevant rights, queries or complaints please in the first instance contact our Toc H's Data Representative at Toc H PO Box 15824, Birmingham B13 9UL. or 0121 44 33 55 2

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](#) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.

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