

THE VERONICA AWDRY CHARITABLE TRUST

Registered Charity no. **1113328**

Registered address **Wansbroughs Solicitors, Northgate House, Devizes SN10 1JX**

GDPR DATA PROTECTION POLICY 2018

Data Protection Policy

The Veronica Awdry Charitable Trust (“VACT”) is committed to protecting the rights and freedoms of data subjects and safely and securely processing their data in accordance with all of our legal obligations.

We hold personal data in respect of all individual and organisational applicants for the furtherance of our charitable purposes.

This policy sets out how we seek to protect personal data and ensure that our trustees and all those involved in the work of this charity understand the legislation governing the use of personal data to which they have access.

Definitions

Charitable purposes the purposes for which personal data may be used by us:

1. compliance with our legal, regulatory, governance obligations and best practice;
2. gathering information in respect of applications and grants;
3. operational reasons, inclusive of recording applications, processing applications and making grants;
4. checking references (required upon personal applications); and
5. improving our services.

Data any information which is stored electronically, on a computer, or in a paper-based filing system.

Data controller means the natural or legal person who determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by law.

Data processor means a natural or legal person or organisation which processes personal data on behalf of the controller.

Data Protection Officer (“DPO”) means an individual appointed from time to time to oversee the processing of data in accordance with the applicable law.

Data user those involved in the processing of personal data and those who use the person data. Data users have a duty to protect the information they handle by following the data protection and security policies.

Personal data means any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, address, phone number, email address, education and skills, nationality and any other personal information which can be used to identify a data subject.

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 other making available, alignment or combination, restriction, erasure or destruction.

Sensitive personal data includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, and will usually require the express consent of the person concerned.

Our DPO has overall responsibility for the day-to-day implementation of this policy. Our DPO is a trustee, Anna Wensley Stock.

Principles

The Veronica Awdry Charitable Trust shall comply with the principles of the data protection (the "Principles") enumerated in the GDPR. The Principles are as follows:

1. Lawful, fair and transparent

Data collection must be fair, for a legal purpose and we must be open and transparent as to how the data will be used.

2. Limited for its purpose

Data can only be collected for a specific purpose.

3. Data minimisation

Any data collected must be necessary and not excessive for its purpose.

4. Accurate

The data we hold must be accurate and kept up to date.

5. Retention

We cannot store data longer than necessary.

6. Integrity and confidentiality

The data we hold must be kept safe and secure.

Accountability and transparency

We must ensure accountability and transparency in all of our personal data use. We must show how we comply with each of the Principles. We are responsible for keeping a written record of how all our data processing activities comply with each of the Principles. This must be kept up to date and approved by the DPO.

We are responsible for ensuring that we meet the following data protection obligations:

- Maintain up to date and relevant documentation on all processing activities; and
- Implementing measures to ensure privacy by design and default, including:
 - Data minimisation
 - Transparency
 - Creating and improving security and enhanced privacy procedures on an ongoing basis.

Procedures

We must process personal data fairly and lawfully in accordance with the first Principle. This generally means that we should not process personal data unless the individual whose details we are processing *has consented to this happening*.

If we cannot apply a lawful basis, our data processing does not conform to the first Principle and will be unlawful. Data subjects have the right to have unlawfully processed data erased.

Lawful basis for processing data

At least one of the following bases must apply whenever we process personal data.

1. Consent

We hold recent, clear, explicit and defined consent for the individual's data to be processed for a specific purpose. **We include a consent form to be completed alongside our application form.**

2. Contract

The processing is necessary to fulfil or prepare a contract for the individual.

3. Legal obligation

We have a legal obligation to process the data (excluding a contract).

4. Vital interest

Processing the data is necessary to protect a person's life or in a medical situation.

5. Public function

Processing necessary to carry out a public function, a task of public interest or the function has a clear basis in law.

6. Legitimate interest

The processing is necessary for our legitimate interests. This condition does not apply if there is a good reason to protect the individual's personal data which overrides the legitimate interest.

Where we are making an assessment of the lawful basis, we must primarily establish that the processing is necessary. This means the processing must be a targeted, appropriate way of achieving the stated purpose.

We must consider the following factors when deciding on the lawful bases and should document our answers.

1. What is the purpose for processing the data?
2. Can it reasonably be done in a different way?
3. Is there a choice as to whether or not to process the data?
4. Who does the processing benefit?
5. After selecting the lawful basis, is this the same lawful basis the data subject would expect?
6. What is the impact of processing on the individual?
7. Are they a vulnerable person?
8. Would they be likely to object to the processing?
9. Are we able to stop the processing at any time on request, and have we factored in how to achieve this?

Our commitment to the first Principle requires us to document this process and show that we have considered which lawful basis best applies to each processing purpose, and fully justify these decisions.

We must also ensure that individuals whose data is being processed by us are informed of the lawful basis for processing their data, as well as the intended purpose. This should occur via our privacy notice. This applies whether we have collected the data directly from the individual, or from another source.

Our responsibilities

- Analysing and documenting the type of personal data we hold
- Checking procedures to ensure they cover all the rights of the individual
- Identify the lawful basis for processing data
- Ensuring the consent procedures are lawful
- Implementing and reviewing procedures to detect, report and investigate personal data breaches
- Store data in a safe and secure way
- Assess the risk that could be posed to individual rights and freedoms should data be compromised

Accuracy and relevance

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Data security

We must keep personal data secure against loss or misuse.

Storing data securely

- In cases where data is stored in hardcopy, it should be kept in a secure place.
- Hardcopy data should be shredded when it is no longer needed.
- Data stored on a computer should be protected by a strong password which is changed regularly.
- The DPO must approve any cloud used to store data.
- Data should never be saved directly to mobile devices such as laptops, tablets or smart phones.

Data retention

We must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines.

Rights of individuals

1. Right to be informed

Providing privacy notices which are concise, transparent, intelligible and easily accessible, free of charge, that are written in clear and plain language, particularly if aimed at children.

Keeping a record of how we use personal data to demonstrate compliance with the need for accountability and transparency.

2. Right of access

Enabling individuals to access their personal data and supplementary information.

Allowing individuals to be aware of and verify the lawfulness of the processing activities.

A subject access request form is readily available.

3. Right of rectification

We must rectify or amend any personal data of an individual if requested because it is inaccurate or incomplete. This should be done by no later than one month from the date of the request.

A data subject rectification form is readily available.

4. Right of erasure

We must delete an individual's data if requested and there is no compelling reason for its continued processing.

A data subject erasure form is readily available.

5. Right to restrict processing

We must comply with any request to restrict the processing of personal data.

6. Right to data portability

We must provide individuals with their data so that they can reuse it for their own purposes in a common and machine-readable format.

7. Right to object

We must respect the right of an individual to object to data processing.

Privacy notices

When to supply a privacy notice

A privacy notice must be supplied at the time the data is obtained if obtained directly from the data subject. If the data is being used to communicate with the individual then the privacy notice must be supplied at the latest when the first communication takes place.

What to include in a privacy notice

Privacy notices must be concise, transparent, intelligible and easily accessible. They are provided free of charge and must be written in clear and plain language, particularly if aimed at children which is prevalent with many of our applications.

The following information must be included in a privacy notice to all data subjects:

- Identification and contact information of the data controller and the DPO
- The purpose of processing the data and the lawful basis for doing so
- The right to withdraw consent at any time
- The retention period of the data

Subject access requests

What is a subject access request?

An individual has the right to receive confirmation that their data is being processed, access to their personal data and supplementary information which means the information which should be provided in a privacy notice.

How we deal with subject access requests

We must provide an individual with a copy of the information they request, free of charge and this must occur without delay, and within one month of receipt.

We should provide this information in a commonly used format.

Once a subject access request has been made, you must not change or amend any of the data that has been requested as to do so is a criminal offence.

Erasure requests

What is an erasure request?

An individual has the right to have their data erased from the Data controller's records.

How we deal with erasure requests

We must erase the data within a month of the request, and provide confirmation to the individual that their data has been removed from our records.

Rectification requests

What is a rectification request?

An individual has the right to have their data corrected in the hands of the Data controller.

How we deal with rectification requests

We must correct the data within a month of the request, and provide confirmation to the individual that their data has been corrected on our records.

Portability request

What is a portability request?

An individual has the right to have their data transferred to another party.

How we deal with portability requests

We do not have a specific form for a portability request, as such a request is highly unlikely. However, if an individual makes a written request to the DPO then their data should be transferred to the requested party in an accessible format.

What data we hold

We hold the following information in respect of applicants for grants from VACT:

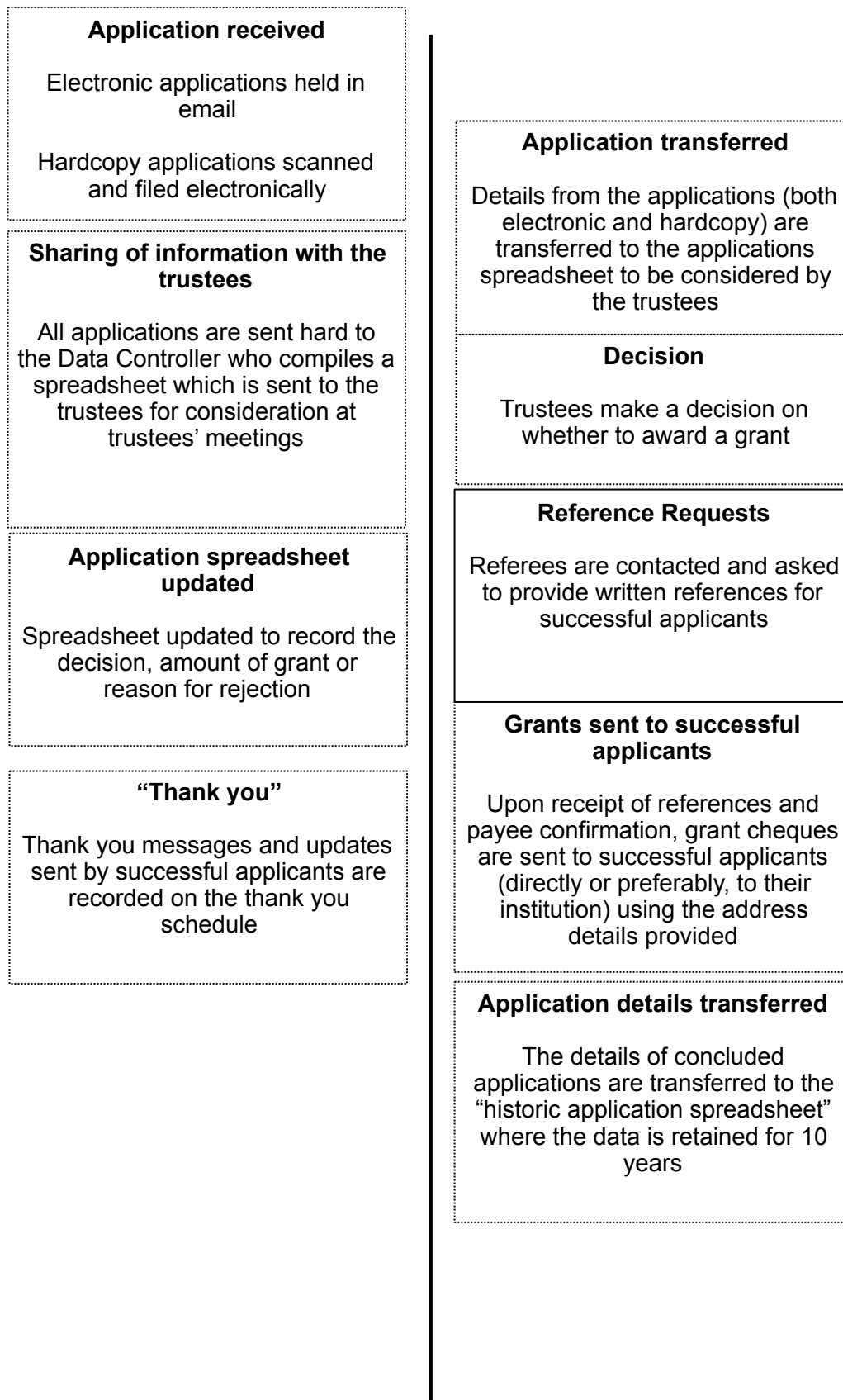
1. Name
2. Address
3. Telephone contact number
4. Email address
5. Date of birth
6. Date of application
7. Purpose of application
8. Amount requested
9. Other funding secured
10. Total funding needed
11. Date funds required
12. Whether a previous application has been made (Y/N)
13. Trustees' decision as to whether to make a grant (Y/N)
14. Agreed amount of grant
15. Reason for declining a grant
16. Referee contact details
17. Reference(s) received, details thereof and dates thereof
18. Payee details for cheque
19. Cheque number (our personal use)
20. Whether we have received an update/thank you (Y/N) and of payee particulars
21. Whether the application was paper or electronic
22. Ongoing hard copy and electronic storage of the application

The above data is collected from the Application Form which applicants submit to VACT.

The data is shared with the trustees of VACT and to a minimal extent (name (1), payee (18), agreed amount of grant (14), the professionals (accountants appointed for the charity) involved in the processing of the above data. The data is not shared with any third parties.

THE VERONICA AWDRY CHARITABLE TRUST (“VACT”)

Our processing activities timeline



THE VERONICA AWDRY CHARITABLE TRUST (“VACT”)

Subject Access Request

This form is to be used by individuals who wish to find out what information, if any, VACT is holding or is processing that relates to them. An application for access to information must be made to our Data Protection Officer, Anna Wensley Stock c/o Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire SN10 1JX or by email at anna.wensleystock@wansbroughs.com and not to the Information Commissioner.

The information requested below will help VACT (a) satisfy itself as to your identity and (b) find any data held about you.

Please complete the sections below, using BLOCK letters and BLACK ink.

Section 1 – About Yourself

(Mr, Mrs etc)	Date of Birth
Surname/Family Name:	Sex (Male/Female)
First Names:	
Maiden/Former surnames:	
Telephone Number:	
Email address:	
Address and Postcode:	

Section 2 – Proof of Identity

To help establish your identity, you **must** submit a copy of one document from each of the following categories with your application:

(a) Confirmation of name:

- full driving licence*, passport, birth certificate.

(b) Confirmation of name and address:

- full driving licence*, utility bill, bank or credit card statement, child benefit book, pension book (or other equivalent/similar official document – but it **MUST** show your name and address).

*Complete copy of both parts of your full (not provisional) driving licence will be sufficient for both categories.

I am providing the following types of identification:

From list A	From list B
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Section 3 – Helping us to find the Information

Please use the space below to provide further details that may help to locate the information sought. For example specific documents or information that you are seeking the likely location of the information (i.e. your application) and any relevant time periods.

Section 4 – Declaration

Declaration (to be signed by the applicant)
The information that I have supplied in this application is correct, and I am the person to whom it relates.
Signature:
Date:

Warning: attempting to obtain personal data to which you are not entitled may be an offence.

Section 5 – Timeframe

Applications will be processed promptly, and within one month of receipt of the properly completed application form along with your proof of identity.

Section 6 – Submission

When you have completed the form, please send it together with your proof of identity to:

Anna Wensley Stock

Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire, SN10 1JX.

Forms that are incomplete will be returned; forms that are complete but for which suitable identification has not been received will be put on hold until you send us the missing items.

Section 7 (VACT use only)

Date Application Received		Application Signed	Yes / No
Identification (a) - Details		Application Complete	Yes / No
Identification (b) - Details		ID Info Provided	Yes / No
Original Docs. Returned			
Identification Checked			

THE VERONICA AWDRY CHARITABLE TRUST (“VACT”)

Request for Erasure

This form is to be used by individuals who wish to have data that VACT is holding or is processing that relates to them erased. An application for erasure must be made to our Data Protection Officer, Anna Wensley Stock c/o Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire SN10 1JX or by email at anna.wensleystock@wansbroughs.com and not to the Information Commissioner.

The information requested below will help VACT (a) satisfy itself as to your identity and (b) find any data held about you.

Please complete the sections below, using BLOCK letters and BLACK ink.

Section 1 – About Yourself

(Mr, Mrs etc)	Date of Birth
Surname/Family Name:	Sex (Male/Female)
First Names:	
Maiden/Former surnames:	
Telephone Number:	
Email address:	
Address and Postcode:	

Section 2 – Proof of Identity

To help establish your identity, you **must** submit a copy of one document from each of the following categories with your application:

(a) Confirmation of name:

- full driving licence*, passport, birth certificate.

(b) Confirmation of name and address:

- full driving licence*, utility bill, bank or credit card statement, child benefit book, pension book (or other equivalent/similar official document – but it MUST show your name and address).

*Complete copy of both parts of your full (not provisional) driving licence will be sufficient for both categories.

I am providing the following types of identification:

From list A	From list B
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Section 3 – Your rights

Under Article 17, you have the right to request the erasure of your personal data if one of the following grounds applies:

- The personal data is no longer necessary for the purpose we collected it for.
- You withdrew your consent to our processing activities and no other legal justification for processing applies.
- You are objecting under GDPR Article 21(1) to:
 - processing that is necessary for us to perform a task in the public interest or in the exercise of our official authority; and
 - there are no overriding legitimate grounds to process the personal data.
- You are objecting under GDPR Article 21(1) to:
 - processing that is necessary to pursue our or a third party’s legitimate interests; and
 - there are no overriding legitimate grounds to process the personal data.
- You are objecting under GDPR Article 21(2) to processing for direct marketing purposes.
- We unlawfully processed your personal data.
- EU or member state law requires us to erase your personal data to comply with a legal obligation.
- We collected the personal data in the context of offering online services to children

under GDPR Article 8(1).

Section 4 - Helping us find the information

To help us process your request quickly and efficiently, please use the space below to provide as much detail about the personal data you are requesting erasure of and the above ground or grounds you are relying on to request erasure of your personal data.

For example specific documents or information that you are seeking the likely location of the information (i.e. your application) and any relevant time periods.

If we made the personal data that is the subject of your erasure request public, we will take reasonable steps, including technical measures, to inform other organisations processing your personal data that you have requested erasure, including any links to, and copies of, the personal data (Article 17(2) and Recital 66).

We will communicate the erasure of the personal data to each recipient to whom we disclosed the personal data (for example, our third party service providers who process the data on our behalf), unless this is impossible or involves disproportionate effort. We will also inform you about those recipients if you request it.

We will contact you for additional information if the scope of your request is unclear or does not provide sufficient information for us to conduct a search (for example, if you request erasure of “all information about me”).

Applicable law may allow or require us to refuse to act on your request, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot honour your erasure request, we will inform you of the reasons why, subject to any legal or regulatory restrictions. If we determine that the personal data you are requesting to erase is not subject to Article 17, we will inform you of this decision.

Section 5 - Declaration

Declaration (to be signed by the applicant)

The information that I have supplied in this application is correct, and I am the person to whom it relates.

Signature:

Date:

Warning: attempting to obtain personal data to which you are not entitled may be an offence.

Section 6 – Timeframe

Applications will be processed promptly, and within one month of receipt of the properly completed application form along with your proof of identity.

Section 7 – Submission

When you have completed the form, please send it together with your proof of identity to:

Anna Wensley Stock

Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire SN10 1JX.

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Section 8 (VACT use only)

Date Application Received		Application Signed	Yes / No
Identification (a) - Details		Application Complete	Yes / No
Identification (b) - Details		ID Info Provided	Yes / No
Original Docs. Returned			
Identification Checked			

THE VERONICA AWDRY CHARITABLE TRUST (“VACT”)

Request for Rectification

This form is to be used by individuals who wish to have data that VACT is holding or is processing that relates to them corrected. An application for erasure must be made to our Data Protection Officer, Anna Wensley Stock c/o Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire SN10 1JX or by email at anna.wensleystock@wansbroughs.com and not to the Information Commissioner.

The information requested below will help VACT (a) satisfy itself as to your identity and (b) find any data held about you.

Please complete the sections below, using BLOCK letters and BLACK ink.

Section 1 – About Yourself

(Mr, Mrs etc)	Date of Birth
Surname/Family Name:	Sex (Male/Female)
First Names:	
Maiden/Former surnames:	
Telephone Number:	
Email address:	
Address and Postcode:	

Section 2 – Proof of Identity

To help establish your identity, you **must** submit a copy of one document from each of the following categories with your application:

(a) Confirmation of name:

- full driving licence*, passport, birth certificate.

(b) Confirmation of name and address:

- full driving licence*, utility bill, bank or credit card statement, child benefit book, pension book (or other equivalent/similar official document – but it **MUST** show your name and address).

*Complete copy of both parts of your full (not provisional) driving licence will be sufficient for both categories.

I am providing the following types of identification:

From list A

From list B

Section 3 – Corrections requested

To help us process your request quickly and efficiently, please provide as much detail as possible about the personal data you would like us to correct. Please include time frames, dates, names, types of documents, file numbers, or any other information to help us locate your personal data. Your request should specify the data that is incorrect or incomplete, and include a supplementary statement you would like us to record if necessary.

We will contact you for additional information if the scope of your request is unclear or does not provide sufficient information for us to locate the relevant personal data. We will begin processing your correction request as soon as we have verified your identity and have all of the information we need to locate the relevant personal data.

We will communicate the correction of the personal data to each recipient to whom we disclosed the personal data (for example, our third party service providers who process the data on our behalf), unless this is impossible or involves disproportionate effort. We will also inform you about those recipients if you request it.

Applicable law may allow or require us to refuse to correct your personal data, or we may have destroyed, erased, or made your personal data anonymous in accordance with our record retention obligations and practices. If we cannot correct your personal data, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

Section 4 - Declaration

<p>Declaration (to be signed by the applicant)</p> <p>The information that I have supplied in this application is correct, and I am the person to whom it relates.</p> <p>Signature:</p> <p>Date:</p> <p>Warning: attempting to obtain personal data to which you are not entitled may be an offence.</p>
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Section 5 – Timeframe

Applications will be processed promptly, and within one month of receipt of the properly completed application form along with your proof of identity.

Section 6 – Submission

When you have completed the form, please send it together with your proof of identity to:

Anna Wensley Stock

Wansbroughs Solicitors, Northgate House, Devizes, Wiltshire SN10 1JX.

Forms that are incomplete will be returned; forms that are complete but for which suitable identification has not been received will be put on hold until you send us the missing items.

Section 7 (VACT use only)

Date Application Received		Application Signed	Yes / No
Identification (a) - Details		Application Complete	Yes / No
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Original Docs. Returned			

Identification Checked			
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