

Privacy Notice

Capability Scotland is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulation (GDPR). It applies to all donors and supporters.

Capability Scotland is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to current and former donors and supporters. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- If participating in a Capability Scotland organised event, emergency contact details and your next of kin.
- Personal demographics specific to you such as date of birth, gender, age, marital status and dependants.
- Personal details related to you such as bank account details, whether you are a UK taxpayer.

We do not anticipate the need to collect, store and use "special categories" of more sensitive personal information. Should this change we will notify you.

How is your personal information collected?

We collect personal information about donors at the point of donation and supporters at the time of their request for information. This may be directly from you, via post or telephone, or online or in person discussion. We may also collect information through third party suppliers such as online giving and workplace giving providers.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform actions to meet the agreement we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our agreement with you and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below.

- To manage your donations and gift aid.
- To keep you informed about our work.
- To inform you of ways in which you can support us.
- To respect your wishes under the Telephone Preference Service or the Mail Preference Service.
- To check our records remain current and up-to-date.
- To review and understand donor retention and attrition rates.
- To monitor the use of our systems and processes and to prevent fraud.
- Dealing with legal disputes involving you, including accidents at a Capability Scotland event.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to manage your donations and gift aid or we may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Data sharing

We may have to share your data with third parties, including third-party service providers. We require third parties to respect the security of your data and to treat it in accordance with the law.

We do not envisaged transferring your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the relationship with you or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

The following third-party service providers process personal information about you for the following purposes:

- Johnston Mailing who fulfil our newsletter and campaign mailings.
- Cybertill who host our tills which collect Gift Aid data.
- Innovation Digital and TICTOC who host our websites.
- Beattie Communications who assist with the promotion of news stories.
- Blackbaud who provide our Customer Relationship Management database and have system access.
- Your bank (or similar financial institutions that you use) will provide details of donations you have made to us.
- Your employer will provide details of donations you have made through Give As You Earn either directly to us or via a third party payroll giving service (e.g. Charities Aid Foundation).
- Online giving resources (e.g. Just Giving, Virgin Money, Everyday Hero) will provide details of donations you have made to us.

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the EU

We do not envisage transferring the personal information we collect about you outside the European Union.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the Data Protection Officer. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our data register which is available from the Data Protection Officer.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a donor or supporter of Capability Scotland we will retain and securely destroy your personal information in accordance with our data register.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Data protection officer

We have appointed a data protection officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the data protection officer. You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.

The data protection officer can be contacted by emailing: DPO@Capability-Scotland.org.uk.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information. If you have any questions about this privacy notice, please contact the Data Protection Officer.

About Capability Scotland

Capability Scotland, is a charity registered in Scotland (Scottish Registered Charity Number SC011330) and a company limited by guarantee (Scottish Company SC36524) and having its registered office at Morton Fraser, 5th Floor, Quartermile Two, 2 Lister Square, Edinburgh, EH4 9GL and its administrative office at Ground Floor, 1 Osborne Terrace, Edinburgh, EH12 5HG.