

# BOSP PRIVACY NOTICE (OVERARCHING)



## 1. SCOPE

BOSP is committed to complying with the Data Protection Act and the General Data Protection Regulations (GDPR) (2018). We take the privacy of all our donors, supporters, fundraisers, staff, trustees, volunteers, parents and carers, service users, email correspondents and visitors to our website very seriously, which is why we have a policy in place to protect your personal data.

This Privacy Notice provides an explanation as to the different types of data we collect, how we collect it, our lawful basis for processing, who we may share data with, and how we keep it safe and secure.

Please note this is an overarching privacy notice. To see how we obtain, use and store your personal data, please see the specific privacy notice(s) relevant to you:

- Service Users privacy notice
- Staff and Trustees privacy notice
- Volunteers privacy notice
- Supporters privacy notice
- Website privacy and use policy
- Job Applicant privacy notice
- Mailing List Online Sign up privacy notice

## 2. WHAT IS PERSONAL DATA?

The EU's General Data Protection Regulation (GDPR) (2018) defines "personal data" as:

*"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, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".*

The GDPR classifies certain data as "special category data" and requires greater protection for this type of data. Special category data is:

Racial origin;  
Ethnic origin;  
Political opinions;  
Religious beliefs;  
Membership to a trade-union;  
Genetic data;  
Biometric data;  
Health data;  
Data concerning a natural person's sex life; and Sexual orientation

### 3. HOW AND WHY IS YOUR PERSONAL DATA USED?

BOSP will only collect the personal data we need, and will use it for the following purposes, where relevant:

- To provide you with the services, products or information you asked for;
- To keep a record of your relationship with us;
- To notify you of changes to our services and/or events;
- To seek your views or comments on the services we provide;
- To ensure we know how you prefer to be contacted;
- To administer donations or support our fundraising, including processing Gift Aid;
- With your consent, to contact you to let you know about our services, general updates on our work and how you can support BOSP if you wish to do so;
- To perform any contractual commitments for contracts entered into between you and us;
- To meet any regulatory or legal obligations;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, fundraising appeals and activities and promotions of goods and services;
- To process job applications; and
- To learn more about you for fundraising purposes to assess whether you have an affinity to BOSP's cause, or other charities you have given to in the past

We shall never be intrusive or invasive of your personal privacy and shall not ask you to provide data that is irrelevant or unnecessary and we will enact strict measures and processes to ensure that the risk of unauthorised access or disclosure of your personal data is minimised as much as possible.

BOSP is registered with the Information Commissioner as a Data Controller, which allows us to process the data specified in our application. Our registration number is ZA114157.

### 4. THE TYPE OF INFORMATION WE COLLECT AND HOW WE USE IT

BOSP needs to collect a variety of different types of data. This may include 'personal data' such as your name and address, a date of birth, your bank account details, or maybe an email address. We may also need to collect more 'sensitive' personal data, known as 'special category data' for example details relating to health. Whatever data BOSP collects, we will endeavour to process the data lawfully, fairly and in a transparent manner.

We may collect information about you in the following ways:

#### *Information you give us directly*

For example, we may collect information about you when you register to access BOSP's services, take part in one of our events, make a donation, apply to work or volunteer for us, register to receive our newsletter, or when you otherwise provide us with your personal information. This includes when you phone us, visit our website, or get in touch through the post, or in person.

### *Information you give us indirectly*

This could be through:

- independent event organisers, for example the London Marathon, and fundraising sites;
- professional fundraisers; and
- other third parties that we work with and provide your consent for your personal information to be shared with us

You should check any privacy notice provided to you where you give your personal information to a third party.

### *When you visit our website*

We gather general information which might include which pages you visit most often, and which services, events or information is of most interest to you. We may also track which pages you visit when you click on links in emails from us. We also use "cookies" to help our site run effectively. There are more details below – see 'Use of cookies'.

We use this information to personalise the way our website is presented when you visit to make improvements and to ensure we provide the best service and experience for you. Wherever possible we use anonymous information which does not identify individual visitors to our website.

### *Social Media*

When you interact with us on social media platforms such as Facebook and Twitter, we may obtain information about you (for example, when you publicly tag us in an event photo). The information we receive will depend on the privacy preferences you have set on those types of platforms.

### *Public Information*

We may supplement information on our supporters with information from publicly available sources such as annual reviews, corporate websites, public social media accounts, the electoral register and Companies House in order to create a fuller understanding of someone's interests and support. See Supporter Privacy Notice for more details.

## **5. LAWFUL PROCESSING**

Data protection law requires us to rely on one or more lawful grounds to process your personal information. We consider the following grounds to be relevant:

### Specific consent

Where you have provided specific consent to us using your personal information in a certain way, such as to send you email, text and/or telephone marketing.

### Performance of a contract

Where we are entering into a contract with you or performing our obligations under it, like when you register to access our services, or start working at BOSP.

#### Legal obligation

Where necessary so that we can comply with a legal or regulatory obligation to which we are subject, for example where we are ordered by a court or regulatory authority like the Charity Commission or Fundraising Regulator.

#### Vital interests

Where it is necessary to protect life or health (for example in the case of medical emergency suffered by an individual at one of our sessions or events) or a safeguarding issue which requires us to share your information with the emergency services.

#### Legitimate interests

Where it is reasonably necessary to achieve our or others' legitimate interests (as long as what the information is used for is fair and does not duly impact your rights).

We consider our legitimate interests to be running BOSP as a charitable organisation in pursuit of our aims and ideals. For example, to:

- send postal communications which we think will be of interest to you;
- conduct research to better understand our supporters and to improve the relevance of our fundraising;
- understand how people choose/use our services;
- determine the effectiveness of our services, promotional campaigns and advertising;
- monitor who we deal with to protect the charity against fraud, money laundering and other risks;
- enhance, modify, personalise or otherwise improve our services /communications for the benefit of our customers; and
- better understand how people interact with our website
- identify a possible affinity to BOSP and propensity to give

When we legitimately process your personal information in this way, we consider and balance any potential impact on you (both positive and negative), and your rights under data protection laws. We will not use your personal information where our interests are overridden by the impact on you, for example, where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).

When we use sensitive personal information, we require an additional legal basis to do so under data protection laws, so will either do so on the basis of your explicit consent or another route available to us at law (for example, if we need to process it for employment, social security or social protection purposes, your vital interests, or, in some cases, if it is in the public interest for us to do so).

## **6. WHO HAS ACCESS TO YOUR INFORMATION**

The personal information we collect about you will mainly be used by our staff (and volunteers) at BOSP so that they can support you in your relationship with BOSP. We do not sell or rent your information to third parties. We do not share your information with third parties for marketing purposes.

BOSP may sometimes need to share your personal data internally within BOSP as well as externally with other third party organisations, these may include, but not exclusive to, police, NHS, HMRC, DWP, the courts, legal representatives, and service providers.

Specific privacy notices will inform you with whom BOSP will be sharing personal data, and we will strive to ensure that the third party has the necessary technical measures in place to protect the data and that these responsibilities are documented within a contract, service level agreement or data sharing agreement.

If we wish to use or share your data for any purpose other than for the reason it was originally collected and communicated to you, we will inform you to either gain consent or provide you with our lawful basis for processing such data.

## **7. HOW LONG WE WILL KEEP YOUR PERSONAL DATA**

BOSP will process your data (i.e. collect, store and use) according to the requirements of the Data Protection Act (2018) at all times and shall endeavor to keep your personal data up-to-date, ensuring its accuracy and will not keep it for longer than it is required.

In some situations, there are set legal requirements for the length of time that BOSP will retain your personal data but usually BOSP will use its discretion, ensuring that personal data is not kept outside of our usual operational requirements. We review our retention periods on a regular basis. Our specific privacy notices will give you more details about how long your personal data will be kept for.

## **8. FUNDRAISING AND MARKETING COMMUNICATIONS**

We may use your contact details to provide you with information about the work we do for children and young people with special needs and their families, our fundraising appeals and opportunities to support us, as well as the products and services you can buy, if we think it may be of interest to you.

### **Phone**

We may call you if you have explicitly provided your consent or if there is a legitimate interest to do so, unless you have told us you would prefer not to hear from us.

### **Email/Text**

We will only send you marketing and fundraising communications by email and text if you have explicitly provided your prior consent. You may opt out of our marketing communications at any time by emailing [privacy@bosp.co.uk](mailto:privacy@bosp.co.uk) with the word “unsubscribe” in the subject field. BOSP utilises Mailchimp to safely and securely deliver newsletters/e-bulletins. You can update your preferences or unsubscribe from our Mailchimp mailing list by using the links at the bottom of the emails.

### **Post**

We may send you marketing and fundraising communications by post unless you have told us that you would prefer not to hear from us.

## Your choices

You have a choice about whether or not you wish to receive information from us. If you do not want to receive direct marketing communications from us about the work we do, then you can select your choices by ticking the relevant boxes situated on the form used to collect your information.

We're committed to putting you in control of your data so you're free to change your marketing preferences (including to tell us that you don't want to be contacted for marketing purposes) at any time.

We will not use your personal information for marketing purposes if you have indicated that you do not wish to be contacted and will retain your details on a suppression list to help ensure that we do not continue to contact you. However, we may still need to contact you for administrative purposes such as where we are processing a donation or thanking you for your participation in an event.

## 9. YOUR RIGHTS

At any time that you wish you can:

- gain access to your personal data,
- object to the processing of your personal data,
- object to the use of automated decision-making and profiling,
- restrict the processing of your personal data,
- ask for a copy of your personal data (known as data portability),
- rectify or correct your personal data, and
- have your personal data removed (known as erasure or the 'right to be forgotten')

Where you have provided consent, you will be entitled to withdraw that consent at any time.

To make changes to how we contact you, please email us at [privacy@bosp.co.uk](mailto:privacy@bosp.co.uk).

If you are unhappy with the way that we have handled your personal data, please let us know at [privacy@bosp.co.uk](mailto:privacy@bosp.co.uk). If you are not happy with our response, you can seek advice or make a complaint to the Information Commissioner's Office.

## 10. USE OF COOKIES, SOCIAL MEDIA AND THIRD-PARTY LINKS ON OUR WEBSITE

Cookies are text files which collect log on information and visitor behaviour information. Cookies track visitor use and compile statistical reports on website activity. Such information will not identify you personally, it provides statistical data about our visitors and their use of our website and does not identify any personal details whatsoever. It is used by us to analyse how visitors interact with the website so that we can continue to develop and improve it.

Most websites use cookies, and these are downloaded to your computer automatically, however when you visit BOSP's site for the first time you will have the opportunity to check you understand before you proceed. You can set your browser to accept or decline cookies.

Please be aware that a decline preference may mean a loss of function in some of our website features.

You might find links to third party websites or advertisements on our website. These websites should have their own cookies and privacy policies which you should check. We do not accept any responsibility or liability for their policies whatsoever as we have no control over them.

Personal data relating to any transactions entered into via our website will be encrypted to ensure its safety. The transmission of data via the internet is not completely secure and therefore, we cannot guarantee the security of data sent to us electronically and the transmission of such data is entirely at your own risk. Where applicable, we have given you/or where you have chosen a password so that you can access certain areas of our site, you are responsible for keeping this password confidential.

When communicating with BOSP via websites and social media owned by other organisations, such as Facebook, you should check their privacy notices.

## **11. TRANSFERS TO THIRD COUNTRIES**

Some of the information you provide to us may be transferred outside the European Economic Area to countries such as the US. This is a transfer to a “third country”. We will endeavour to tell you if your data is being held or shared with a third country and we will ensure the appropriate contractual provisions are in place to ensure that there are strict rules regarding both the confidentiality and security of your information.

BOSP may also work with suppliers who make use of cloud and/or hosted technologies. We will endeavour to undertake data security due diligence on our suppliers and ensure they conform to appropriate accreditations.

## **12. CHANGES TO THIS NOTICE**

We may make changes to this Privacy Notice from time to time. If we make any changes in the way we use your personal data we will make this clear on the BOSP website, or by contacting you directly.

## **13. CONTACTING US**

In the event of any query or complaint in connection with the information we hold about you, please email [privacy@bosp.co.uk](mailto:privacy@bosp.co.uk) or write to us:

Data Protection Lead  
BOSP  
The BOSP Office  
Wat Tyler Country Park  
Pitsea Hall Lane  
Pitsea  
Basildon  
Essex, SS16 4UH