

Charity no 1206841

DATA PROTECTION POLICY

Purpose: to ensure that the Charity complies with legal requirements in relation to data protection.

Definitions

As used in this Policy the term 'Data' includes any or all of the following:

- names, addresses, telephone numbers and email addresses of its members, of its donors and of the general public who have contacted the Charity.
- dates of subscription payments for members and their renewal details including Gift Aid information

Data may be held by the Charity in electronic or paper form or in both.

Data that has been received and retained electronically by the Charity is referred to as 'Electronic Data'.

Principles

The Charity will:-

- use Data legally and fairly, being clear, open and honest with those whose details we hold.
- collect and hold only that Data which the Charity needs and shall only use it as prescribed in this Policy.
- keep records up to date and store data securely and confidentially.

Responsibilities

- The Charity Trustees are responsible for compliance with legal requirements and for setting, implementing and updating this Policy.
- Data relating to membership is collected and retained on behalf of the Charity by staff of Penlee House Gallery & Museum in electronic form, using the facilities and systems of the Gallery & Museum which are owned, operated and maintained by Penzance Council, and by agreement is made available to the Charity. Penzance Council is thereby responsible for ensuring the lawful processing of this Data, keeping all Data up-to-date and for the security of its systems.

- Data covering Gift Aid is collected and processed by the Treasurer (or a Friend acting on their behalf) and passed to staff of Penlee House for safe storage.
- Penzance Council is responsible for ensuring that staff are appropriately trained in the handling and processing of Data.
- Penzance Council is responsible for informing the Charity in the event of any breach of security in relation to the retention of Data.
- The Hon Secretary is responsible for the retention of Data received by the Charity collected through both electronic and non-electronic communications.

Scope of Data held and how it is used

- Data is used for the Charity's communications with its members including subscription renewals, notices of charity meetings, print mailings and e-newsletters.
- Data is provided by members to Stripe Payments UK Ltd (FCA ref number 900461) for the purpose of collecting subscriptions.
- Data may also be used for profiling the membership of the Charity to improve its services to members and for purposes of demographic analysis.
- The Charity collects Gift Aid declarations from members paying subscriptions and persons making donation and this information is held electronically. The database is used to apply for and record the collection of tax refunds from HMRC.
- The Charity uses Eventbrite as a data processor for our online booking system.
- The Charity uses 'Mailchimp' as a data processor to contact the Charity's members and provides members' names and contact details to Mailchimp for this purpose. Information is held securely by Mailchimp for the period which the Charity instructs.
- The Charity holds Data received from non-members who have contacted it in relation to enquiries, donations or complaints.
- Data provided by a member is retained while membership of the Charity is current and will be retained for a further four (4) years after membership ends. Gift Aid forms are destroyed and the corresponding data is deleted six (6) years after the end of the financial year when membership ends.
- Data received in paper form regarding subscriptions, including Gift Aid, is held securely by Penzance Council.
- Where reasonably possible, any Data received in paper form is scanned and retained electronically and the originals destroyed.

Rights respecting the Data the Charity holds

- Members and the public are informed of what Data the Charity holds in principle and their rights via the [Data Privacy Policy](#) on the Charity's website.
- Communicating with the Charity is deemed to give consent for the Data in the communication to be held.
- Upon written request to the Hon Secretary a member will be provided with a copy of the Data the Charity holds concerning them and they have the right to correct the information if it is incorrect.

- Upon written request to the Hon Secretary a member may opt out of receiving e-newsletters. Members may not opt out of other communications as those are within the contractual relationship of membership. Members and the public may not opt out of the collection of Data for online booking.
- Members and the public have the right to complain about the use made by the Charity of their Data, using the Charity's Complaints Procedure.

Review

- The Charity's Trustees will review the operation and effectiveness of this procedure annually.

Adopted by the Trustees: 29 January 2025