

HELENA KENNEDY FOUNDATION

DATA PROTECTION POLICY

1. About this policy

- 1.1 This Data Protection policy explains how the Helena Kennedy Foundation (together, “we”, “our” or “us”) use any personal information that we may collect about you. We are committed to ensuring that your privacy is protected in accordance with the law, and all personal data shall be held and used in accordance with the UK laws relating to data protection and privacy.
- 1.2 This policy (and any other documents referred to in it) 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 material carefully to understand our views and practices regarding your personal data and how we will treat it.
- 1.3 It is important that you read this Policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your personal data. This privacy notice supplements those other notices and is not intended to override them.

2. The personal data we collect

- 2.1 Personal data means any information about an individual from which that person can be identified. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:
 - 2.1.1 **Identity Data** includes first name, maiden name, last name, marital status, title, date of birth and gender.
 - 2.1.2 **Contact Data** includes address (home, postal or other physical address), email address and telephone numbers.
 - 2.1.3 **Financial Data** includes bank account and payment card details.
 - 2.1.4 **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
 - 2.1.5 **Usage Data** includes information about how you use our services.
 - 2.1.6 **Biographical data** on your interests that relate to events of services offered
 - 2.1.7 **Information relating to charitable donations** and grants
- 2.2 Personal data does not include data where your identity has been removed or which is not associated with or linked to your personal data (anonymous data).
- 2.3 We also collect, use and share **Aggregated Data** such as statistical or demographic data for research purposes. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing

a specific support mechanism. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

- 2.4 Please note that where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with the services that you request). In this case, we may have to cancel a service you have requested but we will notify you if this is the case at the time.

3. **How we collect personal data**

- 3.1 We only collect data from and about you through:

Direct interactions. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email, via our website or otherwise, or when you enter into a contract with us for the provision of our services. This includes the following interactions: When you apply for a bursary award, data you provide in your application is transferred to our database. When you agree to become a sponsor, data you provide to us is similarly added to the database. When you contact us regarding a bursary application for one of your students, data you provide to us is added to the database. When you make any enquiry about the Helena Kennedy Foundation and give permission to be added to our database, your data is added. We will also ask you from time to time to update your contact details, communication preferences, location, and interests.

4. **How we use personal data**

- 4.1 We will only use your personal data when the law allows us to. We may collect and process the personal data about you for the following purposes:
- 4.1.1 **Requesting our services** – we will use your Identity, Contact, Financial and Transaction Data in order to register you as an award winner and to process and deliver services to you, including the management of payments. This is necessary for the purpose of performing our contract with you.
- 4.1.2 **Contacting us** – when you contact us with an enquiry or to request information (including leaflets and other hard copy materials), we will use your Identity and Contact Data to respond to you.
- 4.1.3 **Advertising, marketing and public relations** – we may use the Identity, Contact, and/or Usage Data of our customers to form a view on what we think our customers may want or need, or what may be of interest to them and in doing so we will only send information that is deemed relevant to their use of our services. This is necessary for our legitimate interests in growing and developing the services we offer. Customers will receive marketing communications from us if they have requested information from us or purchased services from us and, in each case, have not opted out of receiving that marketing. We will not share personal data with any third party for marketing purposes. You can ask us to stop sending marketing communications at any time by contacting us. We will also use your Identity and Contact data for the purposes of communicating information about the bursary application process, information about support services to award winners, sending a regular newsletter, promoting benefit and services to alumni

and notification of events. Also facilitating the establishment of networking groups, fundraising requests for the Helena Kennedy Foundation, volunteering opportunities and work placements.

4.1.4 **Surveys** – If you choose to complete a survey that we use for research purposes we will retain the information that you provide in response to that survey. This is necessary for our legitimate interest in understanding our customers and developing our business and to informing our marketing strategy.

4.1.5 **Information to Sponsors** about the progress of award winners as provided to us by you.

4.1.6 **Administration** - we may use your Identity and Contact Data for the purpose of protecting our business and our website, including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data. This is necessary for our legitimate interest in for running our business, the provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise, and for compliance with our legal obligations.

4.1.7 **HKF Mentoring Programme** – we may invite award winners to participate in the Foundation’s mentoring programme and we may request permission to share contact details with prospective mentors or mentees.

4.1.8 **Website Analytics** - as you navigate our website, Usage Data may be collected automatically. We do this to find out things such as the number of visitors to the various parts of the website, and to help us to improve the content of the website and to customise the content or layout of the website for you, in accordance with our legitimate interests. This is necessary for our legitimate interest in defining types of customers for our services, to keep our website updated and relevant, to develop our charity and to inform our marketing strategy.

4.1.9 **Fault reporting** - if you contact us to report a fault with our website, we will use the Identity and Contact Data provided for the purposes of rectifying that fault in accordance with our legitimate interests.

4.1.10 **Recruitment** - personal data provided for an employment opportunity will be processed so as to allow us to process and evaluate the merits of that application in accordance with our legitimate interests.

4.2 We may also use personal data which you provide to us, where the law allows us to do so, as follows:

4.2.1 To deal with and/or respond to any enquiry or request made by you prior to entering into any contract or agreement with us or as a result of such contract or agreement.

4.2.2 Where we need to perform the contract we are about to enter into or have entered into with you.

4.2.3 Where we need to comply with a legal or regulatory obligation, including the prevention of crime.

4.2.4 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.

- 4.3 Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.
- 4.4 Where we process personal data on the basis of a legitimate interest, as set out in this privacy notice, legitimate interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- 4.5 We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 4.6 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosure of Personal Data to Third Parties

- 5.1 Your personal data will only be disclosed to those of our employees or workers that have a need for such access for the purpose for which it was collected. Your personal data will not be disclosed to any other individuals or other entities except in the following circumstances:
 - 5.1.1 On occasion, we need to hire other companies to help us to serve you better and in some of these cases we may need to share personal data that is necessary to perform tasks for us, such as market research or issuing marketing materials. These third parties are printers, couriers, researchers engaged by us to carry out research.
 - 5.1.2 Where it is necessary for the performance of our contract with you, including where you have asked us to do so or where we need to take steps to enforce any contract which may be entered into between us.
 - 5.1.3 Where we are under a legal duty to do so in order to comply with any legal obligation.
 - 5.1.4 In order to protect the rights, property or safety of the Foundation, our employees and others. This includes exchanging information with other companies and organisations for the purposes of fraud prevention and credit risk reduction.
 - 5.1.5 If we or substantially all of our assets are acquired by a third party, in which case personal data that we hold about our customers will be one of the transferred assets.
- 5.2 We require all third parties that process personal data on our behalf to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. Security

- 6.1 We are committed to ensuring that your personal data is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the personal data we collect. In addition, the access to and use of the personal data that we collect is restricted to our employees who need the personal data to perform a specific job role or activity. Where personal data is shared with third parties in line with this policy responsible measures are used to protect your personal data.
- 6.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.
- 6.3 The transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website; any transmission is at your own risk. Once we have received your personal data, we will use strict procedures and security features to try to prevent unauthorised access. We urge you to take every precaution to protect your personal data when you are on the internet.

7. International transfers

- 7.1 We do not transfer personal data outside of the European Economic Area.

8. Data Retention

- 8.1 We will only retain your personal data 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.
- 8.2 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.
- 8.3 Details of retention periods for different aspects of your personal data are available in our data retention policy which you can request from us by contacting us.
- 8.4 In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. Your Rights

- 9.1 You have the right to:
- 9.1.1 **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 9.1.2 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- 9.1.3 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your personal data unlawfully or where we are required to erase your personal data to comply with local law. Please note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- 9.1.4 **Object to processing** of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your personal data which override your rights and freedoms.
- 9.1.5 **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- 9.1.6 **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- 9.1.7 **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent. You can ask us to stop sending you marketing messages at any time by following the "unsubscribe" (or similar) links on any marketing message sent to you or by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a purchase, product/service experience or other transactions.
- 9.2 If you wish to exercise any of your above rights, please send a written request to us at the address listed at the end of this privacy notice.
- 9.3 You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.
- 9.4 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

9.5 We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Other Websites and Links

10.1 Our website may contain links to other websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control third party websites and are not responsible for their privacy statements or for the content, accuracy or opinions expressed in such websites. We do not investigate, monitor or check third party websites for accuracy or completeness and the inclusion of any linked website on or through our website does not imply approval or endorsement by us of the linked website.

10.2 If you decide to leave this website and access these third party websites, plug-ins and/or applications you do so at your own risk. We encourage you to read the privacy notice of every website you visit.

11. Changes to this privacy notice

11.1 This version was last updated in January 2021.

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

12. Contact Details

12.1 Questions, comments or requests about your personal data can be sent to:

Address:

South & City College Birmingham(SCCB), Handsworth Campus, The Council House, Soho Road, Birmingham, B21 9DP

Email: shahida@hkf.org.uk

Name: Shahida Aslam

13. Complaints

13.1 You have the right to make a complaint at any time to the Information Commissioner's Office ("ICO"), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.