



GDPR PRIVACY NOTICE

POLICY STATEMENT

Introduction

Colchester Korban Project, hereafter known as Korban ("We") are committed to protecting and respecting your privacy. This policy 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 carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

1. Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR). For example, name, passport number, home address or private email address. Online identifiers include IP addresses and cookies.

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

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

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

2. Who are we?

Korban is the data controller. This means we decide how your personal data is processed and for what purposes. Korban is a charitable company limited by guarantee, charity no: 1125617, company no: 06630415. Our registered office is Bethany Place, St Anne's Vicarage, Compton Road, Colchester, Essex CO4 0BQ. Phone: 01206 869533 / 07435 974356. Email: mark@korban.org.uk For all data matters contact our data representative Robin Pagden by phone on 01206 869533 or email datarep@korban.org.uk

3. The purpose(s) of processing your personal data

We use your personal data for the following purposes:

- To enable us to provide a service for the benefit of the public in a particular geographical area as specified in our constitution;
- To administer service-user records;
- To enter into or to perform a contract with you;
- To protect your vital interests;
- To fundraise and promote the interests of the charity;
- To manage our employees and volunteers;
- To maintain our own accounts and records (including the processing of Gift Aid applications);
- To operate the Colchester Korban Project web site and deliver the services that individuals have requested;
- To inform individuals of news, events, activities or services running at Colchester Korban Project.
- To keep you informed about news, events, activities and services that will be occurring locally or nationally, in which you may be interested.
- To contact individuals via surveys to conduct research about their opinions of current services or of potential new services that may be offered.
- To fulfil specific legal requirements of government agencies, local government, other charities and private providers.
- Our processing also includes the use of CCTV systems for the prevention of crime and to ensure the safety of our properties and the residents there-in.

4. What is our legal basis for processing your personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

<input type="checkbox"/> Consent of the data subject;	<p>As part of our services so that we can keep you informed about news, events, activities and services, and keep you informed about events, training and other matters relevant to the charitable sector.</p> <p>For processing your gift aid donations.</p> <p>Under the contract with our software provider, for our internal office network, data is shared between the two parties to ensure access to the relevant electronic systems is maintained, but only anonymised data is used for reporting and monitoring.</p> <p>MAILCHIMP GDPR CONSENT FORM (SUPPORTERS)</p>
<input type="checkbox"/> Processing necessary for the performance of a contract with the data subject or to take steps to enter into a contract	<p>To enable us to provide a service for the benefit of the public in a particular geographical area as specified in our constitution; To administer service-user records.</p> <p>LICENCE AGREEMENT (RESIDENTS)</p>
<input type="checkbox"/> Processing necessary for compliance with a legal obligation	<p>Carrying out obligations under employment, health and safety, social security or social protection law, or a collective agreement. Such protection and justification for processing applies to personal data relating to staff and volunteers internally for Korban, and for residents in respect of relevant benefit claims.</p> <p>RESIDENTS, STAFF & VOLUNTEERS</p> <p>This includes the use of CCTV systems for the prevention of crime and to ensure the safety of our properties and the residents there-in.</p> <p>RESIDENTS, STAFF, VOLUNTEERS & SUPPORTERS</p>
<input type="checkbox"/> Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	<p>Where personal data is collected relating to attendance at an event or training, unless specific consent is given, that data will only be used in communications around the administration, running and follow-up for that event under legitimate interest.</p> <p>SUPPORTERS</p>

b) Special categories of personal data (article 9 of GDPR)

Our lawful basis for processing your special categories of data:

<p><input type="checkbox"/> To fulfill our contractual obligations to the data subject(s) Plus, the condition:</p> <p><input type="checkbox"/> the data subject has given explicit consent to the processing of their personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in Article 9 Paragraph 2(1) GDPR may not be lifted by the data subject.</p> <p><input type="checkbox"/> Legitimate interests <u>Plus, one condition</u></p> <p>1 (1)(a) the processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection, and (b) when the processing is carried out, the controller has an appropriate policy document in place. (2) See also the additional safeguards in Part 4 of this Schedule. (3) In this paragraph- “social security” includes any of the branches of social security listed in Article 3(1) of Regulation (EC) No. 883/2004 of the European Parliament and of the Council on the co-ordination of social security systems (as amended from time to time); “social protection” includes an intervention described in Article 2(b) of Regulation (EC) 458/2007 of the European Parliament and of the Council of 25 April 2007 on the European system of integrated social protection statistics (ESSPROS) (as amended from time to time).</p>	<p><input type="checkbox"/> To administer service-user records; RESIDENTS</p> <p><input type="checkbox"/> Safety/ crime prevention, insurance etc. RESIDENTS</p>
--	--

More information on lawful processing can be found on the [ICO website](#).

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will not be shared except where specifically required by contractual agreements. We will only share your data with third parties outside Colchester Korban Project with your explicit consent or if required to do so by law, and only if we satisfy ourselves that we have a lawful basis on which to share the information and will document our decision making. Any such cases where partnership working agreements require data sharing, specific consent will be obtained.

We will not share your information with any third parties for the purposes of direct marketing.

We use Microsoft as a Data Processor to provide elements of services for us. They store data in the EU. We have contracts in place with our data processor. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will not share your personal information with any organisation apart from us. They will hold it securely and retain it for the period we instruct. Please follow this link to their Privacy Notice: <https://privacy.microsoft.com/en-gb/privacystatement>

Where we provide links to websites of other organisations, this privacy notice does not cover how that organisation processes personal information. We encourage you to read the privacy notices on the other websites you visit.

If you would like further information regarding third parties, please contact our data representative Robin Pagden by phone on 01206 869533 or email datarep@korban.org.uk

How long do we keep your personal data?

We keep your personal data for no longer than reasonably necessary. Specifically, we retain:

- Referral and interview forms / records for the period of time until an offer of accommodation has been declined, or in the case of an offer being accepted the data will then be treated as residents' records.
- Residents records for a period of 7 years *in case of any legal claims/complaints*, and where there has been a safeguarding issue involving one of our residents we retain residents' records for 75 - 100 years;
- Gift aid declarations and associated paperwork for up to 7 years after the tax year to which they relate;
- Employees / volunteers records for a period of 7 years in case of any legal claims/disputes.

6. Providing us with your personal data

Supporters/potential supporters: You are under no statutory or contractual requirement or obligation to provide us with your personal data. However, we will be unable to keep you informed of Korban's work and events or process any donations you wish to make, if we do not have the relevant information.

For residents/potential residents: We require your personal data as it is a contractual requirement, or a requirement necessary to enter into a contract.

7. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- THE RIGHT TO WITHDRAW YOUR CONSENT TO THE PROCESSING AT ANY TIME, WHERE CONSENT WAS OUR LAWFUL BASIS FOR PROCESSING THE DATA;
- The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent or is necessary for the performance of a contract with the data subject and where the data controller processes the data by automated means);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;

- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

8. Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to track visitor use of the website and to compile statistical reports on website activity.

For further information visit www.aboutcookies.org or www.allaboutcookies.org

9. Other websites

Our website contains links to other websites. This privacy policy only applies to our organisation so when you link to other websites you should read their own privacy policies.

10. Transfer of Data Abroad

We do not transfer personal data outside the EEA.

11. Automated Decision Making

We do not use any form of automated decision making in our charity business.

12. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

13. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

14. How to make a complaint

To exercise all relevant rights, queries or complaints and for all data matters please in the first instance contact our data representative Robin Pagden by phone on 01206 869533 or email datarep@korban.org.uk

If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.

February 2022