



PRIVACY POLICY

1. Introduction

Sistema Scotland is a company limited by guarantee and Scottish Charity, registered at Raploch Community Campus, Drip Road, Stirling, FK8 1RD. Our company registration number is SC312903 and our Scottish Charity number is SC039119. We are registered as a data controller with the Information Commissioner, with the registration number ZA055145.

2. Purpose and scope

This privacy policy explains the purposes for which we will hold and use your personal data and (where relevant) special categories of personal data. It also explains your rights to access your data under data protection laws or seek to have it rectified or deleted.

This policy may be amended from time to time. An updated copy can be obtained by emailing dataprotection@sistemascotland.org.uk

3. Personal data which we collect

Sistema Scotland is committed to protecting your privacy. Personal data about you that we collect and process will vary depending upon your interaction with us.

Your personal data will be collected and processed when you visit our website and interact on our Fundraising and/or Volunteering page; completing our online enrolment form for Big Noise Councilwide; when applying for a job with Sistema Scotland/Big Noise via our online application form; by using the Contact Us section; or by signing up to our eNewsletter. We will also collect and process your personal data if you write to us by post, for example to make a donation by cheque.

The following provides an explanation of how we will collect and process your personal data:

3.1. Fundraising

We may collect the information you provide to us either directly or through third parties. If you provide your data to us directly, for example by email, by letter or through our website, we may store and process contact details, communications preferences and financial information. If you send us a cheque we retain copies for our financial records and the copy will include your name and bank details. These copies will be retained in line with our records retention policy, and to allow us to comply with HMRC rules. If you provide

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your data to us through a third party (including but not limited to: Charity Checkout, Charities Aid Foundation, Charities Trust, The Big Give and JustGiving) we may store and process your contact details, communications preferences and amounts donated. We do not store financial data of individuals who donate online through a third party as these donations are processed by the third parties.

As a charity, we undertake in-house research and from time to time engage specialist agencies such as Prospecting for Gold to gather information about funders from publicly available sources, for example, Companies House, the Electoral Register, company websites, social networks such as LinkedIn, political and property registers and news archives. You have the right to opt out of us processing data about you in this way at any time

As a charity we may also carry out research using publicly available information to identify individuals who may have an affinity to our cause but with whom we are not already in touch.

This research helps us to understand more about potential donors as individuals so we can focus conversations about fundraising in the most effective and appropriate way.

We conduct this on the basis of **Legitimate Interest**.

Personal data we retain and may process includes:

- Information that you have given us directly (for example when you send us an email or online enquiry, when you send us a cheque or when you send us a Gift Aid Declaration)
- Personal information you have given us indirectly (for example when you sign up as a donor/Big Friend through Charity Checkout, supporting us on JustGiving, donating through the Big Give, Charities Trust, Charities Aid Foundation). Please note that you should check their privacy policy when you provide your information to understand how they will process your data.
- Your contact name, address, email and telephone numbers
- Confirmation of your communications preferences
- Correspondence you send us
- Copies of correspondence that we send to you (for example thank you cards)
- Information on where you heard about Sistema Scotland (not mandatory)

We will use your data as follows:

- To provide you with the services and information you requested
- Administer/acknowledge your donation/support your fundraising, including processing Gift Aid
- Understand how we can improve our services, products or information
- Keep a record of your relationship with us
- Ensure we know your contact preferences
- In order to keep your contact preferences up to date, we will retain your data on our thankQ database
- If you have told us you would like to be contacted, we will be in touch with updates, events invitations and/or ways to support. You can opt out at any time or change your communications preferences, by emailing dataprotection@sistemascotland.org.uk and we will include this option in all of our communications.

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If you would prefer us not to use your data in any of the ways mentioned above, please email us at dataprotection@sistemascotland.org.uk

3.2. Sistema Scotland/Big Noise website:

When you use our website we take measures to ensure your information is private and secure. To better serve visitors to our website, we may collect the following information:

- Contact information
- Business details
- Browser cookies
- Survey responses and competition submissions
- Contact names and addresses, telephone numbers and email address
- Your communications preferences
- Any other information about you that you have given to us (for example when you request details on becoming a volunteer with Sistema Scotland.)

We may use this information to measure web activity, produce internal records or create services and promotions most relevant to our customers. You will have full control over what information we collect and how we use it in the future.

Information you submit via our website is secure and is never shared to third parties outwith those that have been specified in this Privacy Policy. In order to prevent unauthorised access or disclosure, we have created physical, electronic and managerial procedures to safeguard the information we collect online.

Our website uses cookies in order to improve your user experience by enabling our website to 'remember' you, either for the duration of your visit (using a 'session cookie') or for repeat visits (using a 'persistent cookie'). Our website makes users aware where we are using cookies and gives you the option of not using cookies when viewing our site.

Please see Appendix 3 for information on cookies.

Personal information (personal data) provided by you via our website

When you provide us with personal data via our website, you will have a choice about how we use this information. Personal data is only collected from certain pages on our website for example, which include the option to sign up to our newsletter; on our Fundraising page (including "Staying in Touch"); on our Volunteering page; completing our online enrolment form for Big Noise Stirlingwide; when applying for a job with Sistema Scotland/Big Noise via our online application form; by using the Contact Us section or by clicking Donate Now on any page on our website (in which case you will be taken to a third party website to donate and submit your data).

4. Purposes of processing

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The General Data Protection Regulation (see Appendix 4) states that processing of personal data will be lawful only if and to the extent that at least one of the following applies:

- (a) The data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;
- (b) Processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) Processing is necessary for compliance with a **legal obligation** to which the controller is subject;
- (d) Processing is necessary in order to protect **the vital interests** of the data subject or of another natural person;
- (e) Processing is necessary for the performance of a task carried out in the **public interest** or in the exercise of official authority vested in the controller;
- (f) Processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Sistema Scotland will therefore process your personal data either by obtaining your consent to do so, or as a result of legitimate interests, for example as a result of a transaction between you and Sistema Scotland. You will have the option to decide what you consent to through our privacy notice through our enrolment form and on our website. Section 3.1 above explains the ways in which your personal data will be processed:

Appendix 1 provides clarification on the legal basis for processing your data.

5. Data Storage and Security

Records relating to you may be held in both paper and electrical versions. Where paper records are retained, these are stored in a locked filing cabinet and access will be restricted to authorised staff only. Electronic records will be stored on Sistema Scotland's server, which is hosted by a third party; email communications held within our IT systems which are hosted by Google as well as data that has been backed-up and is stored on the Amazon S3 Cloud. Records are also held within web databases (for example thankQ). Documents will be protected by a password and only those with authorisation will be able to access these records.

Your information is only accessible to the appropriate Sistema Scotland staff.

We do not share data with third parties for marketing purposes but we use external companies to collect or process data on our behalf (for example we use MailChimp to send out emails giving updates on Sistema Scotland, invitations to Big Noise events and ways in which you can support us). These companies are GDPR compliant and you can view the privacy policies on their websites or, if applicable, at the point of providing your data.

Your personal data may be stored on Access thankQ, which is our Customer Relationship Management System (CRM) and is our web-based database processed by the Access Group. This may include contact details, details of donation amounts and communications preferences but does not include financial information. Access Group is a data processor

who manages Access thankQ CRM and enables us to keep accurate and up-to-date records of your data.

6. Disclosure of your personal data

Unless required to do so by law (for example to the police, regulatory bodies or legal advisors), or to protect our own interests, we will not otherwise share or distribute your personal data (other than as outlined in section 5) without your consent and we will not sell your personal information to a third party.

7. Transfer of your personal data outside the EEA

There may be occasions where your personal data is transferred outside of the European Economic Area. Such instances may include where an application service provider holds data on our behalf. This is restricted to occasions where you opt in to any email communications from ourselves and where we use third parties (such as MailChimp or Survey Monkey) as data processors on our behalf. In these circumstances the only personal data shared will be your name and email address. We will ensure that any such application service providers have signed up to the Privacy Shield Framework. More information on the Privacy Shield Framework can be found at <https://www.privacyshield.gov/welcome>

8. Retention of your personal data

We will retain your personal data for so long as we reasonably require in light of the purpose(s) for which we are holding it and all relevant legal, commercial and operational considerations.

As a guide, we envisage that your personal data will be retained as detailed in Appendix 2.

9. Access to your personal data

You have a right (referred to as a data subject access request or “DSAR”) to have access to the personal data which we hold about you subject to certain limitations. If you would like to exercise that right, you must submit a written request to dataprotection@sistemascotland.org.uk specifying the information that you want us to provide to you (or give you access to).

We are obliged to respond to any such request within one month of receiving it (subject to limited exceptions, for example, where disclosing the data would adversely affect the rights and freedoms of others).

We will inform you in writing following receipt of your written request and if necessary, seek additional information from you about your request.

10. Corrections to your personal data

You have a right (referred to as the right to rectification) to have your personal data rectified if it is inaccurate or incomplete.

If you become aware that any of the data that we hold about you is inaccurate, you should inform us by emailing dataprotection@sistemascotland.org.uk as soon as practicable.

We are obliged to comply with any such requests within one month. This may be extended to two months where the rectification request is complex.

You must notify us by emailing dataprotection@sistemascotland.org.uk immediately on becoming aware of any change of circumstances which require changes to be made to any of the personal data which we hold about you.

11. Deletion of your personal data

You have a right (referred to as the right to erasure) to request the deletion or removal of your personal data where there is no compelling reason for its continued processing.

Your right to make such a request will arise in specific circumstances for example, where data is no longer necessary for the purpose for which it was collected or where you withdraw your consent for processing of your data (and where consent is the sole basis on which your data is processed).

The right to erasure does not however include data which Sistema Scotland must retain in order to comply with statutory regulations, therefore should you request the deletion or removal of your personal data where we have a legal obligation to retain it, we will inform you of this in writing.

If you would like to exercise this right you must submit a written request to dataprotection@sistemascotland.org.uk, specifying the information you wish deleted. We will then consider this request in accordance with our obligations under data protection laws. We will write to you to confirm the outcome and if appropriate the reasons why we are unable to comply with your request.

12. Transferring your personal data

You have a right (referred to as the right of data portability) to obtain and reuse your personal data for your own purposes across different services. This right allows you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way.

If you would like to exercise this right, you must submit a written request to dataprotection@sistemascotland.org.uk, specifying the information that you wish to be transferred.

Where this right applies, we are obliged to comply with any such requests within one month. This may be extended to two months where the rectification request is complex or where multiple requests are received at the same time. We will notify you in writing if an extension is necessary.

13. Restricting use of your personal data

You have a right (referred to as the right to restrict processing) to block or suppress the processing of your personal data in certain circumstances.

If, for example, you contest the accuracy of the personal data, processing may be restricted until the accuracy of the personal data has been verified. This may also apply where you contest that the processing is unlawful.

If you would like to exercise this right, you must submit a written request to dataprotection@sistemascotland.org.uk specifying the information which you wish us to impose a processing restriction on.

14. Objecting to the use of your personal data

You have a right to object to processing of your personal data where you have grounds relating to your particular situation, and where the personal data we collect is based on any of the following:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling), unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms as the data subject or for the establishment, exercise or defence of legal claims;
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics, unless the processing is necessary for the performance of a task carried out for reasons of public interest

If you would like to exercise this right, you must submit a written request to dataprotection@sistemascotland.org.uk outlining your grounds of objection. We will then consider this request in accordance with our obligations under data protection laws.

15. Data Protection – contacts and complaints

The overall day-to-day responsibility for processing of personal data lies with the HR Team. Contact details for the HR Team are as follows:

HR Team
Sistema Scotland
Raploch Community Campus
Drip Road
Stirling
FK8 1RD

Telephone: 01786 475349
Email: dataprotection@sistemascotland.org.uk

If you have any questions at all about this privacy policy, or would like more information about any of the issues covered in it, please contact the HR Team.

You have a right to complain to the Information Commissioner's Office (ICO) if you think that there is a problem with how we are handling your data. The contact details for the ICO are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545745

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Website: <https://ico.org.uk/concerns>

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Appendix 1

Legal basis for processing data

The General Data Protection Regulation states that processing of personal data will be lawful only if and to the extent that at least one of the following applies:

- (a) The data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;
- (b) Processing is necessary for the **performance of a contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) Processing is necessary for compliance with a **legal obligation** to which the controller is subject;
- (d) Processing is necessary in order to protect **the vital interests** of the data subject or of another natural person;
- (e) Processing is necessary for the performance of a task carried out in the **public interest** or in the exercise of official authority vested in the controller;
- (f) Processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Sistema Scotland will therefore require to process your personal data for the purposes of complying with the performance of a contract and compliance with legal obligations as above. Below are some of the ways in which your personal data will be processed:

Personal data about you that we will process includes:

Personal/Sensitive Personal Data Held	Legal Basis for Processing
Information that you have given us directly (for example when you send us an email or online enquiry, when you send us a cheque or when you send us a Gift Aid Declaration)	Legitimate interest
Personal information you have given us indirectly (for example when you sign up as a donor/Big Friend through Charity Checkout, supporting us on JustGiving, donating through the Big Give, Charities Trust, Charities Aid Foundation). Please note that you should check their privacy policy when you provide your information to understand how they will process your data.	Legitimate interest
Contact names and addresses, telephone numbers and email address	Legitimate interest/Consent
Information from publicly available sources such as Companies House, the Electoral Register, company websites, social networks such as LinkedIn, political and property registers and news archives.	Legitimate interest
Confirmation of your communications preferences	Consent

Business details	Legitimate interest/Consent
Browser cookies	Consent
Survey responses and competition submissions	Consent
Correspondence with us	Legitimate interest
Any other information about you that you have given to us (for example when you request details on how to become a volunteer.)	Consent/Legitimate interest

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Appendix 2 - Record Retention Schedule

Statutory retention periods

The table below summarises the main legislation regulating statutory retention periods. Guidance on best business practice is that we retain for at least 6 years (to cover the time limit for bringing any civil legal action).

Record	Statutory retention period	Statutory authority
accounting records	3 years for private companies, 6 years for public limited companies	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006
income tax and NI returns, income tax records and correspondence with HMRC	not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
medical records under the Ionising Radiations Regulations 1999	until the person reaches 75 years of age, but in any event for at least 50 years	The Ionising Radiations Regulations 1999 (SI 1999/3232)
records relating to children and young adults	until the child/young adult reaches the age of 21	Limitation Act 1980

Recommended (non-statutory) Retention Periods

For many types of personnel records, there is no definitive retention period: it is up to the employer to decide how long to keep these records. Different organisations make widely differing decisions regarding the retention periods to adopt. An employer needs to consider what would be a necessary retention period for them, depending on the type of record. The advice in this factsheet is based on the time limits for potential tribunal or civil claims, it is often a question of judgement rather than there being any definitive right and wrong.

Where the recommended retention period given is 6 years, this is based on the 6-year time limit within which legal proceedings must be commenced as laid down under the Limitation Act 1980. Thus, where documents may be relevant to a contractual claim, it is recommended that these be retained for at least the corresponding 6-year limitation period.

Record	Recommended retention period
Inland Revenue/HMRC approvals	permanently
senior executives' records (that is, those on a senior management team or their equivalents)	permanently for historical purposes
trust deeds and rules	permanently
trustees' minute books	permanently

Appendix 3

Cookies

Cookies do lots of different jobs, like letting you navigate between pages efficiently, storing your preferences, and generally improving your experience of our website. Cookies make the interaction between you and our website faster and easier. If a website doesn't use cookies, it will think you are a new visitor every time you move to a new page on the site. This can have an impact on sites that have log in areas where the user would need to create a new log in every time they moved from page to page.

Some websites will also use cookies to enable them to target their advertising or marketing messages based for example, on your location and/or browsing habits. Cookies may be set by the website you are visiting ('first party cookies') or they may be set by other websites who run content on the page you are viewing ('third party cookies'). Websites which use Google Analytics to track visitor numbers are using cookies to monitor this information.

What is in a cookie?

A cookie is a simple text file that is stored on your computer or mobile device by a website's server and only that server will be able to retrieve or read the contents of that cookie. Each cookie is unique to your web browser. It will contain some anonymous information such as a unique identifier and the site name and some digits and numbers. It allows a website to remember things like your preferences or what's in your shopping basket.

What to do if you don't want cookies to be set?

Some people find the idea of a website storing information on their computer or mobile device a bit intrusive, particularly when this information is stored and could be used by a third party without them knowing. Although this is generally quite harmless you may not, for example, want to see advertising that has been targeted to your interests. If you prefer, it is possible to block some or all cookies, or even to delete cookies that have already been set; but you need to be aware that you might lose some functions of that website.

How can I control cookies?

Web browser cookies - if you don't want to receive cookies, you can modify your browser so that it notifies you when cookies are sent to it or you can refuse cookies altogether. You can also delete cookies that have already been set. If you wish to restrict or block web browser cookies which are set on your device then you can do this through your browser settings; the Help function within your browser should tell you how. Alternatively, you may wish to visit www.aboutcookies.org, which contains comprehensive information on how to do this on a wide variety of desktop browsers.

Our website contains links to external websites. Privacy policies on these sites may vary and, as such, we are not responsible for the content or privacy policies of these sites.

Appendix 4

Details of Legislation

REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

<http://eurlex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>