

**ML COMMUNITY ENTERPRISE Ltd**

**GDPR PRIVACY POLICY**

**LAST UPDATED APRIL 2021**



## **GDPR Privacy Policy**

ML Community Enterprise Ltd (MLCE) is committed to protecting and respecting your privacy. For the purposes of the General Data Protection Regulations (GDPR) and any subsequent UK legislation covering data protection the Data Controller is ML Community Enterprise Ltd.

This Policy sets out why we collect personal information about individuals and how we use that information. It explains the legal basis for this and the rights you have over the way your information is used.

This Policy covers MLCE in relation to the collection and use of the information you give us. We may change this Policy from time to time. If we make any significant changes we will advertise this on the website or contact you directly with the information. Please check this page occasionally to make sure you are happy with any changes.

If you have any questions about this Policy or concerning your personal information, please contact [info@mlcommunity.co.uk](mailto:info@mlcommunity.co.uk).

### **The type of personal information we collect**

The type and amount of information we collect depends on why you are providing it.

The information we collect when you make an enquiry includes your name, date of birth, email address, residential address and phone number. We may also collect data about where you go to school or work, and your personal information during the signup process to become a member; this will include your ethnicity, disabilities, age, sexual orientation etc.

If you are a supporter, for example making a donation, volunteering, registering to fundraise, signing up for an event in addition to asking for your name and contact details (your full address, email address and your phone number; we may also ask you for your personal information during the signup process to become a member; this will include your ethnicity, disabilities, age, sexual orientation etc.

We will never ask for your credit/debit card information.

If you are a grant or job applicant the information you are asked to provide is as set out in the application and necessary for the purposes of our considering the application.

## **How we collect information**

We may collect information from you whenever you contact us or have any involvement with us for example when you:

- visit our website
- donate to us or fundraise for us
- enquire about our activities or services
- sign up to receive news about our activities
- create or update a profile
- post content onto our social media sites
- volunteer for us
- attend a meeting with us and provide us with information
- take part in our events
- contact us in any way including online, email, phone, SMS, social media or post

## **Where we collect information from**

We collect information:

- (1) From you when you give it to us directly: You may provide your details when you ask us for information or make a donation, volunteer, attend our events or contact us for any other reason.
- (2) When you give it to us indirectly: Your information may be shared with us by other organisations such as fundraising sites like Crowd Funder if you are fundraising for us. They should only do so in the way they have set out in their own Privacy Policy which you should check when you give your details.
- (3) When you have given other organisations permission to share it: Your information may be provided to us by other organisations if you have given them your permission. This might for example be a service provider partner working with us or might be when you buy a product or service from a third-party organisation. The information we receive from other organisations depends on your settings or the option responses you have given them.
- (4) When you use our website: When you use our website information about you may be recorded and stored. See the information about the use of cookies on our website.
- (5) When it is available on social media: Depending on your settings or the privacy policies applying for social media and messaging services you use, like Facebook, Instagram or Twitter, you might give us permission to access information from those accounts or services.

Note: We have not included public sources used in data matching and tele-appending on which further advice should be sought.

## **How we use your information**

We will use your personal information in a number of ways which reflect the legal basis applying to processing of your data. These may include:

- providing you with the information or services you have asked for
- processing donations you make
- organising volunteering activity you have told us you want to be involved in and in relation to the fundraising for us you are involved in
- sending you communications with your consent that may be of interest including marketing information about our services and activities, campaigns and appeals asking for donations and other fundraising activities and promotions for which we seek support
- when necessary for carrying out your obligations under any contract between us
- seeking your views/opinions on the services or activities we carry on so that we can make improvements
- maintaining our organisational records and ensuring we know how you prefer to be contacted
- analysing the operation of our website to improve the website and its usefulness
- processing grant or job applications

## **Our legal basis for processing your information**

The use of your information for the purposes set out above is lawful because one or more of the following applies:

- Where you have provided information to us for the purposes of requesting information or requesting that we carry out a service for you, we will proceed on the basis that you have given consent to us using the information for that purpose, based on the way that you provided the information to us. You may withdraw consent at any time by emailing us at [info@mlcommunity.co.uk](mailto:info@mlcommunity.co.uk) . This will not affect the lawfulness of processing of your information prior to your withdrawal of consent being received and actioned.
- It is necessary for us to hold and use your information so that we can carry out our obligations under a contract entered into with you or to take steps you ask us to prior to entering into a contract.
- Where the purpose of our processing is the provision of information or services to you, we may also rely on the fact that it is necessary for your legitimate interests that we provide the information or service requested, and given that you have made the request, would presume that there is no prejudice to you in our fulfilling your request.
- There may be other uses to which you put information where you are reliant on the legitimate interests condition – such as the provision of information to a third party to enable them to fulfil part of a request for assistance. You must specify that you are relying on the legitimate interests' condition and specify what those interests are.
- Other possible options include processing necessary to protect the vital interests of the individual concerned or other individuals and processing necessary for a task carried out in the public interest or in the exercise of official authority vested in MLCE.

If you want to contact us about your marketing preferences, please contact our office on:  
Office and General Enquiries  
Email: [info@mlcommunity.co.uk](mailto:info@mlcommunity.co.uk)

### **How we keep your information safe**

We understand the importance of security of your personal information and take appropriate steps to safeguard it.

We always ensure only authorised persons have access to your information, which means only our staff and contractors, and that everyone who has access is appropriately trained to manage your information.

No data transmission over the internet can however be guaranteed to be 100% secure. So while we strive to safeguard your information, we cannot guarantee the security of any information you provide online and you do this at your own risk.

### **Who has access to your information?**

- Third parties who provide services for us, for example funders who require monitoring information from us under a grant agreement, as well as service providers that work with us to deliver work. We select our third party service providers with care. We provide these third parties with the information that is necessary to provide the service and we will have an agreement in place that requires them to operate with the same care over data protection as we do.
- Third parties if we run an event in conjunction with them. We will let you know how your data is used when you register for any event.
- Analytics and search engine providers that help us to improve our website and its use.
- Third parties in connection with restructuring or reorganisation of our operations, for example if we merge with another company. In such event we will take steps to ensure your privacy rights will be protected by the third party.

Owing to matters such as financial or technical considerations the information you provide to us may be transferred to countries outside the European Economic Area (EEA), which are not subject to the same data protection regulations as apply in the UK [For example if the data is stored on servers outside the EEA or we use suppliers based outside the EEA]. We meet our obligations under GDPR by ensuring that the information has equivalent protection as if it were being held within the EEA. We do this by ensuring that any third parties processing your data outside the EEA either benefits from an adequacy determination for GDPR purposes and/or, where appropriate, we have entered into a Data Processing Agreement which contains model EU clauses.

We may also disclose your personal information if we are required to do so under any legal obligation and may use external data for the purposes of fraud prevention and credit risk reduction, or where doing so would not infringe your rights, but is necessary and in the public interest.

Other than this, we will not share your information with other organisations without your consent.

### **Keeping your information up to date**

We really appreciate it if you let us know if your contact details change. You can do so by contacting us at [info@mlcommunity.co.uk](mailto:info@mlcommunity.co.uk).

### **Our use of “cookies”**

“Cookies” are small pieces of information sent by a web server to a web browser, which enable the server to collect information from the browser. They are stored on your hard drive to allow our website to recognise you when you visit. You can find out more if you visit our website or via this link <https://www.youronlinechoices.com/uk/protecting-your-privacy>.

### **Children’s Information**

We appreciate that our supporters are of all ages. Where appropriate we will ask for consent from a parent or guardian to collect information about children (under 16s).<sup>1</sup>

### **How long we keep your information for**

We will hold your personal information for as long as it is necessary for the relevant activity. By way of example, we hold records of donations you make for at least six years so we can fulfil our statutory obligations for tax purposes.

Where we rely on your consent to contact you for direct marketing purposes, we will treat your consent as lasting only for as long as it is reasonable to do so. This will usually be for [two] years. We may periodically ask you to renew your consent.<sup>2</sup>

If you ask us to stop contacting you with marketing or fundraising materials, we will keep a record of your contact details and limited information needed to ensure we comply with your request.

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<sup>1</sup> This may be reduced in the UK to age 13. Parental consent under GDPR is required re the context of information society services to children (for example Facebook) but not otherwise. Charities working with children will wish to have their own policies on consent. Under the Data Protection Act 1998, children have been able to exercise their own data rights as soon as they have capacity and understanding, which is ordinarily assumed by age 12.

<sup>2</sup>The Fundraiser Regulator states that the period should be assessed having regard to how long the individual would consider it reasonable to be contacted before they are asked to renew consent. (See Fundraiser Regulator’s Personal Information and Fundraising: Consent, Purpose and Transparency 21 February 2017 [www.fundraisingregulator.org.uk](http://www.fundraisingregulator.org.uk)).

## **Your rights**

You have the right to request details of the processing activities that we carry out with your personal information through making a Subject Access Request. To make a request contact [info@mlcommunity.co.uk](mailto:info@mlcommunity.co.uk) .

You also have the following rights:

- the right to request rectification of information that is inaccurate or out of date;
- the right to erasure of your information (known as the “right to be forgotten”);
- the right to restrict the way in which we are dealing with and using your information; and
- the right to request that your information be provided to you in a format that is secure and suitable for re-use (known as the “right to portability”);
- rights in relation to automated decision making and profiling including profiling for marketing purposes.

To exercise any of these rights, you should contact Office Manager at the above address.

If you are not happy with the way in which we have processed or dealt with your information, you can complain to the Information Commissioner’s Office.

## **Changes to this Privacy Policy**

This Policy may be changed from time to time. If we make any significant changes we will advertise this on our website or contact you directly with the information.

Do please check this Policy each time you consider giving your personal information to us.