



# Kennett Community Land Trust

## Privacy Policy

Kennett Community Land Trust is a Charitable Community Benefit Society registered with the FCA under number 7443, registered office 66 Station Road, Kennett, Newmarket CB8 7QF

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## **Privacy Policy**

1. The privacy and security of individual's personal information is extremely important to Kennett CLT. This privacy policy explains how and why the Trust uses personal data, to make sure individuals stay informed and can be confident about giving Kennett CLT information.
2. This policy applies to members of Kennett CLT and those who visit the website, email, call or write to Kennett CLT.
3. The Trust will never sell personal data and will only share it with the Trust's external advisers and organisations when it's necessary and when the privacy and security of data is assured, or when the Trust are required by law to share it with the regulatory body (Currently the FCA), the police or other official bodies.
4. Any questions in relation to this privacy policy or how Kennett CLT uses personal data should be sent to The Secretary, 66 Station Road, Kennett, CB8 7QF

## **What Personal Data Does KCLT Collect?**

5. The Trust collects different types and amounts of personal data about individuals depending on the specific activities engaged in with Kennett CLT, such as registering to become a CLT member, volunteering or donating, or applying for a CLT home. Individuals may have given Kennett CLT personal data by filling in forms on the website, by corresponding with Kennett CLT by phone, email or letter or by signing up in person at a Trust event.

## **Personal Data Created by Involvement with Kennett CLT**

6. Activities and involvement with Kennett CLT will result in personal data being created. This could include individual's name and basic contact details, and details of how the individual helped Kennett CLT by volunteering or being involved with Trust campaigns and activities.
7. If individuals decide to donate to Kennett CLT, then the Trust will keep records of when and how much is donated and whether it was linked to a particular purpose, and details of how payment was made (but not credit or debit card or direct debit details), and whether donations are gift-aided.
8. If the individual is a volunteer, then the Trust may collect extra information (e.g., references, criminal records checks, details of emergency contacts, medical conditions etc.). This information will be retained for legal or contractual reasons for a period of 6 years after the individual stops volunteering with Kennett CLT, to protect Kennett CLT (including in the event of an insurance or legal claim) and for safeguarding purposes.

9. In the event of any general complaint to or about Kennett CLT, the Trust will keep full details of the individual's name and detail of the complaint for 6 years from the last communication the Trust received in respect of the complaint.

### **Personal Data Held in Respect of Applicants for Membership**

10. Applicants for membership will be asked for their name, email, postal Address and telephone. The Trust is obliged by law and Trust Rules to hold this information on the Trust membership database for as long as individuals remain a member. If Kennett CLT is advised that members wish to cease being a member, or on the termination of membership for any other reason under the Rules, the Trust will delete all contact details and all other information held about the member part from name, the date the individual became a member and the date and means by which membership ceased.

### **Personal Data Provided by Applicants for Homes**

11. There is a high demand for Trust homes and all steps will be taken to ensure that they are allocated fairly to those who are most in need. Pursuant to the allocations policy (a copy of which can be obtained from the secretary), applicants for Trust homes you will have to provide Kennett CLT with:
  - a. All the details held for all Trust members (see above);
  - b. Proof of identity (tenancy agreement, proof of address, birth certificate);
  - c. Personal data for the other members of your household (in relation to children, see further below);
  - d. Information and supporting evidence about current and previous homes;
  - e. Financial information (proof of income and capital e.g., bank statements or wage slips;
  - f. Current and intended involvement in community organisations and activities;
12. The Trust will also keep with application papers information collected from referees and at interview. If an application for a home is successful and the applicant becomes one of our residents, the Trust will hold application papers and details of the outcome of the application for the whole of the time that you remain a resident (or 6 years from the allocation of the home to, if longer).
13. If an application for a home is unsuccessful, the Trust will let the applicant know of the outcome and ask whether the applicant wishes Kennett CLT to keep the application papers for up to two years in case a home comes up for reallocation. At the end of that two-year period, or within six months of a decision that the applicant does not wish to stay on the waiting list, the application papers and all electronic records of your application will be destroyed and just keep a record of the date of the application, the applicant's name, the number of adults and children in the household at the time of application and the fact that the application was unsuccessful.

14. In the event of an appeal against the decision not to allocate a home or threaten any legal or political action against Kennett CLT as a result of that decision, the Trust will keep all application papers until the date 2 years after the last communication regarding the decision or after the outcome of any such action that may be started. The Trust will then destroy all of relevant application papers but may keep a record of name and details of the grounds of appeal or complaint and the steps taken by Kennett CLT and by external bodies for a further 4 years.

### **Personal Data Held About Board Members**

15. In order to comply with the Rules, statutory and regulatory obligations and responsibilities, the Trust collects personal data, including 'sensitive' personal data, from Board members. Such data can include, but isn't limited to:

- a. Name, address and full date of birth;
- b. Current employer and job title;
- c. Current and intended involvement in other organisations and activities and any directorships or controlling interests in other businesses and organisations;
- d. Trustee skills and experience and contribution to the Board;
- e. Evidence of bank account for expenses payments and records of expenses claims;
- f. Trustee opinions and attitudes about Kennett CLT, activities and interests, and experiences of Kennett CLT;
- g. Information relating to health, racial or ethnic origin, and criminal convictions

16. This data will be held by Kennett CLT for the period of Trustee membership of the Board and for 6 years following resignation or removal from the Board. A record of name and period of Board membership will be kept indefinitely.

### **Sensitive Personal Data**

17. At times sensitive personal data for Equal Opportunities monitoring will be collected, as well as to check whether everyone is treated fairly, but this is only ever analysed at an aggregate level. Sensitive data including detailed personal and financial information has to be collected by Kennett CLT in respect of applications for homes in order to ensure that the Trust is acting in accordance with Kennett CLT's object of providing affordable homes to those most in need of them. The holding of such data by Kennett CLT is described elsewhere in this policy.

### **Children's Personal Data**

18. Even though Trust staff may meet and get to know children at social events, they will not include any personal details of children in Kennett CLT's records.

19. The Trust may sometimes take photographs of children for publicity purposes. Parents

and guardians will always be given the opportunity to opt out of having their photographs taken and / or published and pictures of those under 13 will be published without the consent of the parent, guardian, school or youth organisation.

20. If individuals apply for a home, the Trust will hold a record of the children in the applicant's household (their names, sexes and ages) as part of the application papers. These details will not be copied to any other databases or shared with external advisers except for a specific purpose and with prior written or e-mailed consent.
21. The Trust will not send marketing emails, letters or make calls to people under the age of 13 nor send any marketing communications requesting donations to young people aged between 13 and 17 and won't profile anyone under the age of 18.

### **Use of Photographs**

22. By attending Trust events individuals are assumed to be consenting to Kennett CLT using images in any group or crowd photos or videos taken at those events. The Trust may use the photos or videos on the website or in printed or electronic newsletters, reports or publicity materials. Kennett CLT should be advised if at the event if individuals do not wish to be included in any photos or videos. The Trust will not use photos or videos that feature individuals, nor name individuals in any captions, unless Kennett CLT obtains general or specific written consent to do so.

### **How Kennett CLT uses Your Personal Data**

23. The Trust will only use personal data on relevant lawful grounds as permitted by the EU General Data Protection Regulation (from 25 May 2018)/UK Data Protection Act and Privacy of Electronic Communication Regulation. To the extent not already described in the policy above, personal data provided to Kennett CLT will be used for the purpose or purposes outlined in any fair processing notice in a transparent manner at the time of collection or registration where appropriate, in accordance with any preferences expressed. If asked by the police, or any other regulatory or government authority investigating suspected illegal activities, the Trust may need to provide personal data to them. Personal data may be collected and used to help Kennett CLT deliver activities, help Kennett CLT raise funds, or process requests for membership or application for a home. Below are the main uses of data which depend on the nature of the Trust's relationship with applicants and members and how those individuals interact with our various services, websites and activities.

### **Marketing Communications**

24. The Trust would like to use member's and applicant's details to keep in touch about things that may matter to members and applicants. If members and applicants choose to hear from Kennett CLT, the Trust may send information based on what is most relevant things advised to Kennett CLT that are liked. The Trust may also show

relevant content online. This might be about volunteering with Kennett CLT, membership, events, fundraising, home allocations/offers process and opportunities and information on new sites and campaigns.

25. These will only sent if individuals agree to receive them and information will never be shared with companies outside Kennett CLT for inclusion in their marketing. Agreement to receive marketing information from Kennett CLT can be changed at a later date.
26. However, if Kennett CLT is advised that marketing communications are not wanted, then individuals may not hear about events or other work that may be of interest.

### **How can contact preferences be changed?**

27. The Trust wishes to stay in touch, but doesn't want to out-stay our welcome. Individuals may choose how Kennett CLT makes contact notifying Kennett CLT (hello@kennettclt.org) or a letter to the Secretary at the registered address. The Trust will always act upon individual's choice of communications (for example, by email, post or phone). However, there are some communications that may need to be sent. These are essential to fulfil promises to members or applicant/resident of Kennett CLT. Examples are:

- a. Confirmation of the outcomes of applications to be a Kennett CLT resident,
- b. Confirmation of membership applications,
- c. Membership-related mailings such as notice of Annual General Meetings.

### **Membership**

28. The Trust use the personal data provided as a member to maintain the membership database as required by law and Trust Rules, and to service membership such as sending newsletters (subject to contact preferences) and notices of Annual General Meetings.

### **Fundraising, Donations and Investments**

29. If individuals make a donation or investment, the Trust will use any personal information given to record the nature and amount of the gift, claim gift aid where Kennett CLT have been advised of eligibility and to thank the donator for the gift. Interaction with the Trust, will be stored on the Trust's systems.

30. If Kennett CLT is advised of an offer of fundraising to support the Trust, the personal information given to Kennett CLT will be used to record plans and to make contact to support fundraising efforts.
31. If Kennett CLT is advised of a decision to leave Kennett CLT a gift in your will, the Trust will use the information given to keep a record of this – including the purpose of the gift, if Kennett CLT is advised.
32. In the event of a conversation or interaction with an individual (or with someone who contacts Kennett CLT in relation to a will, for example a solicitor), the Trust will note these interactions throughout the relationship with Kennett CLT, as this helps to ensure the gift is directed as advised.

### **Major Donors/Investors**

33. Regulatory rules require Kennett CLT to know the source of any funds received and any conditions attached to them. The Trust follows a due diligence process which involves researching the financial soundness, credibility, reputation and ethical principles of donors and investors who've made, or are about to make, a significant donation to or investment in Kennett CLT. As part of this process, the Trust will carry out research using publicly available information and professional resources. Should more information that is not in the public domain be required, the Trust will provide a bespoke privacy notice with further details of how data is protected.

### **Management of Volunteers**

34. Volunteers with Kennett CLT, personal data will be used to manage volunteering, from the moment of enquiry to termination of volunteering with Kennett CLT. This could include: making contact about a role applied for or an area the volunteer may be interested in, expense claims made, shifts booked and to recognise the volunteer's contribution.

### **Research**

35. The Trust carries out research with members, staff and volunteers to get feedback on their experience with Kennett CLT. This feedback is used to improve the experiences offered and ensure these are relevant and interesting. Those who choose to take part in research will be advised the data to be collected, and why and how it will be used. All the research conducted is optional and those taking part can choose not to take part. The research may ask you to provide sensitive personal data (e.g. ethnicity). This data is optional and a 'prefer not to say' option will be provided. The Trust only use it at an aggregate level for reporting (e.g., equal opportunities monitoring).

36. The Trust may give some of personal data (e.g., contact information) to a research consultant or organisation who will carry out research on the Trust's behalf. This will always be an organisation who shares the Trust's values and has been procured using formal due diligence procedures.

### **Personal Data Provided by Applicants for Homes**

37. In order to fulfil Kennett CLT's objects of building affordable homes and creating sustainable communities, the Trust collect and process data, including sensitive personal data, from applicants for Trust homes to ensure compliance with the allocations policy.
38. Data in application papers is only disclosed on a "need to know" basis to those involved in the allocations process, all of whom already have duties of confidentiality as Board members of Kennett CLT or sign an undertaking to keep all personal data disclosed in this way confidential.
39. Discussions of issues relating to individual applications at sub-committee and Board meetings are anonymised so far as possible, and the applicant's consent is obtained before any aspect of their application or their data is shared or discussed with external bodies such as the local authority. Copies of application papers are printed out for interview panels but are destroyed immediately after the panel meetings. Interview panel members are made aware of the need for complete confidentiality.

### **Safeguarding of Financial and Sensitive Data**

40. Financial data collected on payment of the £1 membership subscription is kept secure.
41. Application papers including detailed personal and financial information compiled in respect of applicants for homes are kept secure on the electronic database, which is accessible only by the Kennett CLT data controller unless express access is granted, requiring two-step verification access.
42. Privacy is important to Kennett CLT, so the Trust will always keep details secure and make sure Trustees and professionals to whom data is passed have promised to look after them as well.

### **Recruitment and Employment**

43. In order to comply with contractual, statutory, and management obligations and responsibilities, the Trust processes personal data, including 'sensitive' personal data, from job applicants and employees.
44. Such data can include, but isn't limited to, information relating to health, racial or ethnic origin, and criminal convictions. In certain circumstances, the Trust may process



personal data or sensitive personal data, without explicit consent. Further information on what data is collected and why it's processed is given below.

**Contractual responsibilities:**

45. The Trust's contractual responsibilities include those arising from the contract of employment. The data processed to meet contractual responsibilities includes, but is not limited to, data relating to: payroll, bank account, postal address, sick pay, leave, maternity pay, pension and emergency contacts.

**Statutory responsibilities:**

46. The Trust's statutory responsibilities are those imposed through law on the organisation as an employer. The data processed to meet statutory responsibilities includes, but is not limited to, data relating to: tax, national insurance, statutory sick pay, statutory maternity pay, family leave, work permits, equal opportunities monitoring.

**Management responsibilities:**

47. The Trust's management responsibilities are those necessary for the organisational functioning of the organisation. The data processed to meet management responsibilities includes, but is not limited to, data relating to: recruitment and employment, training and development, performance, absence, disciplinary matters, e-mail address and telephone number.

**Sensitive personal data about employees:**

48. The Act defines 'sensitive personal data' as information about racial or ethnic origin, political opinions, religious beliefs or other similar beliefs, trade union membership, physical or mental health, sexual life, and criminal allegations, proceedings or convictions. In certain limited circumstances, the Trust may legally collect and process sensitive personal data without requiring the explicit consent of an employee.

49. The Trust will process data about an employee's health where it is necessary, for example, to record absence from work due to sickness, to pay statutory sick pay, to make appropriate referrals to the Occupational Health Service, and to make any necessary arrangements or adjustments to the workplace in the case of disability. This processing will not normally happen without the employee's knowledge and, where necessary, consent.

50. The Trust will process data about, but not limited to, an employee's racial and ethnic origin, their sexual orientation or their religious beliefs only where they have volunteered such data and only for the purpose of monitoring and upholding our equal opportunities policies and related provisions.

51. Data about an employee's criminal convictions will be held as necessary. Disclosure of personal data on employees to other bodies: In order to carry out contractual and management responsibilities, the Trust may, from time to time, need to share an employee's personal data with one or more third-party supplier. To meet legal requirements relating to the employment contract, the Trust is required to transfer an employee's personal data to third parties, for example, to pension providers and HM Revenue & Customs. To fulfil statutory responsibilities, the Trust is required to give some of an employee's personal data to government departments or agencies e.g., provision of salary and tax data to HM Revenue & Customs.