

## able2sail SCIO – Privacy Policy

### About this Privacy Policy

able2sail is Scottish Charitable Incorporated Organisation (or "SCIO") which operates with the charitable aim of providing an opportunity to individuals (both able-bodied or having disabilities) to sail a modern cruising yacht and we seek to provide voyages for individuals who are both able-bodied or have disabilities.

In order to carry out our activities we process personal data about people who undertake activities with us and those who provide us with support through, donations or volunteering. able2sail are committed to protecting your privacy and take this responsibility very seriously. This Privacy Policy outlines what data we collect, how we may use it, how we protect your data and your rights, and how you can exercise those rights.

References to "we" or "us" or "able2sail" are to able2sail SCIO registered charity number SC047188 of 80 John Street, Helensburgh G84 9JZ.

This Privacy Policy will be regularly reviewed and updated from time to time. Please check this document regularly to ensure that you have the most up-to-date version by referring to [www.able2sail.org.uk/privacypolicy](http://www.able2sail.org.uk/privacypolicy) (last updated May 2018).

This Privacy Policy was prepared to be as comprehensive as possible, but it does not include an exhaustive list of every aspect of our collection and use of personal data. However, we would be happy to provide any further information or explanation about our practices.

If you have any questions about this Policy, please contact us using the details in the 'Contact us' section below.

### Information we collect

We may collect the following personal data:

- your full name and date of birth;
- contact details - including your postal address, telephone number(s), and email address;
- National Insurance number;
- records of your correspondence and engagement with us;
- donation history and Gift Aid details;
- information you may enter on the able2sail website, our electronic forms or Dutyman;
- photographs, video or audio recordings;
- biographical information (including details of relevant experience, qualifications and skills);
- details of unspent criminal convictions (in connection with and only via the Protecting Vulnerable Groups Scheme); and
- other information you share with us.

This information may be collected via:

- any electronic or paper forms you complete;
- written, electronic or verbal conversations or face-to-face interactions;

- third-party companies and websites such as Virgin Money Giving;
- publicly available sources; and
- communication via social media.

### **Our legal bases for collecting and using your personal data**

We need a lawful basis to collect and use your personal data under data protection law. The law allows for six ways to process personal data. Three of these are relevant to the types of processing that we carry out, namely:

1. processing that is necessary for compliance with a legal obligation (for example to process a Gift Aid declaration, carrying out disclosure checks and carrying out our obligations under the Charities and Trustees Investment (Scotland) Act 2005, which requires us to maintain a register of members, including name, address, date admitted to membership and date on which membership ceased, to hold general meetings, issue notices and AGM voting arrangements);
2. processing that is necessary for our (or your) legitimate interests (please see additional information below for more information); and
3. with your consent (generally applicable only in respect of (i) sensitive or special category data and (ii) cookies).

Personal data may be legally collected and used if it is necessary for a legitimate interest of the organisation using the data, if its use is fair and does not adversely impact the rights of the individual concerned.

When we use your personal information, we will always consider if it is fair and balanced to do so and if it is within your reasonable expectations. We will balance your rights and our legitimate interests to ensure that we use your personal information in ways that are not unduly intrusive or unfair. Our legitimate interests include:

- **Charity Governance:** including delivery of our charitable purposes.
- **Administration and operational management:** including responding to solicited enquires, providing information and our services, events management, the administration of members (including volunteers).
- **Fundraising and campaigning:** including administering campaigns and donations.

If you would like more information on the lawful bases we use, please get in touch with us using the details in the 'Contact us' section below.

### **“Sensitive” or “special category” data**

We may collect sensitive or special category data about individuals and we will normally only record this data where we have your explicit consent, unless we are permitted to do so in other circumstances under data protection law.

We always collect health information relating to a disability/impairment if you are participating in any of our activities. Such information is vitally important to the protection of your safety (and those who are also undertaking activities with you). We therefore ask you to provide your explicit

consent to us collecting your health data through an opt-in contained in our membership application forms. Only where you are incapable of giving such consent will we rely upon the condition that the processing of such health data is necessary to protect your vital interests or those of another person.

### **Cookies**

Like most websites, ours uses cookies, (these are tiny files that are downloaded to your computer to improve your experience). The lawful basis for our using cookies is consent. We will ask for this consent the first time you visit our website. We use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns.

### **Disclosure of your personal data**

We will not share any of your personal data to any third party - except where:

- the transfer is to a secure data processor, which carries out data processing operations on our behalf; or
- we are required to do so by law, for example to law enforcement or regulatory bodies where this is required or allowed under the relevant legislation; or
- we are required to do so because it is a condition of our funding or service provision that we share certain information with the funder or with partnership organisations.
- it is necessary to protect the vital interests of an individual; or
- we have obtained your consent.

We may share the information that you provide within able2sail. In particular, we will share your medical information with our skippers and volunteers in order to ensure your (and others) safety during our activities.

We do not share personal information unless it is necessary and appropriate to do so.

### **Security of your personal data**

We use appropriate technical and organisational measures and precautions to protect your personal data and to prevent the loss, misuse or alteration of your personal data.

### **Use of data processors**

We may use third party suppliers to provide services. These suppliers may process personal data on our behalf as "processors" and are subject to contractual conditions to only process that personal information under our instructions and protect it.

In the event that we share personal information with external third parties, we only share such information strictly required for the specific purposes and take reasonable steps to ensure recipients shall only process the disclosed personal information in accordance with those purposes. For example, we share information with the following suppliers:

- Sailing Club Software Limited who provide our duty rostering system.
- Virgin Money Giving who process donations and gift aid applications on our behalf.

- Google LLC who provide cloud services for the support of our data storage, email applications and digital forms (including membership applications).

You can find out more about the suppliers that we use by getting in touch with us using the details in the 'Contact us' section below.

### **Transfers of data outside of the European Economic Area**

In some cases, we may use data processors that process and/or store data outside of the EEA - for example, Google LLC's cloud services.

In these cases, we will take reasonable steps to ensure that the recipient implements appropriate measures to protect your information, for example, by entering into a contract that includes prescribed clauses about the use of data and (if the company is based in the United States) checking that it is accredited under the EU-US Privacy Shield.

### **Retention of your data**

We will only retain your personal data for so long as is necessary in connection with the purpose for which it was obtained.

The length of time that data will be kept may depend on the reasons for which we are processing the data and (where processed on the basis of legal obligation) upon the law or regulations that apply to the information.

Once the applicable retention period has expired, the information will be confidentially disposed or permanently deleted, or anonymised.

### **Your rights**

You have many rights under data protection legislation. These include:

#### *Right of Access*

You can request access to a copy of your personal information that we hold, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making.

#### *Right to be informed*

You have the right to be informed how your personal data will be used. This Privacy Policy, as well as any additional information or notice that is provided to you either at the time you provided your details, or otherwise, is intended to provide you with this information.

#### *Right to withdraw consent*

Where we process your personal data based on your consent (for example in relation to health data), you can withdraw that consent at any time. To do this, or to discuss this right further with us, please contact us using the details in the 'Contact us' section below.

### Right to object

You also have a right to object to us processing data where we are relying on it being within our legitimate interests to do so. To do this, or to discuss this right further with us, please contact us using the details in the 'Contact us' section below.

### Right to restrict processing

In certain situations, you have the right to ask for processing of your personal data to be restricted because there is some disagreement about its accuracy or legitimate usage.

### Right of erasure

In some cases, you have the right to be forgotten (i.e. to have your personal data deleted from our database). Where you have requested that we do not send you marketing materials, we will need to keep some limited information to ensure that you are not contacted in the future.

### Right of rectification

If you believe our records are inaccurate, you have the right to ask for those records concerning you to be updated. To update your records, please get in touch with us using the details in the 'Contact us' section below.

### Right to data portability

Where we are processing your personal data because you have given us your consent to do so, you have the right to request that the data is transferred from one service provider to another.

## **Complaints**

If you have any complaints about the way in which we have used your data, please get in touch with us using the details set out in the 'Contact us' section below. If you are not happy with the response provided, you may always make a complain to the Information Commissioner's Office (ICO) - additional information may be found at <https://ico.org.uk/concerns>.

## **Contact us**

If you have any questions about this Privacy Policy, would like more information, or want to exercise any of the rights set out above, you can get in touch with us in the following ways:

By post to:

able2sail SCIO  
80 John Street  
Helensburgh  
G84 9JZ

By email to:

[contactus@able2sail.org.uk](mailto:contactus@able2sail.org.uk)