

THE DOWAGER COUNTESS ELEANOR PEEL TRUST



PRIVACY POLICY

JULY 2020

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PRIVACY POLICY

1 WHO WE ARE

We are The Dowager Countess Eleanor Peel Trust (registered charity number 214684) (the "Trust" or "we" or "us").

The Trust and personal information: We are committed to lawful, fair and transparent processing of all personal information about our volunteers, applicants, beneficiaries, suppliers and other third parties during the course of our activities. We will always comply with any applicable data protection legislation and we will ensure that collection and use of personal information is carried out in accordance with applicable data protection laws. The main law governing data protection is the General Data Protection Regulation (Regulation (EU) 2016/679 of 27 April 2016) known as the "GDPR".

What this policy is: This policy (and any other documents referred to in it, together with any privacy notice displayed on our website: www.peeltrust.com) sets out the basis on which we will process any personal information about you or individuals generally - whether it's information we collect from those individuals or that is provided to us from other sources. This policy sets out rules on data protection and the legal conditions that must be satisfied when we obtain, handle, process, transfer or store personal information.

Notification: We comply with current requirements to notify our data processing activities to the Information Commissioner's Office and are registered under number ZA241858.

Controlling and processing information: We are the controller of all personal information used in operating the Trust for our own purposes. Sometimes though, we will process personal information on behalf of another data controller – and when this is the case, we will do so only in accordance with the instructions of that data controller and otherwise in accordance with the GDPR.

Why you should read this policy: It is important that you read this policy, together with any other documents referred to in it, so that you are aware of how any personal information relating to you will be dealt with by us.

2 DATA PROTECTION PRINCIPLES

We are accountable for demonstrating compliance with the GDPR's six principles of processing personal information. These provide that personal information we deal

with must be:

- (a) processed fairly, lawfully and in a transparent manner;
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- (c) adequate, relevant and limited to what is necessary;
- (d) accurate and, where necessary, kept up to date;
- (e) not kept for longer than necessary; and
- (f) processed securely, maintaining integrity and confidentiality.

3 **SOME BASIC DEFINITIONS WE USE IN THIS POLICY**

Personal information: In this policy, when we use the term “**personal information**” we mean any information relating to an identified or identifiable human being. (An “identifiable natural person” is one who can be identified, directly or indirectly, for example, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, biometric, mental, economic, cultural or social identity of that person).

Sensitive personal information: In this policy, when we use the term “**sensitive personal information**” we mean special categories of information which are personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying someone, data concerning health or data concerning someone’s sex life or sexual orientation.

4 **THE KIND OF PERSONAL INFORMATION WE HOLD ABOUT YOU**

We may collect, record, organise, structure, store, adapt, alter, retrieve, consult, use, disclose by transmission, disseminate or otherwise make available, align or combine, restrict, erase or destroy the following types of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Current and former job title(s) and place(s) of work

- Demographic information such as your postcode
- Information relevant to grant or fellowship applications, for example other sources of funding or sponsorship
- Date of birth
- Gender
- Marital status and dependants
- Bank account or payment details
- Information about your communications with us
- Photographs
- Any information you make available, or transmit to us, via social media accounts
- Details of your visits to our website including, but not limited to, traffic data, location data, weblogs and other communication data, whether this is required for our own administrative purposes or otherwise and the resources that you access.

We may also collect, store and use the following sensitive personal information where we ask for it in order to process an application or where you choose to provide it to us for any other purpose:

- Information about your health, including any medical condition, health and sickness records

5 **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

In the course of operating the Trust, we may collect personal information directly from an individual:

- when you provide information in connection with an application you make to the Trust for a grant, fellowship or other support, or in relation to services we might provide to you;
- when you submit an enquiry about the Trust; and
- when you provide personal information directly to members of our team.

We may also collect personal information about individuals from other sources such as:

- Employers or organisations who make applications for support on your behalf or in which you are named as a member of the team
- individuals who recommend you to the Trust and/or give a reference on

your behalf

We will only collect personal information to the extent that it is required for the specific purpose notified to individuals about whom we are collecting it - and we will keep it only as long as is necessary.

6 HOW WE WILL USE PERSONAL INFORMATION

We will only use personal information when the law allows us to do so and relying on a relevant basis for lawful processing in each instance. We will use your personal information in the following circumstances, relying on the basis of processing indicated:

Basis of processing: Where we need to perform a contract we are about to enter into or have entered into with you.

- To provide you with information or services that you request from us (*contact details, information relating to your career or research*).
- To carry out our obligations arising from any contracts entered into between you and us (*contact details, payment information and any information relating to your living or travelling arrangements as part of our agreement*).

Basis of processing: Where it is necessary for our legitimate interests (or those of a third party) and we have undertaken an assessment to determine that processing for those interests (listed below) does not outweigh your interests and fundamental rights, considering the nature and impact of the processing and any relevant safeguards we can put in place¹.

- To identify and assess your application for funds and to communicate our decisions to you (*contact details*)
- To ensure that content from our website is presented in the most effective manner for you and for your device (*online identifiers, location data and other technical information*).
- To provide you with information or services that we feel may interest you,

¹ Where the Trust intends to rely on the legitimate interests basis of processing, it should be able to evidence a legitimate interests assessment for each type of processing, setting out: (1) the legitimate interest for the relevant project (this must be specific and controllers cannot rely on broadly-worded "interests in running their business"-type statements; the interest should also be lawful and ethical so consider any industry guidelines or common practice that might be applicable); (2) why the intended processing is necessary to achieve the legitimate interest in question (can the purpose be achieved by any less-intrusive means of processing?); and (3) a balancing test of the legitimate interest against the risks presented by the processing to any rights or freedoms of individuals.

(where you have consented to be contacted for such purposes to the extent consent is required by law) (*contact details and any information relating to personalisation preferences*).

- To allow you to participate in interactive features of our website, when you choose to do so (*online identifiers, location data and other technical information*).
- To notify you about changes to our services or processes (*contact details*).
- To maintain a basic amount of information about you and the history of any applications in which you are named, in order to provide efficient responses to any subsequent applications (*contact details, career or research details (where relevant), any information relating to your working, living or travelling arrangements as part of work you undertake with our support*).

Basis of processing: Where we need to comply with a legal or regulatory obligation.

- To retain basic transaction details for the purpose of tax reporting (*contact details and transaction history*).

Basis of processing: Where you have consented to the processing.

- To use non-essential cookies on our website (see “Cookies” section below for further information) (*online identifiers, location data and other technical information*). You have the right to withdraw consent to such use at any time by contacting us but please note that some or all parts of our website may no longer be accessible to you.
- To send you direct marketing communications via email, text message, post or telephone call (*contact details*). You have the right to withdraw consent to any such use at any time by contacting us.

Other issues about how we use personal information:

- 1) Please note that we may process your personal information for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal basis we are relying on to process your personal information – contact details are below.
- 2) We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. Please contact us if you would like further details of any additional purposes of processing. If we need to use your personal information for an unrelated

purpose, we will notify you and we will explain the legal basis that allows us to do so.

- 3) Where we need to collect personal information by law, or under the terms of an agreement we have with you, and you fail to provide that data when requested, we may not be able to perform the agreement we have or are trying to enter into with you (for example, to provide you with services). If this happens, we may have to cancel, or be unable to provide, any services or support you have requested.
- 4) Please note that we may process your personal information without your knowledge or consent where required or permitted by law.
- 5) We may collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal information but is not considered "personal data" in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your website usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this privacy policy.
- 6) If you provide us with any personal information relating to next of kin, relatives, partners or other individuals it is your duty to make such persons aware that their personal information may be shared with us and to provide them with appropriate information about how their personal information may be processed by us.

7 **DIRECT MARKETING**²

As indicated above, although it is highly unlikely, we may use your personal information to provide you with information about services that may be of interest to you and we may contact you about these by email, text message, post or telephone call. This is known as direct marketing.

² Any marketing communications sent by email, text, fax or made by telephone must comply with the requirements of the Privacy and Electronic Communications (EC Directive) Regulations 2003. Unless all conditions are satisfied for the "soft opt-in" exception, email marketing will only be permitted where the individual has expressly opted in to receive email marketing. The soft opt-in requires: (1) the individual has previously entered into an agreement or negotiations for services from the Trust and the Trust wishes to send marketing about similar services they may find interesting; (2) the individual was given an option to opt out of marketing at the outset; and (3) all subsequent marketing communications contain a clear 'unsubscribe' option.

Examples of direct marketing may include:

- sending promotional emails about new services, events or other information we think you may find interesting using the email address which you have provided;
- contacting you for market research purposes (by email, text message, post or telephone call).

We will only process personal information for the above purposes as permitted by law, which usually means with your specific consent. You have the right to withdraw this consent at any time. Information about how to withdraw your consent is set out below. We will not allow any third parties to use your personal information for marketing.

8 **CONSENT**

In this policy, where we have referred to needing your consent for any processing, we will make sure that the consent:

- is specific consent for one or more specified purposes³; and
- is given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of your agreement to the relevant processing of personal information⁴.

9 **HOW WE USE SENSITIVE PERSONAL INFORMATION**

Protection for sensitive personal information: Processing of sensitive personal information requires higher levels of protection. We may process sensitive personal information about an individual in the following circumstances:

Specific sensitive personal information we process and why we are allowed to do this:

- We will process information about an individual's physical or mental health, or disability status, to ensure we provide appropriate adjustments the

³ Consent must be given to the relevant data controller (i.e. not to "*the Trust and selected third parties*", or similar) for specified purposes; broad wording to gain blanket consents to vague intended uses of data will not suffice.

⁴ Consents must be verifiable, so the Trust must be able to provide screenshot or other evidence of any opt-ins or other forms of explicit consent.

individual might require as part of any interview process or visit to our premises.

- We will process information about an individual's physical or mental health, or disability status, to postpone, rearrange or otherwise manage any grant or fellowship awarded.
- We will use information about an individual's religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure we provide appropriate services when assessing, awarding or managing any grant or fellowship.
- In future we may use information about an individual's race or national or ethnic origin, religious, philosophical or moral beliefs, or sexual life or sexual orientation, to ensure meaningful diversity and equal opportunity monitoring and reporting.

10 **AUTOMATED DECISION-MAKING**

Automated decision-making takes place when an electronic system uses personal information to make a decision relevant to you without human intervention.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

11 **DATA SHARING**

Transfer of personal information outside of the EEA: We (or our processors acting on our instructions) may transfer certain personal information that we hold on individuals living in the European Union to a country outside the European Economic Area ("**EEA**"), provided that one of the following conditions applies:

- the country to which the personal information is transferred ensures an adequate level of protection for that individual's rights and freedoms;
- an individual has given their explicit and informed consent having had the risks explained to them;
- the transfer is covered by one of the derogations set out in the GDPR, including the performance of a contract between us and that individual, or to protect the vital interests of individuals;
- the transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims; or
- the transfer is authorised by the relevant data protection authority where

we have checked adequate safeguards exist with respect to the protection of the individual's privacy, their fundamental rights and freedoms, and the exercise of their rights.

Subject to the requirements set out above, the personal information we hold may also be processed by individuals operating outside the EEA who work with or for us or for one of our suppliers. Those individuals may be engaged in, among other things, the fulfilment of contracts with the relevant individual, the processing of payment details and the provision of support services relating to a fellowship.

Safeguards: If we use a third party data processor to process personal information on our behalf, we will obtain contractual commitments to safeguard the security of the personal information to ensure that the third party only acts on our instructions when using that personal information and that the third party has in place appropriate technical and organisational security measures to safeguard the personal information. Whenever we transfer your personal information out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We may transfer your personal information to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see ***European Commission: Adequacy of the protection of personal data in non-EU countries.***
- Where we use service providers, we may use specific contracts approved by the European Commission which give personal information the same protection it has in Europe. For further details, see ***European Commission: Model contracts for the transfer of personal data to third countries.***
- Where we use service providers based in the US, we may transfer data to them if they are part of the Privacy Shield, which requires them to provide similar protection to personal information shared between Europe and the US. For further details, see ***European Commission: EU-US Privacy Shield.***

Please contact us if you want further information on the specific mechanism used by us when transferring your personal information outside the EEA.

Why we might share your personal information with third parties: We may share personal information we hold with: (i) the individual trustees who manage the Trust; (ii) anyone nominated by Fellowship applicants whom we approach for a reference; and/or (iii) in the event that we transfer any ownership or management of the Trust, we may disclose your personal data to the prospective new owner or trustee. We may also disclose personal information we hold to third parties if we are under a duty to disclose or share an individual's personal information in order to comply with any legal obligation, or in order to enforce or apply any contract with

that individual or other agreements; or to protect our rights, property, or safety of our volunteers, trustees or others. This includes exchanging personal information with other companies and organisations for the purposes of fraud protection.

When appropriate, we will anonymise personal information when used for performance reviewing and reporting activities.

We may also share personal information we hold with selected third parties for the purposes set out below. We do not allow our third-party service providers to use your personal data for their own purposes; we only permit them to process your personal data for specified purposes and in accordance with our instructions.

Third party service providers who may process your personal information:

When we use the term “third party”, we mean any entity who is not the Trust, including third party service providers, contractors and designated agents. The following third party service providers may process personal information for the following purposes:

- **Hill Dickinson LLP**, which acts as secretary to the Trust and undertakes a range of administrative and support tasks
- **Trinitech**, which provides and hosts our website on their platform.

12 **DATA SECURITY**

We will always take appropriate technical and organisational measures to protect personal information against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing (including taking reasonable steps to ensure the reliability of individuals who have access to personal information). Anyone acting on behalf of the Trust may only process personal information in accordance with this privacy policy.

Our website host provides 256-bit SSL as standard, which means that all communication between the user and website is encrypted, including application forms. Data and documents uploaded to the cloud for storage will also be encrypted.

We have put in place internal procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

13 DATA RETENTION

We will not keep personal information in a form which permits identification of individuals for longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required. We will comply with our records management policy which is available on request. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of personal information, the purposes for which we process information and whether we can achieve those purposes through other means, and the applicable legal requirements.

We will only keep personal information for as long as is necessary for the purpose or purposes for which that personal information is processed. In the case of successful applications, we will keep all data submitted until the project is complete and/or a final report has been received. For the efficiency of our application process, and to minimise the need for applicants to re-submit previous applications, we will keep minimal data on previous applications, whether successful or not.

We may sometimes anonymise your personal information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Our website may, from time to time, contain links to and from the websites of partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies or the security of these websites. Please check the relevant policy before you submit any personal information to these websites.

14 YOUR RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal information, as summarised below.

You have the right to:

1. **Request access to your personal information** (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

2. **Request correction of the personal information that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
3. **Request erasure of your personal information.** This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with local law. Note, however, that we may not always be able to comply with your request for erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
4. **Object to processing of your personal information where we are relying on a legitimate interest** (of our own or of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
5. **Request restriction of processing of your personal information.** This enables you to ask us to suspend the processing of your personal information in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
6. **Request the transfer of your personal information to you or to a third party.** We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
7. **Withdraw consent at any time where we are relying on consent to process your personal information.** However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at secretary@peeltrust.com. We aim to respond to all legitimate requests within one month (and if we are only processing the data in question on behalf of another party, the response may actually come from that other party as the relevant data controller). Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive - alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it. We may also contact you to ask for further information in relation to your request to speed up our response.

15 **COOKIES**

Our website, hosted by Trinitech, uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website.

Please see the separate cookie policy available via our website for further details.

16 **CHANGES TO THIS POLICY**

We reserve the right to change this policy at any time. Where appropriate, we will notify individuals of those changes by post or email. Each time you enter or use our website, you agree that the privacy policy current at that time shall apply to all information we hold about you.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your information changes during your

relationship with us.

17 **CONTACT**

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to secretary@peeltrust.com.

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the Information Commissioner's Office, so please contact us in the first instance.

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