



Charlton Horethorne Community Land Trust Limited

Privacy Statement

1. Interpretation

1.1 Definitions:

Automated Decision-Making (ADM): when a decision is made which is based solely on Automated Processing (including profiling) which produces legal effects or significantly affects an individual. The GDPR prohibits Automated Decision-Making (unless certain conditions are met) but not Automated Processing.

Automated Processing: any form of automated processing of Personal Data consisting of the use of Personal Data to evaluate certain personal aspects relating to an individual, in particular to analyse or predict aspects concerning that individual's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements. Profiling is an example of Automated Processing.

Company name: Charlton Horethorne Community Land Trust Limited

Company Personnel: all directors, members and others.

Consent: agreement which must be freely given, specific, informed and be an unambiguous indication of the Data Subject's wishes by which they, by a statement or by a clear positive action, signifies agreement to the Processing of Personal Data relating to them.

Data Controller: the person or organisation that determines when, why and how to process Personal Data. It is responsible for establishing practices and policies in line with the GDPR. We are the Data Controller of all Personal Data relating to our Company Personnel and Personal Data used in our business for our own commercial purposes.

Data Subject: a living, identified or identifiable individual about whom we hold Personal Data. Data Subjects may be nationals or residents of any country and may have legal rights regarding their Personal Data.

Data Privacy Impact Assessment (DPIA): tools and assessments used to identify and reduce risks of a data processing activity. DPIA can be carried out as part of Privacy by Design and should be conducted for all major system or business change programs involving the Processing of Personal Data.

EEA: the 28 countries in the EU, and Iceland, Liechtenstein and Norway.

Explicit Consent: consent which requires a very clear and specific statement (that is, not just action).

General Data Protection Regulation (GDPR): the General Data Protection Regulation ((EU) 2016/679). Personal Data is subject to the legal safeguards specified in the GDPR.

Personal Data: any information identifying a Data Subject or information relating to a Data Subject that we can identify (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes Sensitive Personal Data and Pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

Personal Data Breach: any act or omission that compromises the security, confidentiality, integrity or availability of Personal Data or the physical, technical, administrative or organisational safeguards that we or our third-party service providers put in place to protect it. The loss, or unauthorised access, disclosure or acquisition, of Personal Data is a Personal Data Breach.

Privacy by Design: implementing appropriate technical and organisational measures in an effective manner to ensure compliance with the GDPR.

Privacy Notices (also referred to as Fair Processing Notices) or Privacy Policies: separate notices setting out information that may be provided to Data Subjects when the Company collects information about them. These notices may take the form of general privacy statements applicable to a specific group of individuals (for example, employee privacy notices or the website privacy policy) or they may be stand-alone, one time privacy statements covering Processing related to a specific purpose.

Processing or Process: any activity that involves the use of Personal Data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring Personal Data to third parties.

Pseudonymisation or Pseudonymised: replacing information that directly or indirectly identifies an individual with one or more artificial identifiers or pseudonyms so that the person, to whom the data relates, cannot be identified without the use of additional information which is meant to be kept separately and secure.

Sensitive Personal Data: information revealing racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data, and Personal Data relating to criminal offences and convictions.

2. Introduction

This Privacy Standard sets out how Charlton Horethorne Community Land Trust ("we", "our", "us", "the Company") handle the Personal Data of our members, suppliers, directors and other third parties.

This Privacy Standard applies to all Personal Data we Process regardless of the media on which that data is stored or whether it relates to past or present directors, members, supplier contacts, or any other Data Subject.

This Privacy Standard applies to all Company Personnel ("you", "your"). You must read, understand and comply with this Privacy Standard when Processing Personal Data on our behalf. This Privacy Standard sets out what we expect from you in order for the Company to comply with applicable law. Your compliance with this Privacy Standard is mandatory. Any breach of this Privacy Standard may result in disciplinary action.

This Privacy Standard is an internal document and cannot be shared with third parties, clients or regulators without prior authorisation from the DPO.

3. Scope

We recognise that the correct and lawful treatment of Personal Data will maintain confidence in the organisation and will provide for successful business operations. Protecting the confidentiality and integrity of Personal Data is a critical responsibility that we take seriously at all times. The Company is exposed to potential fines of up to EUR20 million (approximately £18 million) or 4% of total worldwide annual turnover, whichever is higher and depending on the breach, for failure to comply with the provisions of the GDPR.

4. Personal data protection principles

We adhere to the principles relating to Processing of Personal Data set out in the GDPR which require Personal Data to be:

- (a) Processed lawfully, fairly and in a transparent manner (Lawfulness, Fairness and Transparency).
- (b) Collected only for specified, explicit and legitimate purposes (Purpose Limitation).
- (c) Adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed (Data Minimisation).
- (d) Accurate and where necessary kept up to date (Accuracy).
- (e) Not kept in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the data is Processed (Storage Limitation).
- (f) Processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful Processing and against accidental loss, destruction or damage (Security, Integrity and Confidentiality).
- (g) Not transferred to another country without appropriate safeguards being in place (Transfer Limitation).
- (h) Made available to Data Subjects and Data Subjects allowed to exercise certain rights in relation to their Personal Data (Data Subject's Rights and Requests).

We are responsible for and must be able to demonstrate compliance with the data protection principles listed above (Accountability).

5. Lawfulness, fairness, transparency

5.1 Lawfulness and fairness

Personal data will be Processed lawfully, fairly and in a transparent manner in relation to the Data Subject.

We will only collect, Process and share Personal Data fairly and lawfully and for specified purposes. The GDPR restricts our actions regarding Personal Data to specified lawful purposes. These restrictions are not intended to prevent Processing, but ensure that we Process Personal Data fairly and without adversely affecting the Data Subject.

The GDPR allows Processing for specific purposes, some of which are set out below:

- (a) the Data Subject has given his or her Consent;
- (b) the Processing is necessary for the performance of a contract with the Data Subject;
- (c) to meet our legal compliance obligations.;
- (d) to protect the Data Subject's vital interests;
- (e) to pursue our legitimate interests for purposes where they are not overridden because the Processing prejudices the interests or fundamental rights and freedoms of Data Subjects. The purposes for which we process Personal Data for legitimate interests need to be set out in applicable Privacy Notices or Fair Processing Notices; or

We will identify and document the legal ground being relied on for each Processing activity.

5.2 Consent

A Data Controller must only process Personal Data on the basis of one or more of the lawful bases set out in the GDPR, which include Consent.

A Data Subject consents to Processing of their Personal Data if they indicate agreement clearly either by a statement or positive action to the Processing. Consent requires affirmative action so silence, pre-ticked boxes or inactivity are unlikely to be sufficient. If Consent is given in a document which deals with other matters, then the Consent must be kept separate from those other matters.

Data Subjects must be easily able to withdraw Consent to Processing at any time and withdrawal must be promptly honoured. Consent may need to be refreshed if we need to Process Personal Data for a different and incompatible purpose which was not disclosed when the Data Subject first consented.

Unless we can rely on another legal basis of Processing, Explicit Consent is usually required for Processing Sensitive Personal Data, for Automated Decision-Making and for cross border data transfers. Usually we will be relying on another legal basis (and not require Explicit Consent) to Process most types of Sensitive Data. Where Explicit Consent is required, you must issue a Fair Processing Notice to the Data Subject to capture Explicit Consent.

We will evidence Consent captured and keep records of all Consents so that the Company can demonstrate compliance with Consent requirements.

5.3 Transparency (notifying data subjects)

The GDPR requires Data Controllers to provide detailed, specific information to Data Subjects depending on whether the information was collected directly from Data Subjects or from elsewhere. Such information must be provided through appropriate Privacy Notices or Fair Processing Notices which must be concise, transparent, intelligible, easily accessible, and in clear and plain language so that a Data Subject can easily understand them.

Whenever we collect Personal Data directly from Data Subjects, we must provide the Data Subject with all the information required by the GDPR including the identity of the Data Controller and, how and why we will use, Process, disclose, protect and retain that Personal Data through a Fair Processing Notice which must be presented when the Data Subject first provides the Personal Data..

When Personal Data is collected indirectly (for example, from a third party or publically available source), you must provide the Data Subject with all the information required by the GDPR as soon as possible after collecting/receiving the data. You must also check that the Personal Data was collected by the third party in accordance with the GDPR and on a basis which contemplates our proposed Processing of that Personal Data.

6. Purpose limitation

Personal Data must be collected only for specified, explicit and legitimate purposes. It must not be further Processed in any manner incompatible with those purposes.

We will not use Personal Data for new, different or incompatible purposes from that disclosed when it was first obtained unless we have informed the Data Subject of the new purposes and they have Consented where necessary.

7. Data minimisation

Personal Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed.

We will ensure that when Personal Data is no longer needed for specified purposes, it is deleted or anonymised.

8. Accuracy

Personal Data must be accurate and, where necessary, kept up to date. It must be corrected or deleted without delay when inaccurate.

We will ensure that the Personal Data we use and hold is accurate, complete, kept up to date and relevant to the purpose for which we collected it. You must check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. You must take all reasonable steps to destroy or amend inaccurate or out-of-date Personal Data.

9. Storage limitation

Personal Data must not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.

We will not keep Personal Data in a form which permits the identification of the Data Subject for longer than needed for the legitimate business purpose or purposes for which we originally collected it including for the purpose of satisfying any legal, accounting or reporting requirements.

The Company will maintain retention policies and procedures to ensure Personal Data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires such data to be kept for a minimum time.

We will take all reasonable steps to destroy or erase from our systems all Personal Data that we no longer require in accordance with all the Company's applicable records retention schedules and policies. This includes requiring third parties to delete such data where applicable.

We will ensure Data Subjects are informed of the period for which data is stored and how that period is determined in any applicable Privacy Notice or Fair Processing Notice.

10. Security integrity and confidentiality

10.1 Protecting Personal Data

Personal Data must be secured by appropriate technical and organisational measures against unauthorised or unlawful Processing, and against accidental loss, destruction or damage.

We will develop, implement and maintain safeguards appropriate to our size, scope and business, our available resources, the amount of Personal Data that we own or maintain on behalf of others and identified risks (including use of encryption and Pseudonymisation where applicable). We will regularly evaluate and test the effectiveness of those safeguards to ensure security of our Processing of Personal Data. We are responsible for protecting the Personal Data we hold. We will implement reasonable and appropriate security measures against unlawful or unauthorised Processing of Personal Data and against the accidental loss of, or damage to, Personal Data. We will exercise particular care in protecting Sensitive Personal Data from loss and unauthorised access, use or disclosure.

We will follow all procedures and technologies we put in place to maintain the security of all Personal Data from the point of collection to the point of destruction.

We will maintain data security by protecting the confidentiality, integrity and availability of the Personal Data, defined as follows:

- (a) Confidentiality means that only people who have a need to know and are authorised to use the Personal Data can access it.
- (b) Integrity means that Personal Data is accurate and suitable for the purpose for which it is processed.
- (c) Availability means that authorised users are able to access the Personal Data when they need it for authorised purposes.

10.2 Reporting a Personal Data Breach

The GDPR requires Data Controllers to notify any Personal Data Breach to the applicable regulator and, in certain instances, the Data Subject.

We will put in place procedures to deal with any suspected Personal Data Breach and will notify Data Subjects or any applicable regulator where we are legally required to do so.

If you know or suspect that a Personal Data Breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the person or team designated as the key point of contact for Personal Data Breaches. You should preserve all evidence relating to the potential Personal Data Breach.

11. Transfer limitation

The GDPR restricts data transfers to countries outside the EEA in order to ensure that the level of data protection afforded to individuals by the GDPR is not undermined. You transfer Personal Data originating in one country across borders when you transmit, send, view or access that data in or to a different country.

We will not transfer Personal Data outside the EEA.

12. Data Subject's rights and requests

Data Subjects have rights when it comes to how we handle their Personal Data. These include rights to:

- (a) withdraw Consent to Processing at any time;

- (b) receive certain information about the Data Controller's Processing activities;
- (c) request access to their Personal Data that we hold;
- (d) prevent our use of their Personal Data for direct marketing purposes;
- (e) ask us to erase Personal Data if it is no longer necessary in relation to the purposes for which it was collected or Processed or to rectify inaccurate data or to complete incomplete data;
- (f) restrict Processing in specific circumstances;
- (g) challenge Processing which has been justified on the basis of our legitimate interests or in the public interest;
- (h) prevent Processing that is likely to cause damage or distress to the Data Subject or anyone else;
- (i) be notified of a Personal Data Breach which is likely to result in high risk to their rights and freedoms;
- (j) make a complaint to the supervisory authority; and
- (k) in limited circumstances, receive or ask for their Personal Data to be transferred to a third party in a structured, commonly used and machine readable format.

We will verify the identity of an individual requesting data under any of the rights listed above.

13. Accountability

- 13.1 The Data Controller must implement appropriate technical and organisational measures in an effective manner, to ensure compliance with data protection principles. The Data Controller is responsible for, and must be able to demonstrate, compliance with the data protection principles.

The Company must have adequate resources and controls in place to ensure and to document GDPR compliance including:

- (a) appointing an executive accountable for data privacy;
- (b) implementing Privacy by Design when Processing Personal Data and completing DPIAs where Processing presents a high risk to rights and freedoms of Data Subjects;
- (c) integrating data protection into internal documents including this Privacy Standard, Privacy Notices or Fair Processing Notices;
- (d) regularly testing the privacy measures implemented and conducting periodic reviews and audits to assess compliance, including using results of testing to demonstrate compliance improvement effort.

13.2 Record keeping

The GDPR requires us to keep full and accurate records of all our data Processing activities.

We will keep and maintain accurate corporate records reflecting our Processing including records of Data Subjects' Consents and procedures for obtaining Consents.

These records should include, at a minimum, the name and contact details of the Data Controller, clear descriptions of the Personal Data types, Data Subject types, Processing activities, Processing

purposes, third-party recipients of the Personal Data, Personal Data storage locations, Personal Data transfers, the Personal Data's retention period and a description of the security measures in place.

13.3 Sharing Personal Data

Generally we are not allowed to share Personal Data with third parties unless certain safeguards and contractual arrangements have been put in place.

We will only share the Personal Data we hold with third parties if:

- (a) You consent;
- (b) We are required to disclose to our insurers or FCA.

14. Changes to this Privacy Standard

We reserve the right to change this Privacy Standard at any time without notice to you so please check back regularly to obtain the latest copy of this Privacy Standard. We last revised this Privacy Standard on and made the following changes:

This Privacy Standard does not override any applicable national data privacy laws and regulations in countries where the Company operates.

SUMMARY OF THE INFORMATION WE WILL COLLECT AND ITS PURPOSE

1. What information needs to be collected?

Name and contact details for members and directors.

2. Who is collecting it?

Company Secretary on behalf of the Company

3. How is it collected?

The membership application form and Consent to Act as a Director

4. Why is it being collected?

To maintain a register of members and directors and for the purpose of communicating with members and directors.

5. How will it be used

For communicating the business of the Company with members and directors.

6. Who will it be shared with?

The FCA, our insurers, and (with the members specific written consent) the Housing Association and the local authority

7. What will be the effect of this on the individuals concerned?

There should be no impact upon the Data Subject as it will not be shared for commercial purposes.

8. Is the intended use likely to cause individuals to object or complain?

Only if the Data Subject believes we have not applied the qualification rules correctly.

Date completed: 21st March 2018