Nairn Improvement Community Enterprise (NICE)
GDPR POLICY Aug 2023

Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data.
Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.
The General Data Protection Regulation 2016/679 (the GDPR) governs the processing of personal data.

Who are we?

Nairn Improvement Community Enterprise (NICE) is the **data controller**. This means it decides how your personal data is processed and for what purposes.

How do we process your personal data?

● NICE complies with its obligations under [the GDPR] by keeping personal data up to date
● Storing and destroying it securely; by not collecting or retaining excessive amounts of data
● Protecting personal data from loss, misuse, unauthorised access, and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.
We use your personal data for the following purposes:

- To administer membership records.
- To manage our employees and volunteers.
- To maintain our own accounts and records.
- To operate the NICE social media and website –NICE Employees and Board Members only
- To deliver training, resources, support and respond to individuals who have requested NICE services and information.
- To inform individuals of our news, events, activities, or services related to NICE, its projects and membership.

What is the legal basis for processing your personal data?

Article 6 & 9 processing (including Special Categories)

● Consent of the data subject is obtained as follows:

- NICE Membership Form
- Appointment of Board Members AGM procedure
- Employees' or contractors' Contracts of Employment
- Volunteer Application Form
- Registration procedures for ongoing NICE Projects

The Data Controller (NICE) will ensure that consent of data is updated every two years.

● Processing is necessary for compliance with a legal obligation.

- OSCR requires that we "Keep registers of charity trustees and of members".

- **Processing is necessary for the legitimate interests of the data controller, except where such interests are overridden by the interests, rights, or freedoms of the data subject.**

    - The NICE Constitution states "the directors shall maintain a register of members, setting out the full name and address of each member,
    - the date on which he/she was admitted to membership, and the date on which any person ceased to be a member".
    - Grant Funding reporting and monitoring requirements state that "the Grantee must keep and maintain for a period of 6 years adequate and proper records and books of account".

Sharing your personal data

Your personal data will be treated as strictly confidential and will be shared only with other organisations to comply with a legitimate interest or a legal obligation for example OSCR or HMRC.

How long do we keep your personal data?

We will keep your information for no longer than necessary and this may vary depending on the type of information we hold and will depend on the circumstances of each case however this will be determined in a manner consistent with our data retention guidelines. They are:

- A period of 6 years to comply with our Constitution and Funding Obligations
- HR data is kept for a period of at least 6 years following the termination of employment; some personal financial data will be destroyed after 2 years.
- Health and Safety information must be held for a minimum of 40 years.

Your rights and your personal data

Unless subject to an exemption [under the GDPR], you have the following rights with respect to your personal data: -

● The right to request a copy of your personal data which NICE holds about you.
● The right to request that NICE corrects any personal data if it is found to be inaccurate or out of date.
● The right to request your personal data is erased where it is no longer necessary for NICE to retain such data.
● The right to withdraw your consent to the processing at any time.
● The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing.
● The right to object to the processing of personal data.
● The right to lodge a complaint to the Information Commissioners Office or Telephone 0303 123 1113

Further Processing
If we wish to use your personal data for a new purpose, not covered by this Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

To exercise all rights, queries or complaints please contact us at: enquiries@nicenairn.org.uk
Nairn Improvement Community Enterprise

Title	
Responsible person	Company Secretary
Review frequency	Annual
Policy reviewed	Adopted by NICE Board 24 August 2023
Next review	August 2024