

## **Wester Hailes Allotment Association - Privacy Policy**

### **Introduction**

1. The purpose of this document is to let you know what happens to any personal data you give to Wester Hailes Allotment Association (the "Association") or we may collect from you as the "Controller" of your personal data.

2. Everyone has rights with regard to how their personal data is handled by the Controllers. Please read this policy to understand how we use and protect the personal data that you provide to us or that we obtain or hold about you, and understand what your rights are in relation to the personal data that we hold.

3. The Association's contact person for any matters relating to this notice or data protection generally is the Association Secretary who can be contacted as detailed in paragraph 13.

### **What information do we hold about you?**

4. We may hold the following types of personal data noting that your "personal data" is information that identifies or potentially identifies you:

- Your name and postal address;
- Your contact details – phone/mobile number(s), email address;
- Your plot number, date of allocation;
- The details of periodic inspections of your plot and any action relating thereto;
- The details of any appeal you may make and any action relating thereto;
- Any other information which you voluntarily provide us with noting that this may include the personal data of third parties. Please ensure that you have provided any such third party with a copy of this Privacy Policy before providing.

### **Why do we hold this personal data?**

5. In general terms, we hold personal data about you so that we may properly manage affairs in accordance with the Association's Constitution, and in particular your potential or existing tenancy agreement with us which gives you membership of the Association. We will only use information for the purposes for which it was obtained, as set out in paragraph 6 below.

6. The personal data which we hold about you may be used for a number of specific purposes:

- To initially arrange to view and allocate a plot to you;
- To communicate with you in relation to news about our activities, meetings and events;
- To seek feedback and to inform you of any changes to our rules and/or activities;
- For purposes of collecting and recording rents;
- To contact you about any necessary action you need to take in relation to your plot;
- To deal with matters relating to any appeal;
- For accounting and statistical purposes (e.g. recording the number of let and vacant plots);

### **On what grounds do we hold the personal data?**

7. Under the terms of the UK General Data Protection Regulation 2016/679 and the UK Data Protection Act 2018 we need to state the lawful basis we rely on for processing your personal data. This is:

- "Contract" - for existing members the processing of personal data is necessary for a contract namely your tenancy agreement with the Association, and for prospective members in order to take the necessary steps to potentially enter into a tenancy agreement.
- "Legitimate Interests" - for past members who have had their tenancy terminated under Rule 6.1 of the Association's Constitution personal data will be processed as we have a legitimate interest in order to protect the interests of existing members, provided that this interest does not override your rights and freedoms.

### **With whom will we share your personal data?**

8. We will not normally share or disclose any of the personal data we hold about you to any third party or to any other members of the Association unless you have explicitly agreed that we may share it for a particular purpose. We may, however, under specific special circumstances (with or without your consent) need, or be required to do so for example for the prevention, detection and prosecution of crime, or in dealing with an accident or medical emergency or for the enforcement of the terms of the tenancy agreement.

9. The personal data will, however, be made available in whole or in part, to designated members of the Association's Management Committee, who require it for the purposes of managing the affairs of the Association, to the Appeals Committee should you make an appeal, and to the auditor/independent examiner to carry out their work. In the event of a full resignation of the Management Committee the Trustees would have access to your personal data.

### **How do we manage your personal data?**

10. Your data may be held electronically on a secure data base and physically, with hard copies kept securely, by those people with access to your data as detailed in paragraph 9 above. We will not transfer, or permit access to, your personal data outside the UK.

### **How long will we keep your personal data?**

11. In general terms, we will keep your personal data only for as long as it is required. This will usually mean for as long as you are on the waiting list or remain a member of the Association. However, some personal data may need to be kept for accounting purposes, but this will be deleted at the end of the Association's financial year six years after you cease to be a member of the Association. In addition in order that we may enforce Rule 4.7 of the Association's Constitution, the personal data of members whose tenancy has been terminated by the Management Committee may be retained after the termination.

## **Your Rights**

12. Under data protection law, you have rights including:

- The right of access – You have the right to ask us for copies of your personal data.
- The right to rectification -- You have the right to ask us to rectify personal data you think is inaccurate. You also have the right to ask us to complete data you think is incomplete. Please contact the Secretary if you need to update your data.
- The right to erasure – You have the right to ask us to erase your personal data in certain circumstances
- The right to restrict or object to processing – You have the right to object to and/or ask us to restrict the processing of your personal data in certain circumstances

To exercise any of your rights, please contact the Secretary as detailed in paragraph 13.

## **How to Complain**

13. If you have any concerns about use of your personal data, you can make a complaint through the Secretary.

Preferably by email: [secretary@whaa.org.uk](mailto:secretary@whaa.org.uk)

Or by post: The Secretary, Wester Hailes Allotment Association, c/o WHALE, 30 Westburn Grove, Edinburgh, EH14 2SA

Whilst we hope to resolve any concerns that you may have in the first instance you can also complain to the Information Commissioner's Office, (ICO), if you are unhappy with how we have used your personal data.

The address is:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

ICO website: <https://www.ico.org.uk>

Last updated: May 2021