



Data Protection Policy

Updated: January 2021

Organisation information

- Sylva Foundation is a charity registered in England and Wales 1128516 and in Scotland SC041892
- Registered address: Sylva Wood Centre, Little Wittenham Road, Long Wittenham, Oxfordshire, OX14 4QT, UK
- Sylva Foundation is registered with the Information Commissioner's Office (ICO).
Our Registration Number is **Z1773491**
- URL address: www.sylva.org.uk

Definitions

Charity	means Sylva Foundation
GDPR	means the General Data Protection Regulation
Information Map	means a map of all systems and contexts in which personal data is processed by Sylva Foundation.
ICO	means Information Commissioner's Office

1. The Charity's approach to data protection

The Charity processes personal data because developing an understanding of customers, donors and partners allows it to deal effectively with their needs and enquiries; make better decisions; fundraise more efficiently and deliver its charitable work. The Charity also processes personal data to meet its legal obligations as an employer and registered charity. The Charity is committed to meeting its responsibilities under the GDPR in the way it processes personal data.

The GDPR requires that data is:

- processed lawfully, fairly and in a transparent manner ('lawfulness, fairness and transparency');
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation');
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- accurate and, where necessary, kept up to date ('accuracy');
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed ('storage limitation');
- processed in a manner that ensures appropriate security of the personal data ('integrity and confidentiality').

2. General provisions

- The Charity is a Data Controller. This means it determines the purposes and means of processing personal data.
- This policy applies to all personal data processed by the Charity.
- This policy shall be reviewed at least annually and the date of the last review shall be shown at the top of the document.
- The Charity is registered with the ICO as an organisation that processes personal data.
- The Charity will appoint a data protection coordinator ('DPC') who shall take responsibility for ongoing compliance with this policy and the Charity's legal obligations under data protection law including staff training; engaging with the ICO and monitoring compliance.
- The current DPC is Gabriel Hemery, chief executive of the Charity.

- g. The DPC also acts as the person that data protection queries are directed to. Syla Foundation's DPC can be contacted at the organisation's registered address or by email: dpc@sylva.org.uk

3. Lawful, fair and transparent processing

- a. To ensure its processing of personal data is lawful, fair and transparent, the Charity will maintain an Information Map of the data it processes.
- b. The Information Map will be reviewed annually by the DPC.
- c. The Charity will only use personal data in ways which individuals would reasonably expect the data to be used and will not use it in ways which would have unjustified negative consequences for the individuals.
- d. Where bulk communications are sent to individuals, the option for the individual to opt out of these communications will be clearly included within each communication. There will be a system in place to ensure that the Charity takes the necessary steps to accurately reflect this preference.
- e. The Charity will be clear, open and honest with individuals when it collects personal data about the way in which their data will be used and why. It will do this by providing a user-friendly Privacy Notice where appropriate and by making its Privacy Notice publicly available.
- f. The Charity's Privacy Notice shall be written in plain English and provide clear information on: what information is held and why; for how long it will be held or how this will be determined; any necessary external links; data sharing, and data subjects' rights. Currently, separate Privacy Notices are provided for:
 - Syla Foundation: <https://sylva.org.uk/privacy>
 - Syla Suite: <https://sylva.org.uk/privacy>
- g. Changes to this policy will always be reflected in the Charity's Privacy Notices. Any changes to Privacy Notices will be highlighted to users, and a link provided to the revised Privacy Policy.

4. Lawful basis

- a. All data processed by the Charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests.
- b. The Charity will note the appropriate lawful basis in its Information Map and its Privacy Notice.
- c. Where consent is relied upon as a lawful basis for processing this will be active, opt-in consent and evidence of this will be retained by the Charity.
- d. The Charity only processes sensitive personal data in very limited circumstances. Where sensitive personal data is processed, the Charity will record the relevant condition for processing in its Information Map.

5. Purpose limitation

- a. The Charity will only use personal data for the purpose for which it was collected or other compatible purposes. Compatibility will be judged on a case-by-case basis taking into account all the circumstances, but generally the purpose will only be deemed compatible if it does not differ significantly from the original purpose, would not be unexpected by the individual, and would not have an unjustified impact on the individual.
- b. In compliance with the GDPR, the following purposes will be deemed compatible with the original purpose: archiving purposes in the public interest, scientific research purposes or statistical purposes.
- c. Where data has been processed on the basis of consent, consent will be sought again whenever the data will be used in a way which differs from the original purpose for which it was collected.

5. Data minimisation

- a. The Charity will only collect, store and use personal data that it needs for carrying out its legitimate activities.
- b. The Charity will ensure it has adequate personal data to properly fulfil those purposes.
- c. The Charity will achieve data minimisation by periodically reviewing what personal data it holds in its Information Map, deleting personal data that is not necessary and considering whether further data is needed to fulfil its legitimate purposes.

6. Data accuracy

- a. The Charity shall take all reasonable steps to ensure that the data it holds is accurate. This will include efforts to keep personal data updated where the processing relies on the data being current.

- b. To assist with efforts to maintain accurate and where necessary current personal data, the source of personal data will be recorded in the Information Map.
- c. If the Charity discovers that any personal data it holds is inaccurate, it will take reasonable steps to rectify or if necessary delete the inaccurate data in a timely manner.

7. Storage limitation

- a. The Charity will only keep personal data for as long as is necessary to fulfil its legitimate purpose.
- b. To assist with data storage limitation, the Charity will record standard retention periods or criteria in its Information Map.
- c. In setting retention periods or criteria, the Charity will consider whether the stated purpose of the data processing still applies. It will also consider whether data could be anonymised.
- d. There will be periodic reviews of what data is held, with data that is no longer necessary erased.
- e. Data will only be held beyond when it is necessary for public interest archiving, scientific or historical research, or statistical purposes.

8. Security

- a. All the Charity's websites comply with Cyber Essentials, the government-backed scheme delivered by the National Cyber Security Centre, and are certified annually: Certificate no. 1630112422783529.
- b. The Charity's website and data are located in the UK. The Charity does not transfer any personal data internationally.
- c. The Charity has a separate Data Security Policy and will store all personal data in accordance with this.
- d. Access to personal data shall be limited to personnel and/or volunteers who need access. Taking into account the risks posed by the personal data, appropriate security will be in place to avoid unauthorised access, unlawful processing, accidental loss, destruction or damage.
- e. When personal data is deleted this shall be done safely such that the data is irrecoverable.
- f. Except as set out in (g) below, the Charity will not share individual and identifiable information with third parties without specific consent being granted by the user. Where such an option exists, the default is to be opted-out, while the option to opt-in is provided on an Account dashboard. If consent is granted, information will be shared only with those third parties described for the purposes clearly laid out. Current/recent examples include:
 - Sharing information, including location and cull counts, with the Deer Initiative (myForest and Deer Manager app);
 - Sharing information, including name and email, with a sponsor of a raffle prize.
- g. The Charity may rely upon individuals, agencies, companies, or others, to process personal data on its behalf (*i.e.* on behalf of the data controller). Where it does so, the Charity will work with reputable individuals/agencies/companies providing sufficient guarantees on data protection with appropriate contracts in place. Current examples include:
 - certain HR services (employees' salaries and PAYE);
 - collection of online payments (e.g. PayPal, CharityCheckout, CiviCRM, Stripe);
 - website statistics (via Google analytics).

9. Individuals' rights over their personal data

- a. The Charity aims to provide individuals with direct control over their personal data where possible. For example, where individuals maintain user accounts, individuals can delete their accounts or edit preferences on data sharing and communications directly. All bulk communications from the Charity will contain an opt-out option.
- b. Individuals can also contact the Charity with personal data requests. The Charity will deal with these requests promptly and fairly. It will be transparent with individuals about how their requests are being dealt with, what actions are being taken and why.
- c. The Charity will ensure staff are trained on data requests as part of their data protection training. The Charity will record all data requests it receives including verbal requests in a dedicated document and deal with such requests without delay and within 1 month of receipt.
- d. Individuals have the following rights under the GDPR and the Charity will deal with all such requests accordingly:
 1. Individuals have the right to be informed. The Charity shall principally meet this obligation via its Privacy Notice.
 2. Individuals have a right to receive confirmation that their personal data is being processed.

3. Individuals have the right to have incorrect personal data rectified. If the Charity receives a request for rectification, it will take reasonable steps to satisfy itself that the personal data it holds is accurate, either correcting or where appropriate erasing inaccurate data.
4. Individuals have a right to be forgotten. If the Charity receives a request for deletion, it will delete the data unless the data is being used purely for statistical or research purposes which will be seriously impaired by the data deletion.
5. Individuals have a right of restriction. If the Charity receives a request for restriction, the Charity will restrict the processing of personal data to storage only while any issue as to accuracy or the lawfulness of data processing is resolved.
6. Individuals have the right to request a copy of their personal data is supplied to them or to a third party data processor. This only applies to personal data which the individual has supplied to the Charity and is being processed on the basis of consent. Where the Charity receives such a request it will provide the data in a clear, commonly used machine-readable format.
7. Individuals have a right to object to the processing of their personal data. Where the Charity receives an objection, it will comply unless it has compelling legitimate grounds for processing the data which override the individual's rights. The Charity must be able to demonstrate why this is the case and explain its decision to the individual involved, also advising them of their right to complain to the ICO.

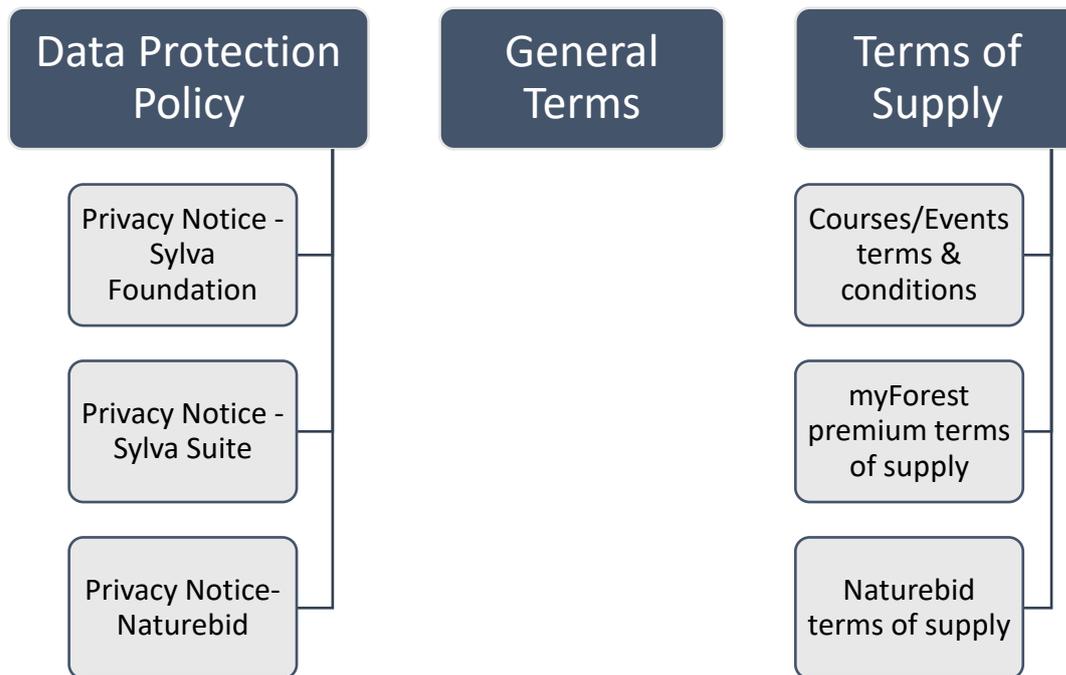
10. Personal data breaches

- a. A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.
- b. If there is any security incident at the premises or to the IT systems of the Charity, the Charity will consider whether a personal data breach has occurred.
- c. Where the Charity becomes aware of a personal data breach it will: keep a record of the breach; consider the potential consequences to the individual involved and any steps which need to be taken, and keep a record of its decision-making process in this regard.
- d. Where the breach is likely to result in significant negative consequences to the individual involved the Charity will notify the individual as soon as possible. The communication will explain the breach; any steps the data subject should take to mitigate any risks, and the steps being taken by the Charity.
- e. Where the breach is likely to result in negative consequences to the individual involved the Charity will notify the ICO within 72 hours and will work with the ICO to implement any guidance or steps as advised.

11. Contact us

- Contact the Data Protection Coordinator (DPC): currently Chief Executive, Gabriel Hemery.
- by email: dpc@sylva.org.uk
- by telephone: 01865 408018
- by post: Sylva Foundation, Sylva Wood Centre, Little Wittenham Road, Long Wittenham, Oxfordshire, OX14 4QT, UK
- You have the right to report a concern with the Information Commissioner's Office (ICO): www.ico.org.uk/concerns

Sylva Foundation – data protection and management documents



Additional documents/procedures:

- Registration with the Information Commissioner's Office (No: Z1773491)
- Site security certificate with Cyber Essentials No. 1630112422783529
- Cookies Policy (available online)
- Information Security Policy (internal document)
- Data Protection Impact Assessment template (provided to Sylva Foundation employees)
- Data and Information map (internal document detailing data origins and relationships)