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**Blooming Gardeners CIC**

**Privacy Statement**

Blooming Gardeners CIC is committed to respecting and protecting your privacy when dealing with your personal information. This privacy statement provides details about the information we collect about you, how we use it, store it and how we protect it.

The person responsible for Data Control within Blooming Gardeners is Fiona Sim, Chairperson, who can be contacted via the contact form on the Blooming Gardeners website -admin@bloominggardeners.org.uk

**What is personal data?**

Personal data is defined as any information relating to an identified or identifiable natural person (the ‘data subject’). The processing of personal data is governed by the General Data Protection Regulation (GDPR).

**The lawful basis for processing your personal data**

All organisations need a lawful basis for the collection and use of personal data. In accordance with GDPR, we can legally process your personal information because you have given us your consent to collect, process and store your personal data.

**Data protection principles**

We will comply with our obligations under the GDPR by:

* not collecting or retaining excessive amounts of data
* keeping personal data up-to-date
* storing it securely
* protecting it from loss, misuse, unauthorised access or disclosure
* destroying it securely

**Processing your personal data**

We collect your personal data for different purposes depending on your relationship to Blooming Gardeners (see Appendix 1). We will only use any personal information you have chosen to provide to us, for the purposes specified below. We will not use your personal data for any other purpose without your consent. We will not disclose your personal data to any third party without your consent except where we are required to do so by law. We will not disclose personal data for payment.

Statistics gathered for monitoring purposes or to support funding applications will be anonymised to prevent identification of any individual.

Data stored electronically will be deleted at the end of the data retention period (see Appendix 2)

Paper copies of data held such as application and membership forms and associated paperwork will be stored in a locked filing cabinet and shredded at the end of the data retention period.

**Your data rights**

Under Data Protection law, we need to make you aware of your rights.

**Your right of access**

**Y**ou have the right to ask us for copies of the personal information we hold about you. There are some exemptions, which means that you may not always receive all the information we process. You can read more about this on the website of the Information Commissioner (ICO):

<https://ico.org.uk/your-data-matters/your-right-of-access/>

**Your right to have your data corrected**

You have the right to ask us to correct any information we hold about you which you believe to be inaccurate. This is also known as the 'right to rectification'. You can read more about this right here:

<https://ico.org.uk/your-data-matters/your-right-to-get-your-data-corrected/>

**Your right to erasure**

You have the right to ask us to erase your personal information in certain circumstances. This is known as the right to erasure. It is also known as the 'right to be forgotten'. You can read more about this right here:

<https://ico.org.uk/your-data-matters/your-right-to-get-your-data-deleted/>

**Your right to restriction of processing**

You have the right to ask us to restrict the processing of your information in certain circumstances. You can read more about this right here:

<https://ico.org.uk/your-data-matters/your-right-to-limit-how-organisations-use-your-data/>

**Your right to object to processing**

You have the right to object to the organisation processing personal data in certain circumstances and for certain purposes. For example you have the absolute right to stop the processing of your data for direct marketing - i.e. for trying to sell or promote things to you. You can read more about this right here:

<https://ico.org.uk/your-data-matters/the-right-to-object-to-the-use-of-your-data/>

**Your right to data portability**

You have the right to ask that we transfer the information that you gave us to another organisation, or give it to you. This right only applies to information you have given us which is held electronically and which we are processing with your consent. You can read more about this right here:

<https://ico.org.uk/your-data-matters/your-right-to-data-portability/>

**Your right to withdraw consent**

Where we are using your personal information based on your consent, you have the right to withdraw that consent at any time by contacting our Data Controller verbally or in writing.

**Your right to complain**

You have the right to feel confident that we will handle your personal information responsibly and in line with good practice. If you have concerns about the way we are handling your information, you have the right to complain

**Exercising your rights**

Please contact our Data Controller if you wish to make a request to access your personal information or correct any information held by Blooming Gardeners CIC. We will need proof of your identity and address and details of the information you require.

We will respond to your request within one month. In certain circumstances we may need extra time to consider your request and may then take up to a further two months to respond. If this is the case, we will let you know within one month that we need more time and why.

**Complaints**

Please contact our Data Controller, Fiona Sim (Chairperson, Blooming Gardeners) in the first instance.

If you are unhappy with how your complaint has been handled by us or if we have failed to resolve your information rights concern, you can raise the matter with the Information Commissioner's Office

by calling them on 0303 123 1113

via email at <https://ico.org.uk/global/contact-us/email/>

by writing to ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

**Retention periods for personal data**

We will remove personal data from our systems in line with the data retention periods quoted in Appendix 2 . The length of time each category of data will be retained will vary according to the reason it is collected, how long we need to process it and in line with any statutory requirements. After this point the data will be deleted (electronic data), destroyed(paper copies) or rendered anonymous.

**Sharing your information with third parties**

Your personal data will be treated as strictly confidential and will only be shared with Blooming Gardeners board members and staff responsible for administration of the organisation and/or the safe supervision of clients and volunteers. Your personal data will only be sent to third parties with your consent. The only exception to this is if information is requested for legal reasons. We will never share your information with third parties for the purpose of direct marketing.

**Changes to this Privacy Notice**

We reserve the right to review the way we process your personal information and will update this Privacy Notice if there are any changes.

**Appendix 1 - Processing your data**

**Interested persons**

If you have expressed an interest in Blooming Gardeners by attending planning meetings or through personal contact, we will hold your name and the contact information you have provided, e.g. address, and/or email address and/or telephone number in order to keep you informed about Blooming Gardeners and to invite you to meetings or special events.

**Members of Blooming Gardeners**

If you are a member of Blooming Gardeners, we will hold the information you provided on you application form viz. your name, address, telephone number(s) and email address in the Members Register. A paper copy of your application will be kept and the information will also be held on our database. We will use your contact details in order to keep you informed about Blooming Gardeners and to invite you to our Annual General Meetings, other open meetings and special events.

**Volunteers**

If you are a volunteer with Blooming Gardeners we will hold the information you provided on you application form viz. your name, address, telephone number(s) and email address on our database. Paper copies of your application form and Emergency Contact form will be kept and the information will also be held on our database. We will ask for the name and contact details of the person to be contacted in case of emergency. We will also ask for your General Practitioner's name and Practice telephone number. We will ask you to provide details of tetanus and Covid-19 immunisation, any medications you may be taking and any allergies / food intolerances you might have in order to safeguard your medical needs in case of emergency.

We will, with your permission, request a Protecting Vulnerable Groups (PVG) check through Disclosure Scotland.

**Clients (Gardeners)**

If you apply to become a gardener with Blooming Gardeners we will ask the person making the referral on your behalf to provide us with his/her name, contact details and relationship to you, the potential client.

We will also ask him / her to provide us with:

Your name, address, telephone number and email address (if applicable).

We will ask for the name, address, telephone number and email address of your carer (if applicable).

We will ask for a copy of your Personal Independence Plan (PIP) in order to consider your application and any additional needs which you may have.

If your application is successful (and before the start of the trial period):

We will ask for the name and contact details for a person to be contacted in case of emergency.

We will ask for your General Practitioner's name, address and telephone number.

We will ask you to provide details of any medications you may be taking and any allergies / food intolerances you might have, in order to safeguard your medical needs in case of emergency. We will also ask for the date of your last tetanus booster and your Covid-19 vaccination status.

Paper copies of your application form and Emergency Contact form will be kept and the information will also be held on our database.

**Employees**

We will hold all information collected in relation to your recruitment, appointment and ongoing employment with Blooming Gardeners.

**Appendix 2 Data retention periods**

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| --- | --- | --- |
| **Data Retention period** | | |
| **Data relating to** | **Retention period** | **Notes** |
| Interested persons | For the duration of your interest | Your information will be deleted / destroyed when you no longer wish to be contacted about Blooming Gardeners. |
| Members | Until you ask for your membership to end | Your name only and the date on which you ceased to be a member will be retained on the Members Register for a period of at least 6 years after you cease to be a member |
| Volunteers | For as long as you continue to volunteer with Blooming Gardeners and for a further 6 months | When you cease to volunteer with Blooming Gardeners your information will be retained for a period of 6 months. This is in order to allow us to respond to any request you make for us to provide a reference to another organisation. After this period it will be deleted / destroyed |
| Client applications | While the application is being considered and for a further 3 months. | Should the application be withdrawn or declined, we will retain the application details for a period of three months in order to respond to any further enquiry on behalf of the individual. |
| Accepted clients | For as long as you continue to work with Blooming Gardeners and for a further 6 months | Your data will be retained and regularly reviewed throughout your placement with Blooming Gardeners. It will be retained for a further 6 months to allow us to respond to any legitimate query after which they will be deleted / destroyed |
| Employees | For as long as you continue to be employed by Blooming Gardeners and for a further 12 months | When you cease to be employed by Blooming Gardeners your data will be retained for a period of 12 months. This is in order to allow us to respond to any query you might have about your employment with Blooming Gardeners and to respond to any request you make for us to provide a reference to another organisation. After this period it will be deleted / destroyed. Financial records will be retained for as long as is necessary for accounting and tax purposes, then deleted / destroyed |
| Board members / Trustees who are not members of Blooming Gardeners | For as long as you continue to serve on the Board | Your name, office held and the date on which you ceased to be a Trustee will be retained on the Register for a period of at least 6 years after you cease to serve on the Board |