

## **THE MITCHELLS & BUTLERS CHARITABLE TRUSTS GENERAL PRIVACY NOTICE**

Version dated 25 May 2018

### **Our Privacy Promise**

We take your privacy seriously and we respect your privacy and data protection rights. This privacy notice aims to give you information on how we collect and process your personal data when you make any application to us for support from the Sir William Waters Butler Welfare Fund, or the Henry Mitchell Memorial Scholarship Fund.

Please take time to read this privacy notice in full, together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, to ensure that you understand and are happy with how we collect and process your personal data. This privacy notice supplements the other notices and is not intended to override them.

We sometimes collect and process **Sensitive Data (such as your health information)** and **Children's Data**. See sections 5 and 6 of this Privacy Policy for details. Except where set out to the contrary in another of our privacy notices, we do not collect or process any information about **criminal convictions and offences**.

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### **1. Controller**

This privacy notice is issued by The Mitchells & Butlers Charitable Trusts (Registered Charity Number: 528922). The Mitchells & Butlers Charitable Trusts is the controller and is responsible for processing your personal information when you make any application to us.

We have appointed a data protection officer (**DPO**), who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details below:

## 2. Contact Details

Our full details are:

Denise Burton  
Data Protection Officer  
data.protection@mbplc.com  
73 – 77 Euston Road, London NW1 2QS

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the supervisory authority for data protection issues in the UK (phone: 0303 123 1113 or at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)). However, we would appreciate the chance to deal with your concerns before you approach the ICO, so please feel free to contact us in the first instance.

## 3. Changes to this Privacy Notice and Changes to Your Details

We will need to update this privacy notice from time to time as the law and/or our activities or processes change and develop. We will endeavour to tell you in advance by sending a service message to you if we hold your email address. Otherwise, please look out for the flags on our websites and materials that indicates we have changed this privacy notice. If you continue to use our services after we have changed our privacy notice, we will take this as an indication that you accept the changes.

It is important that the personal data that we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 4. The Personal Data We Process

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We may process different kinds of personal data about you, which we have categorised as follows:

- **Identity Data:** including your name, username (or similar unique identification numbers that we may apply to you), email address, marital status, title, date of birth and gender.
- **Contact Data:** including your address, email address and telephone number(s).
- **Financial Data:** including family income details.
- **Sensitive Data:** including information about your health (see section 5).
- **Children's Data:** including names, and ages of children; and Sensitive Data relating to children where this is provided by you (see section 5). We do not knowingly process any other data relating to children.

We also collect and use **Aggregated Data** such as statistical or demographic data for any purpose. **Aggregated Data** may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. However, if we combine or connect **Aggregated Data** with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

Where we need to collect personal data by law, or under the terms of any arrangement we have with you and you fail to provide that data when requested, we may not be able to perform the arrangement we have or are trying to enter into with you (for example, to provide you with the

financial support applied for). In this case, we may have to cancel the arrangement you have with us, but we will notify you if this is the case at the time.

## 5. Sensitive Data

In certain situations we have to collect Sensitive Data about you. Under data protection law this is known as “special category” data and includes details about your health.

**When do we process Sensitive Data?** We only collect and process Sensitive Data where you provide such information to us in the following situations:

- Where strictly necessary for the purpose of assessing your application for financial support and, if the application is successful, for the purposes of fulfilling the grant.

## 6. Children’s Data

Children need particular protection where their data is collected and processed. We may collect and process Children’s Data in certain situations as described below.

**When do we process Children’s Data?** We only collect and process Children’s Data in the following situations:

Where strictly necessary for the purpose of assessing your application for financial support and, if the application is successful, for the purposes of fulfilling the grant. We are allowed to process Children’s Data where it is required for our legitimate interests or whenever required to comply with a legal obligation; and, in any of these situations, where the processing is necessary.

Alternatively, or in addition, we may process Children’s Data on the basis of **consent, given or authorised by the holder of parental responsibility** (and in these circumstances we will always make reasonable efforts to verify such consent).

## 7. How We Collect Your Personal Data

We use different methods to collect personal data from and about you including through:

- **Direct Interactions:** you may give us your Identity, Contact, and Financial information, by filling in support application forms or by corresponding with us by post, phone, email, or otherwise.
- **Other Third Parties or Publicly Available Sources:** we may receive personal data about you from various third parties and public sources as set out below:
  - Third parties such as educational establishments to validate your attendance on an educational course, in relation to which you are applying to us for financial support.

## 8. How We Process Your Personal Data

We only process your personal data when allowed to do so by law. Most commonly, we will process your personal data:

- With your consent and please note that you have the right to withdraw your consent at any time by contacting us.
- Where we need to perform an agreement we are about to enter into, or have entered into, with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

The below table sets out how we process your personal data. Please contact us if you would like further information about the specific basis for processing.

Activity	Personal Data	Basis for Processing
<p>To <b>process and deliver a financial support application</b> that you have applied for, including:</p> <ul style="list-style-type: none"> <li>• assessing your application</li> <li>• fulfilling a successful application for financial support</li> <li>• to collect and recover money owed to us</li> <li>• any other contractual arrangement that we agree to enter into with you</li> </ul>	<p>Identity Data Contact Data Financial Data Children’s Data Sensitive Data</p>	<p>Performance of a contract with you  Necessary for our legitimate interests, being to recover debts due to us or, in the case of Children’s Data, to assess a financial support application and fulfil a successful application</p>
<p>To <b>understand applicants applying to us for support</b>; this may include:</p> <ul style="list-style-type: none"> <li>• creating Aggregated Data</li> </ul>	<p>Identity Data Contact Data Financial Data Children’s Data Sensitive Data</p>	<p>Necessary for our legitimate interests, being to understand our applicants and processes and awareness and efficacy of Trust activities</p>
<p>To <b>manage our relationship</b> with you, which includes:</p> <ul style="list-style-type: none"> <li>• to notify you about changes to our privacy policy</li> <li>• to communicate with you about operational changes to our activities</li> </ul>	<p>Identity Data Contact Data Financial Data Sensitive Data (only as</p>	<p>Performance of a contract with you  Necessary to comply with a legal obligation  Necessary for our legitimate interests (to keep our records updated and to study our</p>

Activity	Personal Data	Basis for Processing
<ul style="list-style-type: none"> <li>to gather feedback from you about our activities and processes</li> <li>to respond to, deal with and address any questions, suggestions, issues or complaints you have raised and reporting and analysis in respect of these</li> </ul>	required for dealing with feedback and complaints about specific issues)  Children’s Data (only as required for dealing with feedback and complaints for specific issues)	applicants, processes, and awareness and efficacy of the Trusts
To <b>administer and protect our Trust</b> , which includes: <ul style="list-style-type: none"> <li>the process of anonymising your information so that you are no longer identifiable to us, where we no longer need your data in an identifiable form</li> <li>to protect you and our Trust against potential criminal behaviour, such as fraud</li> </ul>	Identity Data  Contact Data  Financial Data  Children’s Data  Sensitive Data	Performance of a contract with you  Necessary for our legitimate interests, being to run our business, ensure network security and prevent potential criminal behaviour  Necessary to comply with a legal obligation
To provide information to legal and regulatory bodies where we are under a legal or regulatory obligation to do so	Identity Data  Contact Data  Financial Data  Sensitive Data  Children’s Data	Necessary to comply with a legal obligation

## 9. How We Share Your Personal Data

We cannot run our Trust without involving other people and service providers. We only share your information in accordance with the laws applicable to us and for the purposes set out in the table in paragraph 8 above.

We share your personal data with:

- **Service providers** (mainly acting as processors, but sometimes as controllers) who help us provide our websites, mobile apps, Wi-Fi networks and related services to you; for example, information technology companies who design and host our websites, and data insight specialists.
- **Affiliated third parties** (acting as processors and controllers) that provide services to us such as data analytics services.
- Our **professional advisors** (acting as controllers or processors); for example, our lawyers, insurers and insurance brokers, when they need it to provide advice to us or help us obtain insurance.
- The **Police**, the Health and Safety Executive, **local authorities**, **Her Majesty's Revenue and Customs (HMRC)**, the **Courts** and any other **central or local government bodies** (acting as controllers or processors) where we are required to do so to comply with our legal obligations, or where they request it and we may lawfully disclose it, for example for the prevention and detection of crime or to report serious health and safety incidents.
- We also may share the information we collect with **other third parties** where we are legally obliged to do so; for example, to comply with a court order.

## 10. International Transfers

Some of our external third parties are based outside of the EEA so their processing of your personal data will involve a transfer of data outside the EEA. Whenever we transfer your personal data outside of the EEA, we ensure that a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- We will use specific contracts approved by the European Commission which give personal data the same protection as it has in the EEA.
- Where we use third parties based in the US, we may transfer personal data to them if they are part of the Privacy Shield which requires them to provide similar protection for personal data shared between the EEA and the US.

If you have any questions in relation to this section, please contact [data.protection@mbplc.com](mailto:data.protection@mbplc.com).

## 11. How We Keep Your Personal Data Secure

We take the security of your personal data very seriously and have in place appropriate security measures at all times, including where we share your information with our suppliers, to protect your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We have also put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Please take care of your own information. For security tips and tricks when using the internet, Wi-Fi and smartphones or tablets, please visit [www.getsafeonline.org](http://www.getsafeonline.org).

## 12. Our Retention of Your Personal Data

We can only keep your personal data for as long as necessary for the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

The precise length of time we hold your personal data for varies depending on the individual circumstances, but in determining the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

We regularly review our retention periods to ensure that we are not keeping your data for longer than necessary. Details of retention periods for different aspects of your personal data are available by contacting us.

## 13. Your Rights

In certain circumstances, you may have the right to request access, transfer, rectification and/or erasure of the personal data that we process about you. You may also have the right to object to and/or restrict our processing of your personal data. Details of the rights are set out below.

- **Access:** you may request access to your personal data, which enables you to receive a copy of the personal data that we hold about you and to check to see if we are processing it lawfully.
- **Transfer:** you may request that we transfer your personal data to you or a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Rectification:** you may request rectification of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Erasure:** you may request erasure of the personal data that we hold about you. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object:** you may object to how we are processing your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Restriction:** you may request that we restrict how we process your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Withdrawal of Consent:** where we have relied on your consent to process your personal data you will have the right to withdraw your consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

To exercise any of these rights please contact us using the details in paragraph 2.

The ICO regulates most UK data and information laws. To learn more about your rights, visit the ICO website at [www.ico.org.uk](http://www.ico.org.uk).