



Malvern Hills Trust privacy policy – members of the public and third parties

Malvern Hills Trust (MHT) treats the privacy of members of the public and website users very seriously and takes appropriate security measures to safeguard their privacy. This Policy explains how MHT protects and manages any personal information (data)* shared with it and that it holds, including how MHT processes and protects that data.

Readers of this policy are also referred to MHT’s ‘Data Protection Statement’.

** Personal information (data) means any information that may be used to identify an individual, including, but not limited to, a first and last name, a home or other physical address, email address or other contact information.*

Who is the Data Controller?

MHT is the Data Controller. MHT is a registered as a charity in England and Wales, with the legal name Malvern Hills Conservators, number 515804.

The registered address is: Manor House, Grange Road, Malvern WR14 3EY.

What kinds of personal data does Malvern Hills Trust process?

MHT collects personal data for specific purposes. The following table gives a list of the types of personal data that MHT may collect, either directly from yourself or from other sources, in order to achieve those purposes.

If you are a:	We may process these types of personal data:
Job applicant/ temporary staff/Volunteer	Name, address, telephone number, email, bank details, medical history, work and education history
Customer (pass holder)	Name, address, email, vehicle registration
Neighbouring land owner	Name, address, telephone number, email, property details
Trustee	Name, address, telephone number, email, date of birth, nationality
Sub-contractor	Name, address, telephone number, email, bank details

What are the purposes Malvern Hills Trust collects personal data for?

Malvern Hills Trust uses personal data firstly to fulfil any contractual obligations that exist between MHT and yourself; where MHT requests personal data be provided to enter into, or meet the terms of any such contract, you will be required to provide the relevant personal data or MHT will not be able to deliver the goods or services you want. In such

cases the lawful basis of MHT processing the personal data is that it is necessary for the performance of a contract.

MHT is required by law to process personal data for purposes relating to its legal obligations, these include:

- Providing for the organisation's financial commitments, or to relevant financial authorities,
- Complying with regulatory requirements and any self-regulatory schemes,
- Cooperating with relevant authorities for reporting criminal activity, or to detect and prevent fraud,
- Investigating any insurance claims, claims of unfair dismissal, claims of any kind of harassment or of discrimination, or any other claim whereby the organisation may have to defend itself.

Where MHT has received your consent to do so, MHT will use your personal data for the following purposes:

- To provide newsletters available through online signup to the general public,
- To send stockwatch updates available through online sign up to the general public,
- To sell you a car park pass.

You may withdraw your consent for MHT to process your personal data for these purposes at any time. After a withdrawal of consent request is received, MHT may have to contact you to verify the request.

Withdrawing your consent for MHT to process your personal data will not affect the lawfulness of the processing beforehand.

MHT will also process personal data to achieve its various legitimate charitable interests; these are purposes that have been defined by MHT where we have balanced the necessity on our part to process the data for each purpose against your own expectations, interests and legal rights.

MHT's legitimate interests for processing personal data are:

- To provide goods and services where they have been requested,
- To send notification on subjects to individuals who have asked to be kept informed (i.e. subscribers),
- To invite people to participate in research and surveys in fields and disciplines they are interested in,
- To send notifications of any changes to the goods and/or services provided that may affect people,
- To provide reference information to third party organisations where requested, or where necessary.

MHT may process personal data where it is necessary to protect your own, or another person's, vital interests, or where it is necessary for the performance of tasks which are carried out in the public interest.

Where does Malvern Hills Trust obtain personal data from?

MHT will collect personal data directly from you in various ways. This could include when you complete an online form, or if you provide the data directly to a representative of MHT.

Who will Malvern Hills Trust share your personal data with?

In order to achieve the above stated purposes for which MHT processes your personal data, MHT may have to share your personal data with some specific third-party organisations.

MHT will make all reasonable efforts to ensure that any third-party it shares your personal data with is also compliant with data protection law.

The third parties MHT may share your personal data with include:

- Third party organisation acting as either data processors or data controllers where it is necessary to provide goods or services that have been requested, or to achieve our charitable purposes,
- Third party data processors or data controllers necessary to setup various resources.

The specific types of third-party MHT may share your personal data with include:

- Lawyers,
- Land agents.

Malvern Hills Trust is not responsible for the data protection compliance of any of these third parties.

Where will Malvern Hills Trust store your personal data?

MHT will not transfer your personal data to any country outside the European Union (EU) other than those that have been granted an adequacy decision under the General Data Protection Regulation.

How long will Malvern Hills Trust keep your personal data for?

MHT will keep your personal data only for as long as required in order to achieve the purposes for which it was collected, in line with this privacy notice.

The following criteria apply that determine the period for which MHT will store your personal data:

- Until MHT is no longer required to do so in order to comply with any regulatory requirements or financial obligations that we are subject to.
- Until MHT is no longer required to do so by any law it is subject to.
- Until all purposes for which the data was originally gathered have become irrelevant or obsolete.

Where the lawful basis of MHT's processing is based on protection of vital interests and insofar any relevant health and safety obligations apply, MHT may retain your personal data for up to 40 years.

Complaints or queries under the GDPR

MHT tries to meet the highest standards when collecting and using personal information. For this reason, MHT takes any complaints received about this very seriously. MHT encourages people to bring it to their attention if they think that MHT's collection or use of information is unfair, misleading or inappropriate.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of MHT's collection and use of personal information. However, MHT is happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below.

If a member of the public wishes to make a complaint about the way MHT has processed their personal information, they can contact the ICO as the statutory body which oversees data protection law.

www.ICO.org.uk/concerns.

Access to personal information

MHT tries to be as open as it can be in terms of giving people access to their personal information. Individuals can find out if MHT holds any personal information by making a 'subject access request' under the GDPR. If MHT does hold information about an individual MHT will:

- give the individual a description of it;
- tell the individual why MHT is holding it;
- tell the individual who it could be disclosed to; and
- let the individual have a copy of the information in an intelligible form.

To make a request to MHT for any personal information please put the request in writing to MHT at the address provided below.

If the individual agrees, MHT will try to deal with their request informally, for example by providing them with the specific information requested over the telephone.

If MHT does hold information about an individual, they can ask MHT to correct any mistakes by contacting the MHT address below.

Links to other websites

This privacy notice does not cover the links within this site linking to other websites. MHT encourages members of the public to read the privacy statements on the other websites visited and for users of social media, those of Facebook and Twitter.

Changes to this privacy policy

MHT keeps its privacy policy under regular review. This privacy policy was last updated on 21st February 2021.

How to contact MHT

To request information about MHT's privacy policy or to request access to personal information email info@malvernhills.org.uk or write to:

Malvern Hills Trust
Manor House
Grange Road
Malvern WR14 3EY

Who is MHT's Data Protection Officer?

Ametros Group Ltd
Lakeside Offices
Thorn Business Park
Rotherwas Industrial Estate
Hereford
HR2 6JT

Tel 0330 223 2246

Email dop@ametrosgroup.com

www.ametrosgroup.com

Updated February 2021

Approved 11th March 2021

Appendix - Reasons why members of the public may contact MHT

Members of the public contact MHT for many reasons, including:

1. Visitors to MHT's website,
2. E newsletter recipients,
3. People who contact MHT via social media,
4. People who email MHT,
5. People who make a complaint to MHT,
6. People buying car park passes,
7. Easement applicants,
8. People applying for fishing permits,
9. People attending events,
10. People submitting tenders,
11. Breaches of byelaws,
12. People who commit parking offences,
13. Members of other organisations working with MHT,
14. Neighbours making enquiries relating to land and property.

1. Visitors to MHT's website

Two cookies are in use on the site www.malvern hills.org.uk

One is for Google Analytics which stores the user's activity but nothing unique about the user themselves on the site. This data is transmitted via the Secure Socket Layer (SSL) technology and stored with Google.

The second cookie only affects those who log in to the administration section of the website (the website editors themselves). This cookie stores some information on the machine to tell the website that the user is authorised to log in to the backoffice. No personal data is kept in this cookie apart from the username of the user logged in.

2. E-newsletter

MHT uses a third party provider V8 Media to deliver e-newsletters. The email addresses of all subscribers to the newsletter are kept secure via MD5 hashing within a database. For people wishing to unsubscribe their information can easily be removed, on request.

3. People who contact MHT via social media

MHT manages its social media interactions in house, using Facebook and Twitter.

Private or direct messages received via social media will be securely stored by MHT for three months. They will not be shared with any other organisations.

4. People who email MHT

Emails are passed through a secure spam filtering system at eSterling and are held on MHT's secure server. MHT does not share personal email addresses with anyone outside MHT without the specific consent of the sender of the email.

MHT will monitor any emails sent to it, including file attachments, for viruses or malicious software. Please be aware that members of the public have a responsibility to ensure that any email sent to MHT is within the bounds of the law.

5. People who make a complaint to MHT

When MHT receives a complaint from a person it makes a written record of the details of the complaint, including the name, address and contact details of the complainant. MHT

only uses the information supplied to it to deal with the complaint. The records are stored in a locked facility on MHT's premises.

MHT keeps personal information contained in complaint files in line with its retention policy. This means that information relating to a complaint is retained for two years from closure. It is retained in a locked facility and access to it is restricted to MHT staff and trustees only according to the 'need to know' principle.

6. People buying car park passes

The following details are collected when people apply for a car parking pass:

- Name
- Address
- Vehicle registration number
- Email address (annual passes only)
- Pass number

These details are stored on an in-house database, access to which is password controlled. The details are kept for one year following the expiry of the pass, after which they are deleted. The details are not shared with anybody else.

The email addresses are used to send out reminders to renew annual passes only.

7. Easement applicants

People applying for an easement are required to complete an application form and submit it to the office. The details are securely stored in paper form and digitally.

The information on the form will be shared with MHT's legal advisors, land agents or other professional advisors if the application is successful, in order to process the application.

8. People applying for fishing permit

People applying for a fishing permit are required to complete a form and bring it into MHT's office. The completed forms are stored in a locked facility. Details of permits issued are stored on a database and retained for one year after the permit expires.

The personal data from the form would only be shared with law enforcement authorities in the event of a breach of MHT's byelaws or the law.

9. People attending events

MHT runs a number of free to attend events each year. The details (name and contact number) of people booking a place on an event are recorded on a written sheet and kept in a file in a secure cabinet on MHT premises. They will be destroyed within 3 months of the event.

10. People submitting tenders

MHT has tendering guidelines in place for contracts with a value in excess of £10,000. Details of all the tenders submitted are held on file in a locked facility until the completion of the audit for the financial year in which the tendering exercise took place.

11. Breaches of byelaws

When a person is in breach of MHT's byelaws, they will receive written notification of the breach and details of MHT's actions in connection with the breach. Personal details and information on the breach may need to be shared with law enforcement agencies and MHT's lawyers.

Information on all breaches is securely stored in perpetuity.

12. Parking offences

People parking in breach of MHT's byelaws are issued with a parking charge notice. The vehicle registration number will be sent to the DVLA to trace the owner of the vehicle. The details obtained will be used to contact the owner of the vehicle to obtain payment of the parking charge. MHT is required to comply with the DVLA's regulations and is subject to regular inspections from the DVLA. Information received from the DVLA must be deleted after 2 years.

MHT may share the information received from the DVLA with legal advisors or debt collection agencies in the event of non-payment of the charges.

13. Members of other organisations

MHT works with a number of local organisations. Personal details of representatives from those organisations will be held in order to communicate, share information and set up meetings. These details will not be shared with anyone else and will be deleted when the individual and/or organisation is no longer involved with MHT.

14. Neighbours making enquiries relating to their land or property

With 3,000 acres of land under its custody, MHT receives many queries from neighbours such as easement and boundary queries. MHT stores all correspondence relating to neighbouring properties in a locked facility on MHT's premises. Correspondence is kept in perpetuity, to provide a permanent record of decisions reached and agreements made.