

## **General Data Protection Regulation (GDPR) Policy**

### **This policy applies to both the Wates Foundation and the Wates Family Enterprise Trust (“the Charities”)**

#### **1. Introduction**

The Charities are two separately constituted charities, the Wates Foundation and the Wates Family Enterprise Trust (WFET) also known as Wates Giving.

The Charities are committed to safeguarding and protecting data on our website, social media or in our keeping relating to visitors, consultants, partners, applicants and successful grantees. This policy explains our policy and approach to receiving, securing, using and discarding of data, and our process for dealing with information requests and potential breaches.

The policy refers to all aspects of communication between the Charities and individuals who contact the organisation in writing, via email, social media and the internet.

- 1.1 Personal information referred to in this policy relates to information that identifies an individual's:
  - Name
  - Address
  - Telephone number
  - Personal email address
  - personal payment details, including bank account no, sort code credit or debit card details
- 1.2 All personal and organisational data of our applicants and grantees is processed by:
  - The Secretariat within the Charities; this includes The Director, The Grants Manager, The Grants Administrator and the Finance and Admin Manager.
  - Trustees and Committee members of the Charities, including their Personal Assistants.
  - The Company Secretary for The Wates Family Enterprise Trust.
  - The Company Secretary for The Wates Foundation.
  - The IT and Finance departments within the Wates Company, who provide back-office support to the Charities.
- 1.3 All third-party individuals or organisations that may have access to personal or organisation grant information have formally agreed they will ensure compliance with this policy. These include:
  - Salesforce: the software company responsible for hosting Salesforce, our online Grants Database which also provides ad-hoc support for database management queries.
  - Salesforce support from organisations or individuals providing assistance with updates and amends to the database.
  - The appointed Auditors.
  - Wates Group's designated Data Protection Officer as part of their back-office support to the Charities.
  - External evaluators.
  - Grant Makers providing match funding to our successful applicants.
- 1.4 Where it has been agreed that information is shared with grant makers providing match funding, you should also check their GDPR policy to ensure their compliance and the safety of your personal information.

## **2. Personal information we collect**

2.1 All information we collect and keep is on the basis of:

- Consent – where you have agreed that we can process your application in order to apply for a grant and to administer the grant once an award is made
- Contract – where you agree to adhere to our Terms and Conditions of Grant prior to the release of grant award funds
- Legitimate interest – for the purposes of the assessment, payment, management, monitoring our grant giving and showcasing the impact of our grant funding to external parties. Contact information of Trustees, Family and Committee members is stored in order to be able to communicate effectively for the purposes of grant-making and Governance.

We will seek consent to use your information for any other purpose prior to its use, and you can advise us if you wish to withdraw consent to use your information at any time. We collect, store and use the following kinds of personal information:

- Information that you provide us when making an enquiry about our grant programmes on our website or by written correspondence including your name, address, telephone number and email address
- Information that you provide to us when you submit an application to one of our grants programmes, and completing our Grant Progress report following a successful award; this may be by email, online through our intranet and internet or by post.
- We award grants to individuals as part of our internal Employee grants programmes; Match Funding Awards, Community Awards and Sports Awards.
- Any other personal information that you choose to send to us.

2.2 We may collect information via our websites such as:

- Browser information
- Information collected through cookies, pixel tags and other technologies
- Demographic information and other information provided by you

2.3 Before you disclose to us the personal information of another person, you should obtain that person's consent to both the disclosure and the processing of that personal information in accordance with this policy. Once agreement to disclosure has been confirmed, any personal information provided will not be shared with anyone without the permission of the person that it is related to.

2.4 Permission to collect and store contact information of Family and Committee members under the age of 18 is exclusively sought from the individual's parents. Should permission not be granted, communications with anyone under 18 will be via the parent(s).

2.5 Trustee, Family and Committee members' contact information is not shared with external organisations or with other Trustees, Family or Committee members without explicit permission. All email addresses are Bcc'd in group or Committee communications and to all external parties where the Trustee, Family or Committee member has not already shared this information in associated correspondence.

## **3. Using personal information**

3.1 We may use any Personal information you submit to us to:

- Respond to email or written enquiries where you have specifically requested a response or information
- Process a grant application and if successful, administer a grant award, pay the grant into an agreed bank account, monitor progress and evaluate activities as part of our funding programmes.

- With evidence of consent, we will showcase the impact of the activities we have funded on our websites, social media or newsletters using information and/or photographs supplied by you. If you provide photographs which include images of children, we ask that you seek and confirm permission from the parent of **each child** contained in the photograph to allow Wates Family Enterprise Trust and Wates Foundation to use the image to showcase our grant giving. We will not be able to use your photographs to showcase your grant award without this.
  - With consent, we will share information about your grant application with public, corporate or independent grant makers providing funding towards your activities, or those which have a legitimate interest in applications and grants. These organisations include:
    - Grant makers providing match funding to grants we have awarded
    - Accountants or auditors
    - External evaluators
    - Statutory agencies such as the Charity Commission and Companies House.
  - Provide third parties with statistical information about our grant activities (e.g. 360 Giving). However, those third parties will not be able to identify any personal information or individual from the information we provide.
  - Deal with enquiries and complaints made by or about you
  - Ensure that our website is kept secure and is able to both prevent and detect fraud or credit risk
- 3.2 The Charities, as grant makers, will never supply your personal information to any third party for the purpose of their or any other party's direct marketing.
- 3.3 Grant information in the format of text, photographs and film that you agree can be published on our website may be available, via the internet or social media, around the world. We cannot prevent the use or misuse of such information by others. However, you have the right to request removal of that information at any time.

#### **4. Disclosing personal information**

- 4.1 We may disclose your personal information to our staff, Trustees or Committee members, insurers and third parties to ensure compliance with this policy. We will advise you of our intention to do so prior to disclosure.
- 4.2 We may disclose your personal information:
- To the extent that we are required to do so by law;
  - In connection with any ongoing or prospective legal proceedings;
  - In order to establish, exercise or defend our legal rights including providing information to others for the purposes of fraud prevention or detection
  - To any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information.
- 4.3 Except as outlined in this policy, we will never provide your personal information to third parties.

#### **5. International grant awards**

- 5.1 The Charities occasionally award grants to organisations undertaking activities outside the UK. When such awards are made, information will only be disclosed by the Charities to:
- comply with clause 4.2
  - showcase the impact of grants awarded on our website
  - advise the wider public of the grants awarded via 360 Giving. Information on 360 Giving will never include any individual personal details that may breach GDPR guidelines

## **6. Retaining personal information**

- 6.1 Personal information and images that we process for any purpose or purposes shall not be kept for longer than is necessary.
- 6.2 Notwithstanding the other provisions of this Section 6, we will retain documents (including electronic documents) containing personal data:
- To the extent that we are required to do so by law;
  - If we believe that the documents may be relevant to any ongoing or prospective legal proceedings; and
  - In order to establish, exercise or defend our legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk).

## **7. Security of personal information**

- 7.1 We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of personal information. Where security and storage is the responsibility of a third party, we will ensure that they take all reasonable steps to comply with this policy.
- 7.2 You acknowledge that the transmission of information over the internet is inherently insecure, and we cannot guarantee the security of data sent to us over the internet.
- 7.3 Users of our websites will not require a password or need to submit personal data to access our any of our online information. However, if an external user completes our enquiry form personal data will be sent to us (name and email address). In this case, we will retain and keep information until the enquiry is responded to.

## **8. Third party websites**

- 8.1 Our website includes hyperlinks to, and details of, third party websites.
- 8.2 We have no control over, nor are not responsible for, the GDPR policies and practices of third parties outside of the Charities.

## **9. Amendments and Reporting Breaches**

- 9.1 We may update this policy from time to time by publishing a new version on our website and where we have consent to do so, we may notify you of changes to this policy by email. You should also check our websites occasionally to ensure you are happy with any changes to this policy.
- 9.2 The Director of the Charities will be responsible for responding to any incidents and reporting any breaches to the ICO and the Charities Commission and will also report incidents and breaches to the Chair of Wates Foundation or the Chair of Wates Family Enterprise Trust as appropriate.
- 9.3 If wish to discuss our GDPR policy, please write to us at the address or email addresses detailed in section 11.
- 9.4 If you have concerns that Wates Foundation or Wates Family Enterprise Trust has breached GDPR guidelines, please contact the Information Commissioners Office (ICO) call their helpline on 0303 123 1113, or visit their website <https://ico.org.uk/for-organisations/report-a-breach/> to complete an online form or to have a discussion by webchat.

## **10. Your rights**

- 10.1 You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:

- The supply of appropriate evidence of your identity for this purpose. We will usually accept a photocopy of your passport certified by a solicitor or bank plus an original copy of a utility bill showing your current address.

10.2 We may withhold personal information that you request to the extent permitted by law.

10.3 Please contact us (contact details in section 11) if the personal information that we hold about you needs to be corrected or updated.

## 11. Our details

Wates Family Enterprise Trust is a registered company (number 6648896) and a Registered Charity (number 1126007).

Wates Foundation is a registered company (number 1605766) and a registered Charity (number 1202779).

The Head office for both organisations is Wates House, Station Approach, Leatherhead Surrey KT22 7SW.

If you have any questions about this policy you can write to us at our head office.

You can also contact:

Wates Foundation, Company Secretary: Felicity Mallam: [felicity.mallam@wates.co.uk](mailto:felicity.mallam@wates.co.uk)

Wates Family Enterprise Trust, Company Secretary: Felicity Mallam: [felicity.mallam@wates.co.uk](mailto:felicity.mallam@wates.co.uk)

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