



Registered Charity No. 1105797

## **PRIVACY NOTICE**

### **INTRODUCTION**

The Latin American Children's Trust respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

### **1. IMPORTANT INFORMATION**

#### **PURPOSE OF THIS PRIVACY NOTICE**

This privacy notice aims to give you information on how the Latin American Children's Trust collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

#### **CONTROLLER**

The Latin American Children's Trust is the controller and responsible entity for your personal data (collectively referred to Latin American Children's Trust, "we", "us" or "our" in this privacy notice).

#### **CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES**

This version was last updated on 12 July 2021.

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

#### **THIRD-PARTY LINKS**

Our website may include links to third-party websites, including social media sites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

### **2. THE DATA WE COLLECT ABOUT YOU**

Personal data, or personal information, 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).

As a charity, you may be in contact with us for various reasons including:

- You may work for a partner organisation, working together with us to promote our charitable

objectives.

- You may be someone who has, or you may work for an organisation or community which has, benefited from our work.
- You may be someone who, or you may work for an organisation or community which, is seeking to benefit from our work.
- You may be a volunteer.
- You may be seeking employment with us or involvement with or information about our work.
- You may be a potential donor.
- You may be, or work for, a supplier of goods and/or services to us.

The personal data we collect may include:

- **Identity Data** including name, title, date of birth, gender, marital status, identification documentation and photographs.
- **Contact Data** including postal address, home address, where you have provided this to us, business address, job title, email address and telephone numbers.
- **Financial Data** such as bank account details and other data necessary for making payments, records of transactions and other records to comply with our regulatory obligations.
- In very limited circumstances, **Special Category Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).

We do not collect information about criminal convictions and offences, other than with your consent, pursuant to our policy which applies to trustees and the people who work for the Latin American Children's Trust.

### 3. HOW IS YOUR PERSONAL DATA COLLECTED?

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

- **Direct interactions.** You may give us your personal data by corresponding with us by post, phone, email or otherwise, or by meeting with us. This includes personal data you provide when we communicate for one or more of the reasons set out in section 2 above. This may also include information for the purposes of attending meetings, including access or dietary requirements which may constitute Special Category Data.
- **Third parties.** We may receive personal data about you from our partner organisations, vendors and service providers.
- **Publicly available sources.** We may collect personal data about you from public records such as the Charities Commission or Companies House.

#### **4. HOW WE USE YOUR PERSONAL DATA**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where it is necessary for our legitimate interests, and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.
- Where we need to perform the contract we are about to enter into or have entered into with you.

Generally, we do not rely on consent as a legal basis for processing your personal data. One example of an exception to this would be when parental or guardian consent is required for us to collect information on children under the age of 13 where another legal basis does not apply. Consent can be withdrawn at any time by contacting us at [info@lact.org.uk](mailto:info@lact.org.uk)

#### **PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA**

Our legitimate interests include:

- Reviewing grant applications and specific projects.
- Monitoring projects and the effectiveness of our donations.
- Making donations.
- Registering your interest in our work and the reason for our interaction.
- Performing analysis to better inform our strategies and to enhance the effectiveness of our work and our communications with our stakeholders.
- Administering our relationship with you or your organisation.
- Protecting the security of and managing access to our premises, IT and communication systems, and websites.

Compliance with a legal or regulatory obligation includes:

- Reporting to/and or being audited by national and international regulatory bodies.
- Record-keeping obligations required of a charity or for regulatory, tax or audit purposes.
- Compliance screening for anti-money laundering, bribery, sanctions or terrorist funding risks.

Performing a contract includes:

- Where you or your organisation is supplying goods or services to us.
- Enforcing the conditions of a grant letter or other charitable project related undertakings.

#### **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

Please note that we may process your personal data without your knowledge or consent, in

compliance with the above rules, where this is required or permitted by law.

## 5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out above.

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers and auditors.
- Insurers.
- HM Revenue & Customs, charities and financial regulators and other authorities.
- Credit reporting agencies.
- Third parties who supply goods and services to us.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes.

Some third parties might be located outside of the United Kingdom, in which case we will take steps to ensure that appropriate safeguards are in place so that your privacy rights continue to be protected as outlined in this policy. These safeguards include that the country of the recipient of your personal information has been deemed by the UK Government to provide an adequate level of protection for personal data or that appropriate contractual obligations with the recipient are in place.

## 6. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have 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.

## 7. DATA RETENTION

### HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

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

To determine 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.

By law we have to keep basic information about our donations and beneficiaries for six years after the donations for tax and regulatory purposes.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 8. YOUR LEGAL RIGHTS

Under certain circumstances, you have following rights under data protection laws in relation to your personal data.

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** 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.
- **Request erasure** of your personal data. 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 to processing** of 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. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of 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.
- **Request the transfer** of your personal data to you or to 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. 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.
- **Withdraw consent at any time** where we are relying on consent to process your personal data.

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 products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at [info@lact.org.uk](mailto:info@lact.org.uk)

### **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **WHAT WE MAY NEED FROM YOU**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **TIME LIMIT TO RESPOND**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **9. CONTACTS**

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us on [info@lact.org.uk](mailto:info@lact.org.uk)

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