



Kenya Hope Charity

Responding to God's call to care for the poor

Data Protection and Confidentiality Policy

Introduction

Kenya Hope Charity believes that everyone who shares their data with the charity has the right for their data to be stored and used safely and responsibly. Kenya Hope Charity is committed to protecting the rights of individuals with regards to the data we store and use.

Purpose

The purpose of this policy is to demonstrate the ways Kenya Hope Charity ensure the correct and lawful use of data in the completion and implementation of our charitable activities. It is also to inform representatives of Kenya Hope Charity of the best practice and use of personal information and so charity representatives understand their responsibilities and obligations to protect and fairly use the data of those who we care for or who support our work.

Scope

This policy provides guidance to ensure that data processed by Kenya Hope Charity representatives is handled in a safe and secure manner which complies with current legislation and best practice relating to data protection and confidentiality. It applies to all those representing the charity, including committee members, staff, volunteers, independent contractors and partner organisations in the UK and Kenya on its behalf. It also informs our supporters and beneficiaries of how we store and use their data.

Definitions

Personal data	Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.
Data controller	The person (or company) who determines the purposes for which and the manner in which any personal data are, or are to be, recorded.
Data processor	Any person who processes data on behalf of the data controller.
Data subject	The person whose data is being processed
Processing of personal data	This term covers the collection, recording or holding of information or data, or carrying out any operation or set of operations on the information or data, including but not restricted to alteration, retrieval, disclosure and destruction or disposal of the data.

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Roles and responsibilities

The Kenya Hope Charity UK Committee is the data controller for the charity. This means this group decides how personal data is processed and for what purposes.

All charity representatives have a legal duty to keep personal data confidential.

Principles

Legal requirements

The Data Protection Act (2018), the General Data Protection Regulation and the common law duty of confidentiality sets the legal framework, by which we can process personal data. It applies to data that might identify any living person.

The Data Protection Act (2018) defines six Data Protection Principles which all processors of personal information must abide by. The six principles are:

- 1) Processing should be lawful, fair and transparent
- 2) The purpose for processing shall be specified, explicit and legitimate
- 3) Personal data processed should be adequate, relevant and not excessive
- 4) Personal data shall be accurate and kept up to date
- 5) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary
- 6) Personal data shall be processed in a secure manner

Kenya Hope Charity will only use personal data where we have a legal basis to do so. Under Article 6 of GDPR Kenya Hope Charity's basis for processing personal data is:

Legitimate interest - *"the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individuals personal data which overrides those legitimate interests."*

Legal obligation – *"the processing is necessary for you to comply with the law (not including contractual obligations)"*

Contract – *"the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract"*

Consent – *"the individual has given clear consent for you to process their data for a specific purpose."*

Obligations

Kenya Hope Charity complies with its obligations under the Data Protection Act (2018) and the General Data Protection Regulations by:

- Keeping personal data up to date
- Storing and destroying personal data securely
- Not collecting or retaining excessive amounts of data without purpose
- Protecting personal data from loss, misuse, unauthorised access and disclosure

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- Ensuring that Kenya Hope Charity has an appropriate legal basis for its data processing activities
- Ensuring that appropriate technical measures are in place to protect personal data

Use of personal data

Kenya Hope Charity will store and use personal data for the following purposes:

- To administer sponsor records
- To administer sponsored children's records
- To fundraise and promote the interests of the charity
- To analyse the personal data we collect about supporters and use publicly available information to better understand their interests, preferences and level of potential donations so that we can contact them in the most appropriate way and to ensure that we do not send them unwanted communications
- To process donations we may receive from you
- To manage our staff and volunteers, including safer recruiting and safeguarding documentations
- To maintain our own accounts and records (including the processing of gift aid applications)
- To inform supporters of news, events, activities and programmes delivered by Kenya Hope Charity

Sharing personal data

Personal data stored will be treated as strictly confidential and will be shared only with committee members and authorised staff and volunteers when required. We will only share data with third parties outside of the organisations with your consent, unless the charity is legally obliged to share them with statutory agencies.

Retention of data

We retain personal data while it is still current; financial transaction and gift aid declarations for up to 7 years after the tax year to which they relate; safeguarding records permanently.

Data subject rights

Unless subject to an exemption under the GDPR, data subjects have the following rights with respect to their personal data:

- The right to request a copy of the personal data which Kenya Hope Charity holds about them
- The right to request that Kenya Hope Charity corrects any personal data if it is found to be inaccurate or out of date
- The right to request their personal data is erased where it is no longer necessary for Kenya Hope Charity to retain such data

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- The right to withdraw their consent to the processing at any time
- The right to request that the data controller provide the data subject with their personal data and where possible, to transmit that data directly to another data controller
- The right, where there is a dispute in relation to the accuracy or processing of their personal data, to request a restriction is placed on further processing
- The right to lodge a complaint with the Information Commissioners Office

If Kenya Hope Charity wish to use a data subject’s personal data for a new purpose, not covered by this policy or our privacy notice, then the charity will provide them with a new privacy notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Confidentiality

It is important that confidentiality is maintained at all stages of activities by our data processors. Data will only be shared with those who need to know and should be kept secure at all times.

Accountability

Accountability for data protection sits with Kenya Hope Charities UK Committee.

Kenya Hope Charity has sought advice from the Information Commissioners Office website in preparing this policy. Kenya Hope Charity is exempt and under no requirement to pay a data protection fee.

Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Kenya Hope Charity shall promptly assess the risk to people’s rights and freedoms and if appropriate report this breach to the ICO (more information on the ICO website).

Contacting Kenya Hope Charity regarding personal data

All queries, requests to exercise all relevant rights or complaints should be forwarded to Kenya Hope Charity’s UK Committee.

Kenya Hope Charity
1 Nutwell Road

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Weston-super-Mare
BS22 6EN

Data subjects can contact the Information Commissioners Office by visiting their website - <https://ico.org.uk/global/contact-us/email/> - or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Review

This policy will be reviewed once a year by the UK committee.

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