

STRATFORD-UPON-AVON U3A

HOW WE USE PERSONAL INFORMATION

Preamble

- A This Statement explains how and why Stratford-upon-Avon u3a ('SAVu3a') processes personal information, whether organised in electronic or paper form. It applies to personal information stored on its behalf on the central database called 'Beacon' run by The Third Age Trust and to personal information which may be processed in other ways by members of SAVu3a when acting in an official capacity, including in emails which a Group Leader circulates among members of their Group or which activity organisers circulate among activity attendees.
- B For data protection purposes this document is SAVu3a's Privacy Statement. As a not-for-profit organisation SAVu3a is exempt from registering with the Information Commissioner's Office.
- C In this Statement information which is not personal information is categorised as 'Service' information (eg constitutional or administrative information relating to general meetings, subscriptions or circulation of the monthly Newsletter); 'Activity' information (ie 'Activities' are events, functions or undertakings which are organised by SAVu3a or, if organised by another body, are facilitated by SAVu3a and are offered to all members without their having to be a member of a Group); or 'Group' information (ie which is restricted, or relevant only, to members of a specific Group). A 'Group' is an interest group which is restricted to members of SAVu3a and Cluster Associates (paragraph 1.3 below) and is recognised and supported by the SAVu3a Committee.

1 How Personal Information is Obtained

- 1.1 Members' and visitors' personal information is collected from application forms which they complete. Membership renewal is due from 1 April each year and is done by email with the member being requested to inform us if their details or circumstances have changed. That is the member's responsibility. (See also paragraph 4.7 about keeping it up to date). For limited and specific purposes, eg a Group activity, visit or social event, additional information might be recorded with the person's knowledge and consent, which can be subsequently withdrawn at any time.
- 1.2 All personal information processed by SAVu3a is provided either directly by the individual concerned or on their behalf as part of an application. Except where it may be necessary in the case of Cluster Associates (see paragraph 1.3), it is not obtained from third parties.
- 1.3 Paid-up members of the South Warwickshire 'Cluster' of u3as may apply to take part in SAVu3a activities as part of the Cluster arrangement (they are known as 'Cluster Associates'). When applying to SAVu3a they must agree to be bound by this Privacy Statement. They must also permit SAVu3a to make reasonable enquiries of their home u3a branch in order to confirm their membership status as well as authorise the membership secretary or other appropriate officer of their u3a to disclose the information.

2 What Personal Information is Collected and Why

- 2.1 SAVu3a collects and processes some or all of the following categories of personal information about its members (which term in this Statement includes Associate Members and Cluster Associates) and, where necessary, its visitors. Its legal basis for this is its 'legitimate interests'.

- Name
- Contact address
- Email address
- Telephone number(s)
- Membership status (ie full or lapsed/in arrears)
- Group status (ie Member, Group Leader/Contact or waiting list)
- Gift Aid consent
- Preferences in respect of receiving the 'u3a Matters' magazine and 'Activity' emails (see paragraph 3.2)

2.2 Photographs and videos in which individuals can be identified may also be taken, stored, used and archived indefinitely for publicity and historical purposes. The legal basis for doing this will be 'consent': i.e. the reason for taking the photograph or video will be explained before it is taken and identifiable individuals will be given the opportunity to move out of shot if they wish.

2.3.1 The following are classed as 'special category data' in data protection terms.

- Racial or ethnic origin
- Health data
- Political opinions
- Religious or philosophical beliefs
- Sexual life or sexual orientation
- Trade union membership

2.3.2 SAVu3a does not normally process the following categories, but should an occasion arise where paragraph 2.3.4 applies they will be treated in the same way as 'special category data':

- Personal information about children
- Criminal convictions

2.3.3 No-one acting in an official capacity on behalf of SAVu3a has authority to collect, record, use or disclose the types of information about any living persons listed in paragraphs 2.3.1 and 2.3.2 except in the circumstances set out in paragraph 2.3.4:

2.3.4 On occasion it may be necessary to process information in the categories in paragraph 2.3.1 or 2.3.2 in relation to a specific trip or activity. This will be exceptional. The Data Protection Advisor must be consulted in advance if practicable and SAVu3a will normally only proceed if the individuals whose information is involved have either given their explicit informed consent (by a responsible adult in the case of a child) or have manifestly made the information public themselves. The justification will be documented and where consent is the basis it can be withdrawn subsequently. Requests to process the above types of data from Group Leaders or others acting on behalf of SAVu3a which raise particular difficulty may be referred by the Data Protection Advisor to the Chairman for decision.

2.3.5 Anyone who believes information about them covered in paragraph 2.3.1 or 2.3.2 is being kept, handled or disclosed improperly by any part of SAVu3a should raise this with the Data Protection Advisor (dataprotection@stratfordu3a.org.uk). This includes implicit disclosure in a way that enables a normal person to make a reasonable inference. If the matter cannot be resolved at this stage, the complaints procedure in Section 6 below may be used.

2.4 Members should be aware that in exceptional circumstances, only involving a risk of death or serious physical harm to a person, where there is no alternative and there is genuine urgency, it is permitted to use a person's personal information without their consent if they are physically or mentally incapable of giving consent. (The person whose personal information is urgently required and the person at risk of death or serious physical harm do not have to be the same person). It is not enough that it is merely inconvenient to obtain their consent. This exemption must only be relied on as a last resort.

3 Why Personal Information is Processed

3.1 In pursuit of its legitimate interests, which include the provision of educational, leisure and recreational facilities for the public, particularly middle-aged and older people in Stratford-upon-Avon and its surrounding locality who are not in full-time employment, SAVu3a collects and uses the personal information listed in paragraph 2.1 above:

- to identify its members,
- to communicate with them on u3a activities
- to share it on a need to know basis with other members acting in an official capacity in SAVu3a (ie Officers, Committee members, Group Leaders and the Data Protection Advisor)
- to confirm membership status for associate membership of another u3a, if requested (financial information not to be included without consent)
- to meet the requirements of the Third Age Trust public liability insurance

It is also used to compile anonymised statistics for planning and development purposes and for managing its finances. Where there is a legal or contractual obligation on SAVu3a to do so, information about identifiable individuals will be used by SAVu3a and, only to the extent necessary, disclosed to third parties to provide services the individuals have requested. Examples might include Gift Aid in relation to HMRC, the provision of the 'u3a Matters' magazine by The Third Age Trust, or tour operators and trip venues.

3.2 SAVu3a may use its members' personal information to advise them of an Activity (as defined in Preamble C) run by SAVu3a or other branches as well as by external organisations where these are in line with our aims and objectives but will not transfer it to other organisations to use for direct marketing purposes. Members will be initially offered the opportunity to opt out of receiving emails about Activities and with each subsequent Activity communication. The opt-out will apply to information about all Activities but members will be able to opt in again if they wish. At present the Beacon system does not allow SAVu3a to apply an opt-out to some Activities and not others.

4 How Personal Information is Managed and How Long it is Retained

4.1 SAVu3a's central database of membership information is held securely on the Third Age Trust 'Beacon' database which is provided to SAVu3a under a contract which contains strict confidentiality and security requirements on both parties. The contract provides that under data protection law SAVu3a is 'the data controller' and The Third Age Trust is 'the data processor' which takes its instructions from SAVu3a. The server on which 'Beacon' rests is located in the United Kingdom.

4.2 SAVu3a holds backups of its data on Beacon on Google Drive. This is governed by Google's terms and conditions by which Google is the data processor and SAVu3a is the data controller. The data is encrypted and may be processed in any country in which Google operates. Google's employees and

contractors may only access the data on instructions from SAVu3a and are under an obligation of confidentiality.

- 4.3 Responsibility for policy in respect of data protection and SAVu3a's use of the Beacon system rests with the SAVu3a Committee. Day-to-day management is the responsibility of the SAVu3a Beacon Site Administrator in close liaison with the Membership Secretary and the Treasurer.
- 4.4 The Committee has decided that Officers, members of the Committee, the SAVu3a Beacon Site Administrator, Group Leaders and the Data Protection Advisor may have access to the Beacon system.
- 4.5 Group Leaders apply for access through the Groups Co-ordinator. When granted, it is limited to viewing the contact details and membership status of members of their own Group only and amending their status in relation to that Group (ie as 'Group member' or 'waiting list'). Other conditions may be imposed. They are unable to view any financial information.
- 4.6 Before anyone is granted access to the Beacon system they must first undertake to abide by the Committee's rules on the appropriate and confidential use of the information it contains. Periodic reports of who has access to the Beacon system and their permissions will be made to the Committee.
- 4.7 Officers, members of the Committee and Group Leaders who keep their own records of member information for u3a purposes and store them on their own computers, electronic devices or filing system must abide by SAVu3a's Privacy Policy. There may sometimes be a grey area between those records on the one hand and information which a person uses for 'a purely personal or household activity' and thus exempt from data protection law. Where there is doubt advice should be sought from the Data Protection Advisor. In all cases of doubt, however, records which are maintained outside the Beacon system should as a minimum be handled with discretion and within the spirit of this Statement and the principles of data protection.
- 4.8.1 Emails sent by Group Leaders to their members on SAVu3a business are subject to this Policy Statement. By completing a membership form members agree to receive emails and other forms of communication of an administrative nature about Groups to which they belong. Should Group Leaders use email, whether through the Beacon system or their own email system, to promote a business or other organisation they will be considered to be acting in a personal capacity and must not do so in a way that indicates or implies SAVu3a involvement or endorsement. As a separate matter, such use of the Beacon system might be a breach of the Committee's terms on which access to Beacon was granted.
- 4.8.2 Any member who objects to the way Group emails and other forms of communication are being used should first discuss the matter with their Group Leader. If it cannot be resolved the Data Protection Advisor should be consulted and if necessary the complaints procedure should be used (see section 6 below).
- 4.9 SAVu3a will keep members' personal information for as long as they are members. It is legally required as 'the controller' to ensure that personal information is accurate, sufficient and not excessive for the purposes for which it is kept and it will correct errors and omissions promptly. One way it regularly reviews this is through the annual membership renewal process where members are asked to confirm their details.

- 4.10 Members are also asked each year to confirm if they do not wish to renew their membership. Unless paragraph 4.9 applies, the records of those who do this will be deleted as soon as practicable. Where a member does not renew and does not indicate they wish to cease membership, they will be recorded as a 'lapsed member'. In view of its experience of members unintentionally failing to renew, SAVu3a considers it legitimate to retain the records of lapsed members either until the renewal date following their becoming lapsed or they confirm they do not wish to renew (whichever is earlier) at which point their record will be deleted.
- 4.11 An individual's personal information will only be retained for longer than their membership or lapsed membership status would normally allow if SAVu3a has a legal obligation to do so (such as by HMRC) or it is required to do so by a law enforcement or regulatory body, by its insurers or because the information is or may reasonably be expected to be required in connection with legal proceedings, or it is held in the form of a photograph or video and paragraph 2.2 applies.
- 4.12 In addition to respecting the rights and obligations set out in this Privacy Statement, all persons acting in an official capacity for SAVu3a are expected to inform the Data Protection Advisor without delay if they become aware of any serious or systematic breaches of this Privacy Statement which might affect the rights of members or other individuals.

5 Members' Rights and Whom to Contact

- 5.1 Members will be given the opportunity to opt out of receiving information about Activities by email. However, they cannot opt out of receiving Service information which SAVu3a is obliged to send them for constitutional reasons or communications relating purely to administrative aspects of their membership including the Newsletter.
- 5.2 Anyone has the right to ask SAVu3a, in writing or otherwise, whether it is processing personal information about them and, if it is, to be given information about what is being processed (known as a 'subject access request' or 'SAR') and to have errors corrected. In certain circumstances they can object to their information being processed and to ask for it to be erased ('the right to be forgotten'). Requests to exercise these rights, or queries or complaints (see section 6 below) about SAVu3a's data protection practice and policy, should be directed to the Data Protection Advisor (email: dataprotection@stratfordu3a.org.uk) who, subject to paragraph 6.3 below, will manage preparing the response (after verifying the identity of the requester of an SAR if necessary).
- 5.3 The Data Protection Advisor is a member of SAVu3a who is independent of its management structure (but who has direct access to the Chairman of the Committee). He or she advises on compliance with data protection law, provides training and guidance, manages 'subject access requests' and acts as an internal advocate for individuals' information rights. He or she keeps this Privacy Statement under review and makes reports and recommendations to the Committee on its operation from time to time.

6 Complaints

- 6.1 SAVu3a will consider concerns or complaints from any person about its handling of personal data, including this Policy, procedures and practices. Requests to correct or update personal information or preferences, or to exercise 'the right to be forgotten', are treated not as complaints but as matters of day-to-day database management according to data protection legislation. They should be directed to the Beacon Site Administrator. However, they will be regarded as complaints to which Section 6 of the Privacy Statement applies if accompanied by a claim that the rights of an individual or a group of

individuals have been infringed or there has been misconduct in the handling of personal information by someone acting on behalf of SAVu3a.

- 6.2.1 Complaints where an individual alleges that their own personal data protection rights have been infringed are referred to here as ‘formal data protection complaints’ and are handled under data protection law in accordance with the statutory complaints process.
- 6.2.2 A complaint raising general concerns or a complaint which is not based on an infringement of the complainant’s data protection rights will be considered and responded to as part of SAVu3a’s general governance and accountability processes. It might not be practicable to deal with such a complaint in the same timescale or in the same way as a formal data protection complaint. However, SAVu3a may at its discretion treat any concern as a formal data protection complaint if it is considered appropriate to do so, including where a wider issue may affect multiple individuals.
- 6.3 A formal data protection complaint should be in writing. It may be submitted by means of the webform on the SAVu3a website or, if that is not practicable, it should be sent to SAVu3a’s registered address which is shown on the Contacts page on our website. It will be directed in the first instance to the Data Protection Advisor (or to the Secretary of SAVu3a if it relates to the personal conduct of the Data Protection Advisor). The Data Protection Advisor (or Secretary as the case may be) will send the complainant an acknowledgement within 30 days and will act as Investigator.
- 6.4 The Investigator will undertake the gathering of evidence without undue delay and will keep the complainant informed as to the stage which their complaint has reached. Any personal information which the Investigator might share with the complainant will be subject to data protection principles and restrictions.
- 6.5 The Investigator will report on the investigation to the Chairman of SAVu3a. The final decision on the complaint will be made by the Chairman, who will communicate it to the complainant without undue delay, setting out the findings and any actions taken.
- 6.6 All decisions on formal data protection or general complaints will be reported at the earliest opportunity to the SAVu3a Committee. Where a complaint has been upheld in whole or in part, the Committee will decide what process or other improvements should be made.
- 6.7 If dissatisfied with the outcome the complainant may have the right to raise the matter with the Information Commissioner’s Office (ICO). It should be noted that the ICO will generally expect the issue to have been raised with SAVu3a first before it will consider the complaint.

Approved by authority of the Committee
10 June 2026

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