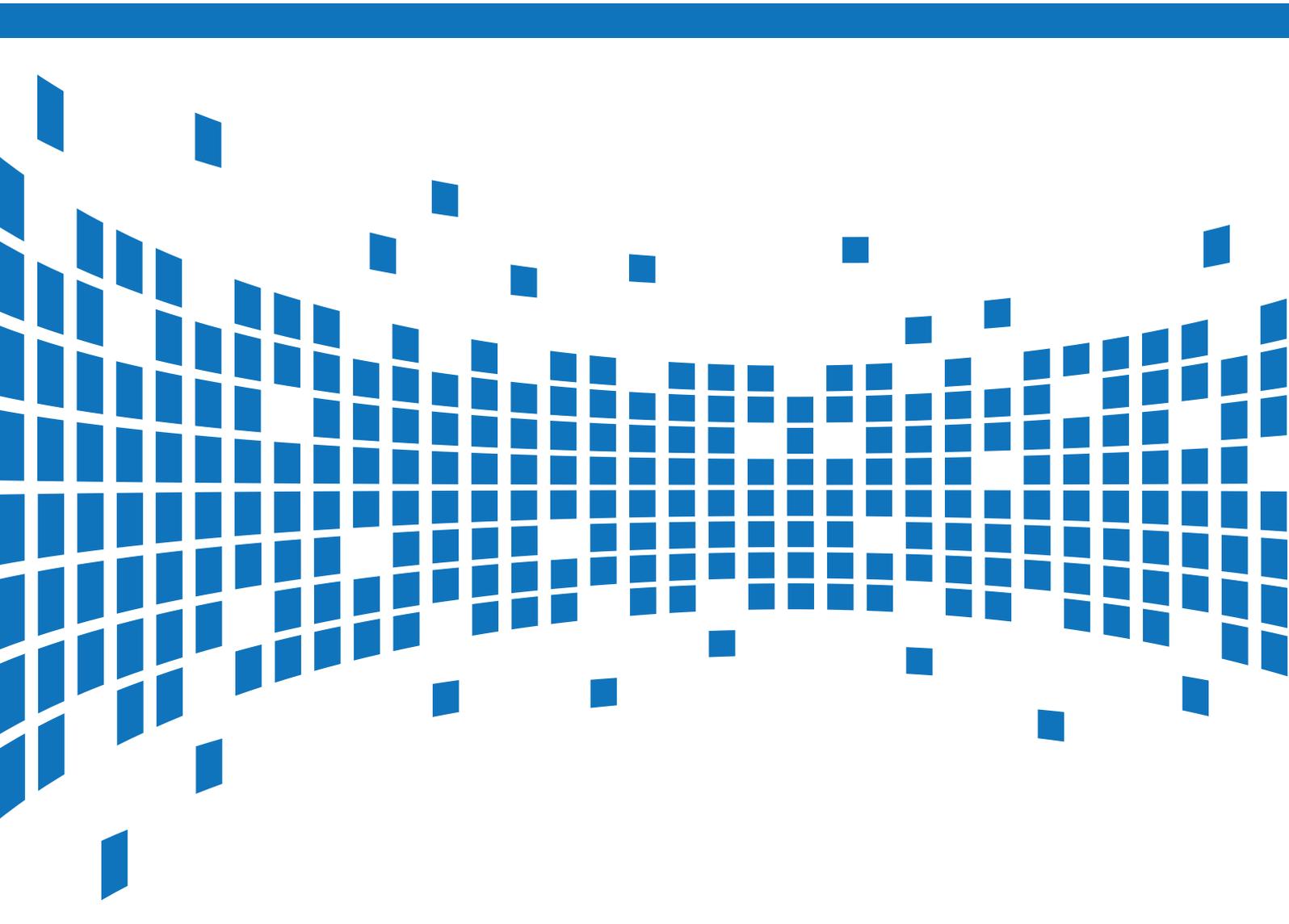


# Privacy Notice for consultation exercises and events held as part of the Charities SORP engagement process or in developing and updating the SORP

Issued by the Charities SORP-making body

September 2020



## **The Charities SORP-making body**

The Charities SORP-making body is a non-statutory partnership between the Charity Commission England and Wales (CCEW), the Charity Commission for Northern Ireland (CCNI) and the Office of the Scottish Charity Regulator (OSCR). The SORP-making body is approved by the Financial Reporting Council (FRC) to develop and publish a Statement of Recommended Practice (SORP). The FRC issues a statement on each SORP. The conduct and activities of the SORP-making body in complying with the FRC's Policy on Developing SORPs is overseen by the FRC.

The Charities SORP-making body is assisted by the Secretariat to the Charities SORP Committee. The Secretariat function is provided by the Chartered Institute of Public Finance and Accountancy (CIPFA) under contract.

You can find out further information about what we do on the [About us](#) page on our website [www.charitySORP.org](http://www.charitySORP.org).

## **About this Privacy notice**

This privacy notice provides information on how the SORP-making body processes personal data relating to consultation events and consultation exercises relating to the SORP engagement process or in the developing or updating of the Charities SORP. It includes individuals participating as attendees and invited guests to engagement strand meetings and events.

This privacy notice provides information on how your personal data is collected and processed, including the personal data we process, the reasons why we process your personal data, who we share your personal data with and our periods of retention. It also sets out some detail regarding your rights as a data subject. Please note that this privacy notice is intended to cover all routine aspects of the collection and use of your personal data but it is not intended to provide exhaustive detail of every aspect of how we collect or use your personal data.

## **The personal data we process**

The personal data we collect and process will vary depending upon the type of interaction we have with you. In very exceptional instances data we hold about you may allow the identification by inference or your disclosure of particularly sensitive personal data such as information about religion, sexual orientation, ethnicity, health and criminal convictions. Data such as this is known in legal terms as 'special categories of personal data'. References in this document to particularly sensitive personal data include references to special categories of personal data and criminal conviction data.

If you require further information about the data we hold about you please email the SORP-making body's nominee who is assigned to the engagement strand to which the event or consultation relates or if not to do with an engagement strand the SORP-making body's nominee.

We collect and process a variety of different types of personal data including:

- personal details: such as your name, title, relevant qualifications, relevant personal and professional experience to demonstrate knowledge of the charity sector and charity financial reporting and accounting, and gender and country of residency
- contact information: including your home and/ or professional addresses, email addresses, and telephone numbers
- details of organisations you're involved with; this might include information about your employer, professional organisation, or your connection to a charity or another organisation
- equality questionnaire that might also reveal or include particularly sensitive personal data such as your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, or information about your health or genetics
- if eligible to claim expenses in accordance with the SORP-making body's policy on the payment of expenses, financial information: including bank account details

## Where do we get information from?

We collect personal data from a variety of sources including:

### **Directly from you**

We collect data directly from you, for example when you apply to participate in an event organised by or on behalf of the SORP-making body or by the convenor of a SORP engagement strand or when you response to a consultation exercise as part of the SORP engagement or SORP development and update processes. Guests or those invited to attend an engagement strand meeting or event will also provide data as will any individual when corresponding with us or the SORP Secretariat verbally or through email, post, phone or similar media.

### **From organisations you are involved with**

We will collect personal data from organisations you are involved with, for example a registered charity or your employer regarding your time as engagement partner. In rare cases, this may include special categories of personal data, some of which may not be publicly available.

### **From the Secretariat to the Charities SORP Committee**

We may receive personal data from the Secretariat if you have notified them of your contact details or engaged in communication with them.

## How the data is collected

This information may be obtained electronically, on paper or through verbal contact between you and the Secretariat or us and may be conveyed to us in a similar manner by the Secretariat or you or your organisation.

## **Our requirement to collect personal data from you and what happens if you do not provide it**

The information you need to provide depends on the nature of your interaction with us.

If you are participating in an event whether a face to face event or event held over the internet we look to collect information about you which identifies who you are, your employer or any sector or professional or other organisation which you may be representing. We require this information to ensure that we can send you the invitation, any materials for the event, and to record attendance at the event. For face to face events in order to assist with COVID control measures we retain your contact information to facilitate 'test and trace' in the event of an individual at the event attending whilst infectious. We also request dietary information if catering is provided. If this information is not provided we cannot process your request to attend the event whether held as a physical or a web-based event.

If you are responding to a formal consultation exercise whether by way of a survey, request for assistance, or an invitation to comment we require contact information so that we can log your submission and identify which stakeholder(s) interest against which to categorise your submission. We may also in some circumstances need to contact you about your submission.

To comply with the policy of the Financial Reporting Council (FRC) for the development of SORPs. The SORP-making body's policy is to publish each response with details as to who the respondent is on the web. We do this because our aim is to ensure transparency about who is seeking to influence or comment on the development of the SORP. We therefore need this information to maintain the published list of consultation responses giving the names of the individuals or organisations that responded to both comply with the FRC's policy and the SORP-making body's desire for transparency. If this information is not provided your consultation response will not be accepted except where a requirement for confidentiality has been given and accepted at the time of its submission.

If you are invited to attend as an observer or guest of the SORP engagement strand or the advisory Charities SORP Committee then we require contact information so that you can receive the agenda and any relevant papers for the engagement strand meeting(s) or event(s) that you are attending. We need to have this information so that you can attend and if not provided the offer to attend will be withdrawn.

## **Why we process personal data**

We process personal data in order to ensure that we have the information we need to run the Charities SORP engagement and SORP development and updating processes effectively and to be transparent about who is involved in the development of the Charities SORP.

## **Why we collect personal data**

We only collect personal data where it is necessary to directly support or facilitate our operation of the consultative process that is the SORP engagement process, Charities SORP Committee, and in our capacity a SORP-making body approved by the FRC and in our compliance with the FRC Policy on the Development of SORPs.

## **How we process data after collection**

We may further process information we collect for a different purpose, so long as that purpose is compatible with the purpose for which the information was collected, or where we are otherwise permitted or required to do so by law. Where necessary and permitted by law, we carry out this processing without your knowledge or consent.

Some common examples of this are:

- Where we are organising events to notify delegates, make the necessary arrangements and to provide delegates with joining details and any materials
- Where we are holding consultative exercises to collate and categorise and analyse the responses including the answers to any questions posed.
- In answering questions from individuals who want to know more about planned events or consultation activities
- To follow up any points where an individual has sought a response following an event or as a phase of the consultation exercise.
- When maintaining the list of attendees at events and of consultation responses for publication on the SORP engagement and SORP Committee pages of the dedicated website: [www.charitysorp.org](http://www.charitysorp.org)
- Where we are obliged to do so by law, for example in response to a request from Public Health authorities regarding COVID control measures or a Freedom of Information (FOI) request or a request made under the 2008 Act

## **Legal basis for processing**

We rely on your consent to process the data we hold about you and you have the right to withdraw your consent at any time. You will be provided with a clear means of doing this as an option if withdrawing from participation in an event or retracting a response to a consultation exercise provided this is done prior to publication of consultation responses.

Withdrawing consent will lead us to cease to use your data but will also mean you cannot participate in an event and/or have your consultation response processed. In seeking to attend an event or participate in a SORP consultation exercise, you have consented for your personal data to be processed by us and this is likely to mean that certain items of personal information about you will continue to be in the public domain in respect of your details of event attendance or as a published response to a SORP consultation exercise. Examples of information remaining in the public

domain arising from your participation will include any published details of events or SORP Committee meetings listing attendees, the published consultation responses and any details included in an appendix to the SORP acknowledging the contribution made by engagement partners and participants in the SORP engagement process or in the development and updating of the SORP.

## How and with whom your personal data is shared

We may share your personal data (including particularly sensitive types of personal data when included in the list of current and former serving engagement partners):

1. With the public on our website: [www.charitySORP.org](http://www.charitySORP.org)

We routinely publish certain personal data on our website. This includes the minutes of SORP Committee meetings and SORP consultation responses. We may also publish names of those participating in events or working parties. Each SORP includes an appendix listing current and former members of the SORP Committee and engagement partners involved in its development.

2. With SORP Committee members

We look to foster debate amongst the engagement strands and as part of the SORP engagement process. We do this to encourage exploration of issues for consideration by the SORP Committee. We find it helpful that members and engagement partners can contact participants to explore points that they have made and where subgroups or working parties are formed. Only the data necessary to facilitate contact is shared.

With the SORP Secretariat to facilitate the distribution of SORP Committee agenda and papers and other information necessary for the effective functioning of the Committee or relevant to an engagement strand, any subgroups or working parties and to deal with member queries or correspondence.

3. With the Financial Reporting Council to comply with the Policy for Developing SORPs and in particular to confirm who has participated in the SORP engagement and SORP development and updating processes.
4. We are required to disclose certain information in response to freedom of information requests under the applicable legislation or requests made by members of the public, for example to see papers or minutes of meetings. Once we disclose information in this way it is treated as being disclosed to the 'world at large'. This means the recipient may publish it further, for example in a newspaper or blog.
5. With third party processors and service providers where the production of the SORP or updating of the dedicated website is outsourced. This is done to ensure the accuracy of any references to current or former SORP Committee

members and engagement partners or participants in the SORP engagement process.

We use third parties and service providers to process some personal data on our behalf, such as IT and similar service providers, professional advisers acting as processors and as joint controllers including lawyers, auditors and accounting services. 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 these third parties to use personal data for their own purposes and we only permit third party processors to process personal data for specified purposes and in accordance with our instructions.

6. We may also disclose information to a court, tribunal, party or prospective party where the disclosure is necessary in order to exercise, establish or defend a legal claim or where we are ordered to by a court or tribunal or where we are otherwise required to do by law.

7. International transfers of personal data

It may sometimes be necessary to transfer personal information overseas in accordance with statutory provisions. This is most likely to occur if an engagement partner volunteers to support the SORP-making body with an international collaboration or agrees to act as a contact due to their expertise for an international partner. Any transfers made will be in full compliance with all aspects of the data protection legislation.

## **The period for which personal data is retained**

We retain personal data for as long as necessary to fulfil the purposes it is collected for. Details of retention periods are set out in the SORP data retention policy. These reflect the purposes of satisfying any legal, accounting or reporting requirements. The right of individuals to request data erasure will be subject to the retention requirements and considerations.

## **Your rights as a data subject**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You should be aware that some of these rights are subject to the restrictions set out in Part 2 of Schedule 2 of the Data Protection Act 2018.

In summary you have the following rights:

- The right to be informed
- The right of access to your personal data
- The right to rectify your personal data
- The right to erasure of your personal data
- The right to restrict processing
- The right to data portability
- The right to object to processing of your personal data

- The right not to be subject to a decision based solely on automated processing

You can read more about these rights and the exemptions which may apply on the website of the Information Commissioner's Office (ICO).

We retain CCEW to act on behalf of the SORP-making body for curating the SORP site and handling personal data. You can submit a request for your information, or to have the personal data we hold about you restricted or deleted, by contacting our nominee via email to [nigel.davies@charitycommission.gov.uk](mailto:nigel.davies@charitycommission.gov.uk) or by calling him on 0300 065 2002. Your request will be passed on where it relates to information held by another member of the SORP-making body.

Further information on how to make a subject access request is available in CCEW's Access to information guidance.

You will not have to pay a fee to access your personal data (or to access any of your 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.

The CCEW will respond to any requests within one month of receipt, explaining any decisions or actions taken, and the reasoning behind any decisions made. If further time is required, we will contact you to explain why and when you are likely to receive a response.

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 access 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 will usually ask you to provide one form of proof of identity and one form of proof of address.

If you want to make a complaint about the way we have processed your personal information, you can contact us the Records, Information Governance and Assurance Team (RIGA) Team at CCEW.

### **Changes to this privacy notice**

This privacy notice will be reviewed and updated regularly. This privacy notice was first published on 24 September 2020.