

Privacy statement – general business

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1. General Data Protection Regulation (GDPR)

GDPR is relevant to:

- organisations that are potential, current and past grant recipients of The Gannochy Trust;
- individuals whose personal data we hold as part of providing services to those individuals such as housing, use of The Gannochy Trust's estate and facilities; and
- organisations and individuals that are interested in hearing more about The Gannochy Trust and its activities such as funding guidelines, newsletters and information about events.

2. What is GDPR

GDPR came into force on 25 May 2018 and addresses what organisations can and cannot do with personal data. 'Personal data' is information that identifies individuals directly or from which individuals can be identified indirectly.

3. Privacy Statement

We are committed to protecting the privacy of your data. We wish to respect any personal data you share with us and keep it safe. We aim to be clear when we collect your data and not do anything you would not reasonably expect. We are a data controller for the purposes of data protection laws in the UK.

Please read this Privacy Statement carefully to understand our practice and how we will collect, use and store your personal data. We may update this statement from time to time, so please check it regularly. If there are significant updates, we will inform those people with whom we are in regular contact.

4. Who we are

The Gannochy Trust is a registered charity (SC003133) based in Perth city, Scotland. Our activities include: funding charities in Perth and Kinross and across Scotland; providing housing; managing our wider estate, from buildings to woodlands. The Trust was founded in 1937 by A. K. Bell, who gifted part of his estate to 'be held...for certain charitable purposes'. We continue to work to realise A. K. Bell's vision today. More information about The Gannochy Trust and our work is available on our website.

5. Why we collect information about you

Primarily, we collect information to allow us to provide you with the information or service you have requested from us and to tailor these to ensure they are relevant to you. The Gannochy Trust engages with individuals in a variety of ways which influences the amount of data we may collect about you. The information you give us may include your name, address, e-mail address and phone number, financial information and bank details, personal description and photograph, and in some circumstances include special category data which we may need to process to protect your vital interest.

6. How we collect your information

You may give us information about you by filling in forms (online or in hard copy) or by corresponding with us by phone, e-mail or otherwise. The Gannochy Trust may therefore collect, store and use personal information via the following routes:

- information that you give to us directly;
- information that you provide to us for the purpose of applying for a grant, a tenancy, use of a facility on the Gannochy estate, or attending an event; and
- any other information that you choose to send us or provide to us including telephone calls, letters, email or by responding to one of our surveys.

We may link our website directly to other sites. This privacy notice does not cover external websites and we are not responsible for the privacy practices or content of those sites. We encourage you to read the privacy policies of any external websites you visit.

7. What are the lawful grounds on which we rely to process your personal data?

There are six lawful bases for processing data. In order to process and use your personal information, the legal bases we rely upon are:

- your consent; or
- as necessary in the pursuit of the legitimate interests of the charity to acquire the information necessary to process applications for grants and housing; and
- for compliance with legal obligations, in order to meet our legislative responsibilities as a landlord and as a funder - for example providing contact information to contractors undertaking legislative compliance work in our housing.

8. Grants

When you make an application for grant funding, we will process information about the charity applicant, for the purpose of assessing the request for funding. In the main, the assessment requires organisational information, but may include details of trustees, the board, employees, volunteers or relevant stakeholders. We will also process information that is relevant to the organisation's finances during assessment.

When personal information is required, this will be provided by the applicant, or through public records relating to the applicant such as OSCR or Companies House. We require the applicant to have authority to include any personal data. When such data is included in the application, the applicant should have made the relevant parties aware of this privacy notice.

The Gannochy Trust processes this information for the following reasons:

- as necessary for the performance of tasks carried out in the public interest, in this case the disbursement of funds to a variety of charitable organisations who meet the Gannochy Trust's charitable objects;
- as necessary in the pursuit of the legitimate interests of the charity, in this case to acquire the information necessary to process grant applications; and
- for compliance with legal obligations, in this case to provide full and accurate information to OSCR as necessary.

The terms and conditions of a grant offer from The Gannochy Trust sets out that at specific times, we will expect a monitoring report, detailing the progress that you have made against your outcomes. The information that we process at this point is provided by you. Should you reference any details of trustees, the board, employees, volunteers or relevant stakeholders in

your report, it is your responsibility to have their authority to do so and to make them aware of this privacy notice.

9. Grants retention period

The Gannochy Trust reserves the right to hold data related to grant applications for archive purposes and to facilitate a high standard of due diligence so the charity can continue to fulfil its charitable objects.

Your application and associated correspondence, emails and reports will be held in our database and our files for 10 years after your grant has come to an end. In some cases where the Trust has provided significant capital funding as part of a long-term investment, we will reserve the right to keep that information permanently on our records. Where appropriate and practicable, we will remove personal information from records held for more than 10 years.

10. Housing

When you make an application to The Gannochy Trust for a tenancy, we will process information about you as the applicant, and then the tenant if you are successful. This will include:

- full name (and proof of your identity);
- national insurance number (your unique identifier);
- contact details (phone, email or correspondence address);
- basic details (name and date of birth) of all household residents;
- banking details;
- proof of housing eligibility, any interest or equity in other property;
- other personal information that will vary on a case by case basis to help us clarify or resolve any assessment queries, breach of tenancy, alleged anti-social behaviour or fraud etc; and
- details of anyone authorised to act on your behalf if applicable.

The information that we may collect from you includes:

- disabilities or vulnerabilities. We use this information to tailor our service to better meet your particular circumstances and needs or those of a family member;
- financial information – bank statements, payslips or income details including housing benefits. We will use this to assess whether you are able to make the monthly rental payments. We may also use this to help resolve arrears payments;
- health information when we require this to support an application for sheltered housing or funding for adaptations made to the property you are living in;
- photo ID;
- guarantor information if we require a third party to pay your rent if you cannot pay it; and
- in some cases, details of key contacts for tenants who hold a Power of Attorney.

If you do not provide the information we need then you may not be able to hold a tenancy or lease with the Trust.

The Gannochy Trust processes this information for the following reasons:

- as necessary in the legitimate interests of the Trust to acquire the information required to process applications for housing and to consider your suitability for a tenancy;
- for the performance of tasks relating to your tenancy;
- managing your rent payments, including arrears;

- managing the repairs, maintenance and potential adaptations of our properties;
- managing and assessing the support required by some of our tenants;
- ensuring tenancy agreement conditions are complied with; and
- complying with relevant legislation and regulations.

The Gannochy Trust also periodically conducts surveys relating to our processes and customer service to gauge satisfaction and to make improvements based on feedback. You will be given the opportunity to decide if you want to opt-in to this activity.

11. Housing applications retention period

The Gannochy Trust reserves the right to hold data related to housing applications in our files and on our database until such time as you have either been offered a house or we have issued you with a letter informing you otherwise. If your application has been unsuccessful, you may have the opportunity to opt-in to receive further information should other opportunities become available.

Information relating to a tenancy or lease agreement will be kept for as long as the agreement is active or where money is owed on the account, and for a period not exceeding three years afterwards. The basic history of who held a tenancy at which property (name only) and when will be held forever. This is done so that the Trust can retain a social history of who has occupied its housing over the years.

Sensitive personal data will only be kept by us if it is either an integral part of providing you with the service that you have requested (such as health information for access to sheltered or pensioners housing) or once a decision has been made to provide you with a tenancy (such as bank statements etc. which will be kept until the tenancy agreement is signed).

In addition to the above, we will hold the following information:

Type of Record	Retention period
Housing benefit notifications	Duration of tenancy
Health and Safety assessments and records	Maximum of 12 years
Third party documents e.g. care plans	Duration of tenancy
Records re offenders, ex-offenders	Duration of tenancy
Anti-social behaviour	Duration of tenancy
Health information that you have provided to us as part of your tenancy	Duration of tenancy

12. If you are a person interested in our activities or the use of our facilities

We will use the data that you provide to us to:

- inform you, with your consent, of our relevant activities and events that we organise or are party to; for example, if you have indicated that you would like to hear about our activities or you have signed up to receive one of our bulletins; and
- make you aware of any changes or additional requests.

We will continue to use this information until you ask us not to or you unsubscribe from our mailings.

13. If you apply for a role with the Trust

Should you apply for a role in our organisation as a Trustee, member of staff, or volunteer, we will retain your application data for one year in order to contact you should other suitable opportunities become available, and for responding to any general or legal queries.

If you are a sub-contractor or consultant we will retain your basic contact details (name, email, telephone) in case we have a future need for your expertise.

14. How we store and keep your data safe, and who has access to it

Data that we collect about you may be held by us, and also by third party suppliers of software and/or cloud solution providers to us (and sub-contractors to those third parties). Those third parties include Benefactor Cloud for grant applications and management, and SDM Housing Software for housing tenant applications and management; both companies are cloud solution providers. However, we are the data controller of that information and all questions about what data is held, and how it is processed, should be addressed to us

The Trust will only pass on sufficient contact information that will allow agents employed by the Trust to carry out a particular task (for example, asking contractors to arrange access to provide a quote or to carry out a programme of maintenance, repair or refurbishment or the Rent Officer to achieve a certificate of fair rent).

The Trust will share personal information on tenants within sheltered housing with external organisations such as the Kincarrathie Trust through the Sheltered Housing Support Service; Care and Repair (for housing adaptations); TV licencing; PPP Taking Care (for sheltered housing telecare services); Perth and Kinross Council Community Alarms; and the emergency services if required. These all form part of our housing service to tenants.

Personal or sensitive information will be treated with the strictest confidence. We are committed to ensuring that there are appropriate technical controls in place to protect your personal details from misuse and unauthorised access. For example, our electronic files are password protected and our network is protected and routinely tested by our IT support contractor. Manual files containing your personal or sensitive data are kept in a secure location and can only be accessed by authorised members of The Gannochy Trust staff. No personal information is kept on Trust laptops and only password protected memory sticks are used to store personal information.

Our contractors and service providers are required to comply with the law and our own Data Processing Agreement to ensure data is managed appropriately and for specified purposes.

There are some exceptions when we will pass on your information when it is not part of our service provision. If a tenant leaves without paying rent or making any arrangements to pay, we will provide the individual's details to a tracing agent or debt collection company to enable them to collect the arrears that are owed. Should tenants move away leaving behind any unpaid utility bills, we will pass the forwarding address to the utility companies involved.

We do not subject your personal data to any automated decision making.

15. Communications

We may contact you by telephone, post or email to let you know about the Trust's activities including any changes to rent, emergency contact numbers etc.

16. Your rights

Under data protection law, you have rights including:

- **Request access** to personal information.
- **Request rectification** of personal information you think is inaccurate.
- **Request erasure** of personal information.
- **Object to processing** of personal information where the Trust is relying on a legitimate interest (or those of a third party) to lawfully process it.
- **Request the restriction of processing** of personal information.
- **Request the transfer** of personal information to another party.
- **Withdraw consent** where we have used this as our lawful basis for processing your information.

If you want to access your information or make other requests relating to data protection, please send a description of the information you want to see and proof of your identity to admin@gannochytrust.org.uk

Please let us know if you have any queries or concerns about the way that your data is being processed by contacting us on the details below. You are also entitled to make a complaint to the Information Commissioner's Office, and for further information see the Information Commissioner's guidance here:

Information Commissioner's Office – Scotland
Queen Elizabeth House
Sibbald Walk
Edinburgh
EH8 8FT

Helpline number: 0303 123 1115

Website: <https://www.ico.org.uk/make-a-complaint>

17. Data retention

In some cases, we are obliged to retain your personal data to comply with legal or statutory obligations (for example, to keep records of contractual or financial matters).

Whilst the specific time periods vary depending on the circumstances, in general we will not keep records that include personal data for more than six years after a particular matter, transaction or exchange has concluded. In the event that you ask us to stop sending you information, we will retain certain details, such as your name, to help us ensure that you are not contacted again.

18. Contact

Questions, comments and requests regarding this privacy statement are welcomed and should be addressed to admin@gannochytrust.org.uk

19. Changes to this privacy statement

We keep our privacy statement under regular review. This privacy statement was last updated in August 2024.

Appendix 1: General business data – Personal Information Processed

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties listed below	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period / reason
Applications for properties	N	Managing housing list; assessing applicants for housing	1	Legitimate interests	N/A	Until tenancy begins / Retained for 1 year on waiting list with permission; to defend any accusations of discrimination
Housing application declaration	N	Managing housing list; assessing applicants for housing	1	Legitimate interests	N/A	For duration of tenancy / in case of legal action
Unsuccessful applications for properties	N	Managing housing list; assessing applicants for housing	1	Legitimate interests	N/A	12 months after shortlisting completed; to defend any accusations of discrimination
Supporting documents for applicants e.g. bank statements, references etc	N	Managing housing list; assessing applicants for housing	N/A	Legitimate interests	N/A	Until housing decision made; for reference
Tenancy Files (inc. criminal conviction; antisocial behaviour & health info)	N	Supporting and managing tenancy	1	Legal obligation / Performance of contract / Legitimate interests	N/A	Duration of tenancy; for reference
Former Tenants' files (key information)	N	Supporting and managing tenancy	1	Legal obligation / Performance of contract / Legitimate interests	N/A	5 years after lease termination; in case of legal action
Tenancy Agreement (lease)	N	Supporting and managing tenancy	N/A	Legal obligation / Performance of contract / Legitimate interests	N/A	5 years after lease termination; in case of legal action
Correspondence about a landlord's or tenant's complaint	N	Supporting and managing tenancy	1	Legal obligation / Performance of contract / Legitimate interests	N/A	5 years; in case of legal action

Council Tax records	N	Supporting and managing tenancy	N/A	Legal obligation / Performance of contract / Legitimate interests	N/A	10 years; to provide documentation in case of any issues
Gas Safety Record	N	To provide evidence of compliance	1	Legal obligation / Performance of contract	N/A	2 years
EICR	N	To provide evidence of compliance	1	Legal obligation / Performance of contract	N/A	6 years / as per Scottish Govt Guidance
Third party documents e.g. care plans	N	Supporting and managing tenancy	2, 3, 4	Performance of contract / Legitimate interests	Consent	Duration of tenancy; to provide services
CV and/or application info. (unsuccessful)	N	Making recruitment decisions / ascertaining ability to work	N/A	Legal obligation / Legitimate interests	N/A	1 year post decision; potential claims
Financial records/invoices	N	Financial management and accounting	N/A	Legal obligation / Performance of contract / Legitimate interests		10 years from the end of the tax year to which they relate
Grant applications	N	Assessing and managing grants	5	Legal obligation / Performance of contract / Legitimate interests	N/A	10 years (significant major or capital funding >£100k which may be kept permanently)
Youth Panel video material	Y	Assessing grants	6	Performance of contract / Legitimate interests	Consent	Duration of assessment; for assessment / reference
Venue booking forms	N	Managing venue bookings	N/A	Legal obligation / Performance of contract / Legitimate interests	N/A	18 months after event takes place; to deal with any claims and data analysis

1. SDM Housing software – tenancy information and processing
2. The Kincarrathie Trust – information for provision of Sheltered Housing Support Service
3. Aid Call/PPP Taking Care – via Kincarrathie House
4. PKC Community Alarms
5. Benefactor Cloud
6. Youth panel members and their support agencies