



MERCHANT TAYLORS' COMPANY

## PRIVACY NOTICE FOR MERCHANT TAYLORS' COMPANY EDUCATION-RELATED WORK

### Overview

The Merchant Taylors' Company (the Company), The Merchant Taylors' Foundation (MTF) and Merchant Taylors' Educational Trust (MTET) (together 'the Data Controllers') carry out a wide range of work related to education, including

- grant and award making,
- event hosting,
- working with the Company's associated schools and other educational institutions, all of which require us to hold data about individuals involved in these activities. We are committed to safeguarding the privacy of these individuals, and the Data Controllers will use the information that we collect lawfully and in accordance with the Data Protection Act 2018 (the Act).

### Changes to data protection legislation

This Privacy Policy is intended to comply with the Act and with the European Union's General Data Protection Regulation (GDPR) and its Privacy and Electronic Communications Regulations (PECR) but may change over time to reflect changes in the law.

### Other documents to be read in conjunction with this Privacy Notice

Others of the Company's privacy policies that may apply to you and your associates and which should be read for further, specific information are as follows and can be found at <https://www.merchant-taylors.co.uk/privacy-policy>:

- For members and apprentices of the Company: Privacy Notice for Members and Apprentices
- For applicants for grant-funding or awardees of grant-funding from charities whose trustees are provided by the Company: Privacy Notice: grant-funding applications

### Personal data and processing

Broadly, personal data means any information about a living individual, for example a person's name and their email address. Provided that the Data Controllers are able to identify that such information is about one particular person as opposed to anyone else, it is

personal data. Information would cease to be personal data if the Data Controllers removed the elements which enabled them to know that it was specifically about a particular person. Broadly, 'processing' personal data means storing and using it in any way, for example having it in a database or viewing it on a screen.

### **Data Subjects**

The Data Subjects in relation to whom the Data Controllers process personal data for the purposes of their education-related work are the individuals involved in that work ('you') and any identifiable associates – for example, grant beneficiaries or school pupils attending events – about whom you have provided information in relation to the work ('your associates').

### **Data Controllers**

The joint data controllers are:

- The Merchant Taylors' Company
- The Merchant Taylors' Foundation (registered charity no. 1161568)
- Merchant Taylors' Educational Trust (registered charity no. 310018)

### **Categories of personal data processed**

The types or categories of personal data which the Data Controllers process to carry out their education-related work include your:

- name
- email address
- mobile and/or landline number
- information you have provided to the Company about your associates, or, if you are a school pupil or grant beneficiary, information which your school or education establishment has provided about you for the purposes of the Data Controllers as explained below
- information about your education, career and interests, and any formal certification schemes, such as they relate to your involvement in the education-related work of any of the Data Controllers (this may be in the form of emails, records of conversations, notes from meetings, DBS certificate numbers, proof of qualifications to undertake certain activities, etc.)
- information about the education-related work of any of the Data Controllers in which you have participated, are actively participating, or would like to participate
- photographs or video footage from education-related work in which you are identifiable by someone other than yourself

### **Sensitive personal data**

Sensitive personal data means data about a person's:

- health
- religion
- political opinions
- trade union membership
- sex life
- sexual orientation

- genetics
- biometrics

The Data Controllers will process sensitive personal data about you or your associates only in two circumstances: First, if the relevant Data Controller has asked you for explicit consent to process the sensitive personal data, with a clear explanation of why that is thought necessary. Or, second, if you are a Company member or apprentice and you have volunteered the sensitive personal data to one or more of the Data Controllers, and the Data Controller then processes it in the course of its legitimate activities with appropriate safeguards, and does not disclose the information outside the Data Controllers except with your consent.

In the case of sensitive personal data about your associates, both the above circumstances should be read as if references to you were references to your associates.

### **Automated decision-making and profiling**

The Data Controllers do not carry out any:

- automated individual decision-making about Data Subjects (ie, making a decision about you solely by automated means without any human involvement), or
- profiling of Data Subjects (ie, automated processing of personal data to evaluate certain things about you).

### **Why we process personal data**

The Data Controllers process personal data primarily to:

- support, advance and promote the Data Controllers' charitable and educational work (including the consideration of grant and award applications relating to that work),
- promote the impact of the Data Controllers' charitable and educational work,
- promote the interests and activities of the schools and other educational institutions with which the Company is associated.

### **Lawful bases for processing personal data**

Subject to the exception in the following paragraph, the lawful basis under the Act on which the Data Controllers process your and your associates' personal data is that it is necessary in the Company's legitimate interests, with no disproportionate adverse impact on you or your associates. The legitimate interests in question are the purposes outlined under 'Why we process personal data' above.

The exception is as follows: The Data Controllers will publish personal data about anybody among you and your associates who is under the age of 18 only with the express consent of the person aged under 18. 'Publishing' in this context means publicizing your and your associates' involvement with the Data Controllers' education-related work in communications intended primarily for Company members and those interested in Company activities, but which may also be seen by others (for example, Number 30, the public pages of the Company's website, and electronic communications to members) because we cannot prevent members from sharing them or parts of them with non-members.

### **Electronic communications promoting education-related work**

Under PECR, the Data Controllers will send you electronic communications about education-related work only if the relevant Data Controller has your consent.

### **Categories of recipients of personal data**

Your personal data will be used primarily only internally by the Data Controllers. However, there are occasions – see ‘Passing of personal data to third parties’ below – when it is necessary for the Data Controllers to share your data with other parties.

Photographs and/or video footage in which you are identifiable by someone other than yourself may be used in communications intended primarily for Company members and those interested in Company activities, but which may also be seen by others (for example, Number 30, the public pages of the Company’s website, and electronic communications to members) because we cannot prevent members from sharing them or parts of them with non-members.

### **Passing of personal data to third parties**

The Data Controllers will not sell your or your associates’ personal data to any commercial or charitable organization.

If you are attending a Company event, the Data Controllers may pass your and your associates’ personal data to Merchant Taylors’ Catering Limited for the purposes of facilitating your attendance and enjoyment of the event.

If you are attending an event at Merchant Taylors’ Hall involving a charity, school or other educational institution supported by the Company or one of the other Data Controllers, the relevant Data Controller will pass your personal data to the charity, school or other educational institution only if it is necessary for the proper functioning of the event (for example, if the charity, school or other educational institution is organizing a seating plan).

If you are involved in an education-related event or activity at a charity, school or other institution the relevant Data Controller will normally pass your name, email address and any other relevant information to the charity, school or educational institution hosting the event or activity.

The Company uses various cloud-based software packages to administer Company events, for example to facilitate sending out invitations to multiple people and tracking who has accepted. Technically, use of these packages constitutes the Company passing personal data such as your name and email address to the third party cloud-based software provider.

The Company provides the names of some of those involved in the Company’s education-related work – such as Headteachers and school governors – to the publisher of the Company diary for inclusion in the diary, and provides complimentary copies of the diary itself to third parties affiliated to the Company, such as schools and military affiliates, and to other third parties such as the Company’s professional advisors.

Finally, the Company's staff are employed by a subsidiary company. In that sense, your and your associates' personal data are provided to that subsidiary company.

### **Transfer of personal data outside the EEA (European Economic Area)**

Personal data will be transferred outside the EEA or other areas of adequacy determined by the EU only to the extent that the Company uses cloud-based software where, as a standard precaution against cyber-attack, the cloud provider stores data on multiple servers, some of which may be located outside these areas.

### **Retention of personal data**

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

In some circumstances you can ask us to delete your data: see 'Data Subjects' rights' below. 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 that case it ceases to be personal data and we may use this information indefinitely without further notice to you.

### **Data Subjects' rights**

Under the Act and even more so under the GDPR you have a number of rights, outlined below.

#### Right of Access

You are entitled to access your personal data by making a Subject Access Request (SAR), so that you are aware of and can verify the lawfulness of the processing. You have the right to obtain:

- confirmation that your data is being processed
- access to a copy of your personal data
- other supplementary information that corresponds to the information in this privacy notice

To make a SAR, please make your request by email to [data@merchant-taylors.co.uk](mailto:data@merchant-taylors.co.uk) with the words 'Subject Access Request' in the subject bar.

Under GDPR and from 25 May 2018, this information will normally be provided without charge and within one month. If an extension is required or requests are considered manifestly unfounded or excessive, in particular because they are repetitive, the Data Controllers may choose to charge a reasonable fee taking into account the administrative costs of providing the information, or refuse to respond. The reasons for this will be

formally notified to you and your rights to appeal to the UK Information Commissioner's Office (ICO) will be highlighted.

The Data Controllers will normally use an electronic format to release information in response to a SAR.

To protect your personal data, the Data Controllers will seek to verify your identity before releasing any information in response to a SAR about you. In most cases, verifying identity is likely to be simple, but will probably involve additional steps if a SAR is made by a member living outside the UK, or a former member, or a relative or personal representative of a deceased member.

#### Right of Rectification

You are entitled to have personal data rectified if it is inaccurate or incomplete. The Data Controllers will respond within one month of your request to rectify your data. In the unlikely event of the Data Controllers not taking action to fulfil a request for rectification, the Data Controllers will inform you of your rights (if any) to complain or seek judicial remedy.

#### Right of Erasure

You may request the deletion or removal of personal data under the Right of Erasure. The Right of Erasure does not provide an absolute 'right to be forgotten'. Rather, it is a right to have personal data erased and to prevent processing in the following specific circumstances:

- where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed
- when you withdraw consent for data where your consent was our legal basis for processing it
- when you object to the processing and there is no overriding legitimate interest for continuing the processing
- the personal data was unlawfully processed
- the personal data has to be erased in order to comply with a legal obligation
- the personal data is processed in relation to the offer of information society services to a child (the Data Controllers do not offer such services)

#### Right to Restrict Processing

Under the Act, you have a right to 'block' or suppress processing of personal data. The restriction of processing under the GDPR is similar. When processing is restricted, the Data Controllers are permitted to store the personal data, but not to process it further. In this event, the Data Controllers will explain to you exactly what personal data is held and why.

#### Right to Data Portability

You may request to obtain and reuse your personal data for your own purposes across different services, subject to the caveat below. This allows you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability. The Right to Data Portability applies only:

- to personal data you have provided,
- where the processing is based on your consent or is for the performance of a contract, and
- when processing is carried out by automated means (the caveat is that the Data Controllers consider that they do not carry out any processing by automated means).

In these circumstances the Data Controllers will provide a copy of your data in CSV or PDF format free of charge, without undue delay and within one month. If there is a delay, you will be informed.

### Right to Object

You have the right to object, on grounds relating to your particular situation, to:

- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority,
- direct marketing,
- processing for purposes of scientific/historical research and statistics.

### **Exercising your rights**

To exercise any of the rights above, you must notify us by email at [data@merchant-taylors.co.uk](mailto:data@merchant-taylors.co.uk). 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 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.

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.

### **Changes to this Privacy Notice**

The Data Controllers keep their privacy policies under regular review and this may result in issuing updated versions of this Notice, which the Company will normally do on its website. This Notice was last updated in May 2020.

### **Queries about your data**

If you have any questions about your personal data, the Data Controllers' processing of your data or your rights relating to data that are not explained here, please feel free to contact us at [data@merchant-taylors.co.uk](mailto:data@merchant-taylors.co.uk) or write to The Clerk (Data Protection), Merchant Taylors' Hall, 30 Threadneedle Street, London EC2R 8JB. You can also find further information about your personal data rights at the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)).

**DISCLAIMER:** The information in this Privacy Notice is for general guidance on your rights and responsibilities and is not legal advice. Please contact a lawyer if you need legal advice.