

## SCOTTISH SPCA PRIVACY NOTICE

You can read our accessible version of this privacy notice [here](#) or, if you are a child, you may wish to read this privacy notice with a parent, guardian or other responsible adult.

### What is the purpose of this document?

The Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA) is committed to protecting the privacy and security of your personal data.

This privacy notice describes how we collect and use personal data about you during the volunteer application process, your volunteering placement and after your volunteering relationship with us, in accordance with the UK GDPR, the Data Protection Act 2018 and all other applicable laws relating to the processing of personal data ("UK data protection law").

It applies to our prospective, current and former volunteers (including trustees), and to our further education placement students and youth volunteers (aged 14-16 years). It also applies to the parent or guardian of volunteers who are under 18 years of age.

When we say 'Scottish SPCA', 'we' or 'us' in this privacy notice, we are referring to the Scottish Society for the Prevention of Cruelty to Animals which is a registered charity in Scotland (Scottish Charity No. SC 006467) and a company limited by guarantee registered in Scotland (Company No. SC201401) with its registered office at Kingseat Road, Halbeath, Dunfermline KY11 8RY.

Scottish SPCA is a "controller". This means that we are responsible for deciding how we hold and use personal data about you. We are required under data protection law to notify you of the information contained in this privacy notice.

This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time.

It is important that you read this notice, together with any other privacy notice we provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such personal data and what your rights are under data protection law.

If you have viewed this notice via our website, please see our [Privacy Policy](#) for further information regarding cookies.

### Data protection principles

We will comply with data protection law. This says that the personal data we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

## The kind of personal data we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified or identifiable as an individual (even if not by name). It does not include data where the identity has been permanently removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, such as personal data about a person's health or sexual orientation. Information about criminal convictions and offences also warrants a higher level of protection.

We collect, store, use and otherwise process the following categories of personal data about you (where applicable):

- **Identity Data.** Personal details such as name, title, address, date of birth, gender, telephone numbers and personal email address. Where you are under 18 years of age we may also collect personal identity details of your parent or guardian. We will require additional information for trustees, such as prior address, National Insurance number, place of birth and prior names to process our licencing applications.
- **Volunteer Records.** Information about your volunteering role, including details of the training you've completed and the statutory documents you've read.
- **Bank Account Details.** If you wish to claim expenses during your time volunteering with us, we will require your bank account details in order to make payments into your account. This information is securely stored on our financial system only.
- **Identity Documents.** Some roles require the provision of photo ID, proof of residency or other personal identity documents. Once checked these documents are anonymised in our volunteering management system.
- **Emergency Contact Data** The details of a nominated person whom we should contact in the event of an emergency. We collect name, telephone number and relationship to the volunteer.

We may also collect, store, use and otherwise process the following more sensitive personal data ("special categories of data" and/or "criminal convictions and offences data") including:

- **Health Data.** Personal data regarding your health, including any medical condition, that may necessitate reasonable adjustments to be made to ensure your safety and wellbeing during your volunteering with us and to assess your fitness to carry out your duties.
- **Criminal Convictions Data.** Personal data regarding criminal convictions and offences. Where criminal records checks are carried out that information is anonymised after the application process is complete.

## How is your personal data collected?

We collect personal data from potential volunteers through our volunteer application process via our volunteering management system. These personal details can be updated by potential and current volunteers. If you are a parent or guardian of a volunteer, prospective volunteer or previous volunteer who is under 18 we may also collect your personal data. We may sometimes collect additional personal data from third parties such as former employers or from other referees that you provide us with contact details for, and also, where applicable, from Disclosure Scotland. Additionally, where you

tell us that it is relevant, we may also gather additional personal data from the Duke of Edinburgh Scheme, or other similar initiatives.

We verify our trustees identity to allow us to sell our properties and for regulatory purposes and use an external Scottish solicitor to do this for us.

### **How we will use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- 1.. Where we need to comply with a legal or regulatory obligation.
2. Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests.
3. To apply for our licences for our centres (trustees only)

We may also use your personal data in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests), such as in a medical emergency.
2. Where it is needed in the public interest or for official purposes.
3. Where it is with your consent.

Please see the table in appendix 1 at the end of this notice which further details the legal bases we rely upon to process your personal data. Examples of situations in which we will process your personal data include but are not limited to:

- Review your application to assess your suitability as a volunteer
- Recruit or decline your application to be a volunteer
- Manage, plan and liaise with you as a volunteer
- Contact a parent or guardian of a youth volunteer
- Provide you with your expenses
- Business management and planning, including accounting, auditing, equal opportunities monitoring, day-to-day operational activities and to conduct data analytics studies to review and better understand volunteer retention and attrition rates
- Education, training and development requirements
- Deal with legal disputes involving you, or other volunteers, employees, workers and contractors, including accidents at your volunteer placement
- Comply with health and safety obligations e.g accident reporting
- To prevent fraud, ascertain compliance with our policies and procedures, and ensure protection of our intellectual property
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution

- Carry out business continuity plans, to allow us to respond to an emergency situation quickly and limit the damage to our people, property and animals.
- To carry out volunteer surveys
- Make arrangements for the termination of your volunteering relationship with us

#### If you fail to provide personal data

If you fail to provide certain personal data when requested, we may not be able to adhere to the volunteer agreement we have entered into with you (such as providing you with a placement or expenses), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our volunteers).

#### Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with our original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

#### **How we use particularly sensitive personal information**

"Special categories" of particularly sensitive personal data, such as information about your health, racial or ethnic origin, or sexual orientation require higher levels of protection. We need to have further justification for collecting, storing, using and otherwise processing this type of personal data.

The main reason we would need to hold, or otherwise process, these special categories of personal data is to carry out our legal obligations to you as a SSPCA volunteer.

Our additional lawful basis required to process these special categories of personal data are:

1. Where it is needed on the grounds of substantial public interest, such as for equal opportunities monitoring, or to safeguard children and individuals at risk, or to comply with another legal obligation, or to prevent or detect unlawful acts.
2. In limited circumstances, with your explicit written consent
3. Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your vital interests (or someone else's vital interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about volunteers or former volunteers in the course of legitimate business activities as a charity with the appropriate safeguards.

We may use your particularly sensitive personal data in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in the volunteer placement, to assess your fitness to undertake your duties and to provide appropriate volunteer placement adjustments.
- We will use information about your race or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting. However, please note that once you have provided us with this personal data it will be anonymised on our system and any equality monitoring or reporting will also be carried out in a fully anonymised way.

## Information about criminal convictions and offences

We are only permitted to use personal data relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our legal obligations and for reasons of substantial public interest to safeguard children and individuals at risk in line with the law and with our policies.

Less commonly, we use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public, or with your consent.

We also process such information about volunteers or former volunteers in the course of legitimate business activities with the appropriate safeguards.

Volunteers who supervise children must join the Protection of Vulnerable Groups Scheme via Disclosure Scotland to determine their suitability to work with children or individuals at risk. This is a legal requirement and also safeguards children and any individuals at risk we work with. Disclosure Scotland will notify us of any criminal charges, convictions or cautions.

Where required, we will collect personal data about criminal convictions and offences as part of the volunteer recruitment process, and as part of our ongoing obligations throughout your volunteering placement. We may become aware or be notified directly by you of such information in the course of you volunteering for us. Our trustees handle personal, financial and sensitive information and therefore need to be disclosure checked ahead of appointment.

In limited circumstances, we will approach you for your written consent to allow us to process certain particularly special category or criminal convictions and offence data. If we do so, we will provide you with full details of the personal data that we would like and the reason we want it, so that you can carefully consider whether or not you wish to consent. You should be aware that it is not a condition of your volunteering agreement with us that you agree to any request for consent from us.

### Which third parties receive or have access to my personal data?

Where we have a lawful basis for doing so:

- We may share your personal data with a third-party to provide a reference if you have detailed us as a referee.
- We may also share your personal data with third parties, such as the Duke of Edinburgh award scheme or with your school, where you have detailed us.
- We may also share your personal data with other third parties, for example in the context of the possible sale or restructuring of the business, including a merger or transfer of the Scottish SPCA's activities to another organisation.
- We may also need to share your personal data with a regulator or to otherwise comply with the law.
- We may share your personal data (trustees only) with a licencing body for our Animals Rescue centres.
- We may share your personal data with our lawyers to verify your identity (trustees only).

### **Data security**

We have put in place measures to protect the security of your personal data. Details of these measures are available upon request from our Data Protection Officer ('DPO').

Third parties will only process your personal data on our instructions and where they have agreed to treat the personal data confidentially and to keep it secure in compliance with data protection law.

## **Data retention**

### How long will you use my personal data for?

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

In some circumstances we will anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a volunteer, we will retain and securely destroy your personal data in accordance with our data retention policy, and in compliance with applicable laws and regulations.

Details of retention periods for different aspects of your personal data are outlined in the table at Appendix 1. Further information, if required, is available from our DPO.

## **International transfers of personal data outside the United Kingdom**

We do not transfer your personal data outside the United Kingdom, but if we were to do so, we would ensure we were legally able to do so, and would provide a similar degree of protection to your personal data, in compliance with data protection law.

## **Rights of access, correction, erasure, and restriction**

### Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current, and you can update the personal data via the volunteer portal or by contacting the volunteer manager. Please keep us informed if your personal data changes during your volunteering relationship with us.

### Your rights in connection with personal data

Under certain circumstances, by law you have the right to:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request the erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to stop processing personal data where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to another party.

You can exercise these rights by contacting our DPO.

### No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the personal data (or to exercise any of your other rights).

### **Data Protection Officer ('DPO')**

We have appointed a DPO to oversee compliance with this data protection law and with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please contact the DPO. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

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

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

### **Right to withdraw consent**

In the limited circumstances where you have provided your consent to the collection, transfer or otherwise processing of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the DPO. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **How to complain**

If you have any concerns about our use of your personal data, you can make a complaint to our Data Protection Officer, at [mike.flynn@scottishspca.org](mailto:mike.flynn@scottishspca.org).

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

### **Questions**

**If you have any questions about this privacy notice, please contact the DPO, Mike Flynn,**

**Email: [mike.flynn@scottishspca.org](mailto:mike.flynn@scottishspca.org)**

<b>Type of Volunteer Data</b>	<b>Retention Period</b> <i>Where information falls under more than one category the longest retention period may apply</i>	<b>Legal Basis for Processing</b>
Unsuccessful volunteer applications	Immediate anonymization once the application has been deemed unsuccessful	<ul style="list-style-type: none"> <li>• Where the processing is necessary for the purposes of our legitimate interests to assess your volunteer application and those legitimate interests are not overridden by your interests or fundamental rights and freedoms</li> <li>• Where the processing is necessary to comply with our legal obligation</li> </ul> <p>We may also use your personal data in the following situations, which are likely to be rare:</p> <ol style="list-style-type: none"> <li>1. Where we need to protect your interests (or someone else's interests), such as in a medical emergency.</li> <li>2. Where it is needed in the public interest or for official purposes.</li> <li>3. Where it is with your consent.</li> </ol>



<p>Volunteer recruitment and volunteer placement's personal data</p>	<p>5 years after termination of volunteering</p> <p>For volunteers aged under 18 – 5 years after termination of volunteering which begins from the date they reach 18 years old</p>	<ul style="list-style-type: none"> <li>• Where the processing is necessary for the purposes of your volunteer recruitment or the ongoing maintenance of your volunteer placement and those legitimate interests are not overridden by your interests or fundamental rights and freedoms.</li> <li>• Where the processing is necessary to comply with our legal obligation</li> </ul> <p>We may also use your personal data in the following situations, which are likely to be rare:</p> <ol style="list-style-type: none"> <li>1. Where we need to protect your interests (or someone else's interests), such as in a medical emergency.</li> <li>2. Where it is needed in the public interest or for official purposes.</li> <li>3. Where it is with your consent.</li> </ol> <p>For special categories of personal data (such as health data):</p> <ul style="list-style-type: none"> <li>• To carry out our legal obligations to you And our additional lawful basis:</li> <li>• Where it is necessary on the grounds of substantial public interest such as for equality of opportunity or treatment, or to safeguard children and individuals at risk, or to prevent and detect unlawful acts.</li> <li>• In limited circumstances with your explicit consent, or where it is needed in relation to a legal claim or it is needed to protect your vital interests (or someone else's vital interests) and you are not capable of giving consent, or where you have already made the information public.</li> <li>• In limited circumstances, where we process such personal data about volunteers or former volunteers in the course of legitimate business activities as a charity with appropriate safeguards.</li> </ul>
<p>Volunteer induction</p>	<p>5 years after termination of volunteering</p>	<ul style="list-style-type: none"> <li>• Where the processing is necessary for the purposes of your induction and volunteer placement and those legitimate interests are not overridden by your interests or fundamental rights and freedoms.</li> </ul>
<p>Volunteer training</p>	<p>5 years after termination of volunteering</p>	<ul style="list-style-type: none"> <li>• Where the processing is necessary for the purposes of providing your training during your volunteer placement and those legitimate interests are not overridden by your interests or fundamental rights and freedoms.</li> <li>• Where we have a legal obligation to provide training to you as a volunteer.</li> </ul>

Volunteer surveys	<p>Up to 1 year</p> <p>Data is anonymised and aggregated before being passed to the Volunteer Manager</p>	<ul style="list-style-type: none"> <li>• Where the processing is necessary for the purposes of undertaking volunteer surveys so we can understand more about our volunteer's placements and experiences and develop or adjust our services and those legitimate interests are not overridden by your interests or fundamental rights and freedoms.</li> </ul>
Volunteer criminal convictions and offences data	<p>Spent conviction details are not retained.</p> <p>Unspent conviction information 6 years</p> <p>Unspent conviction data involving safeguarding of a child or other vulnerable person 24 years</p>	<ul style="list-style-type: none"> <li>• Where the processing is necessary to comply with our legal obligations</li> <li>• For our legitimate interests including to check the suitability of volunteers and it is justified by the circumstances of that volunteer role, where those legitimate interests are not overridden by your interests or fundamental rights and freedoms</li> </ul> <p>Our additional basis required are:</p> <ul style="list-style-type: none"> <li>• For reasons of substantial public interest to safeguard children and individuals at risk</li> <li>• Less commonly, where it is necessary in relation to legal claims, or where it is necessary to protect your vital interests (or someone else's vital interests) and you are not capable of giving your consent, or to prevent or detect unlawful acts, or where you have already made the information public, or with your consent</li> </ul>