

# Aros Park Historic Walled Garden

## SCIO: SC049377

## Data Privacy Notice

September 2021  
Policy Review Date: September 2023

### INTRODUCTION

Aros Park Historic Walled Garden is the data controller, which means it decides how your personal data is processed and for what purposes.

#### **Who we are and what we do**

Aros Park Historic Walled Garden is a charity registered in Scotland, charity number SC049377  
c/o An Roth Community Enterprise Centre, Craignure, Isle of Mull, PA65 6AY

[info@arosparkwalledgarden.com](mailto:info@arosparkwalledgarden.com)

[www.arosparkwalledgarden.com](http://www.arosparkwalledgarden.com)

[www.facebook.com/arosparkwalledgarden](https://www.facebook.com/arosparkwalledgarden)

The aim of the charity is to restore the walled garden at Aros Park, Tobermory, and the charitable objectives are set out as follows:

- To advance education through the teaching of horticulture to volunteers and members of the community.
- The advancement of community development (including rural regeneration) through the provision of a place to visit that enables the community to appreciate wildlife, the history of the garden, the benefits of medicinal plants, and to become involved with the garden's development.
- The advancement of the arts, heritage, culture or science through providing a place to perform music and drama, to learn about the people who worked and lived on the estate, and how the garden evolved and grew over time.
- And the provision of recreational facilities, or the organisation of recreational activities with the object of improving the conditions of life for the community, through walking and spending time enjoying the garden.

#### **Your personal data – what is it?**

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2016/679 (the GDPR).

#### **What personal data do we collect?**

Aros Park Historic Walled Garden collects the following personal data provided with the individual's consent: Names, Addresses, Telephone Numbers, Email Addresses. The charity also collects personal data in the form of Website User Statistics, Trustee and Member Data. Aros Park Historic Walled Garden does not process or hold any Special Categories of Personal Data as per Article 9 of the

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GDPR.

### **How do we collect your personal data?**

Aros Park Historic Walled Garden collects your personal data via:

- Website cookies and usage statistics;
- Direct emails to the charity;
- Completion of the consent form (Appendix 1);
- Responses to surveys or consultations where the individual provides their contact information to be kept updated;
- Register of Members and Trustees (required by OSCR).

### **How do we process your personal data?**

Aros Park Historic Walled Garden complies with its obligations under the GDPR by:

- Keeping personal data up to date;
- Storing and destroying personal data securely and by not collecting or retaining unnecessary amounts of data;
- By protecting personal data from loss, misuse, unauthorised access and disclosure, and by ensuring that appropriate technical measures are in place to protect personal data. We use your personal data for the following purposes:
  - to administer records of membership and trusteeship
  - to promote the aims and interests of the charity
  - to update about the progress of the walled garden restoration
  - to inform about events, including but not limited to working parties, workshops, educational initiatives
  - to advertise the potential hiring of the venue
  - to manage our trustees, members and volunteers
  - to maintain our own accounts and records
  - to operate the Aros Park Historic Walled Garden website
  - to inform individuals of news, activities or services run by Aros Park Historic Walled Garden
  - to process gift aid applications
  - to contact individuals via surveys to conduct research about their opinions of current plans, services and potential new services or plans that may be offered or actioned.

### **What is the legal basis for processing your personal data?**

- Consent from the data subject:
  - Opt-in to receiving specific emails from us via our email newsletter
  - Consent form completion (Appendix 1)
  - Where a website user has provided their consent to the website cookie policy, personal data (including but not limited to cookies and usage data) is collected and shared with third party provider(s) for the purpose of accessing website analytics to monitor and improve the performance of the website.

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- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract:
  - Contractor contracts
  - Volunteer contracts
- Processing is necessary for compliance with a legal obligation:
  - OSCR requires we keep a register of charity trustees and a register of members.
- Processing is necessary for the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject. For example:
  - Former trustee records must be retained for six years from the date they ceased to be a trustee, including their full name and address;
  - Constitution of the charity requires we keep a register of members, including full name and address and date they became a member, and if they cease to be a member, their full name and date on which they ceased to be a member, kept for six years.
  - Grant funding, reporting and monitoring requirements state that 'the Grantee must keep and maintain for a period of between 6-12 years adequate and proper records in hard copy format and books of account' depending on the Funder.

### **Sharing your personal data**

Your personal data will be treated as strictly confidential, and will be shared only with other organisations to comply with a legitimate interest or legal obligation, i.e. OSCR or Funders.

### **How long do we keep your personal data?**

We keep your personal data for no longer than reasonably necessary, but for a period of 6 – 12 years in order to comply with funding and OSCR obligations.

### **Your rights and your personal data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data Aros Park Historic Walled Garden holds about you;
- The right to request that Aros Park Historic Walled Garden corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for Aros Park Historic Walled Garden to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right to request that Aros Park Historic Walled Garden provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, known as the right to data portability (where applicable);
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;

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- The right to object to the processing of personal data (where applicable);
- The right to lodge a complaint with the [Information Commissioners Office](#): The Information Commissioner's Office – Scotland, Queen Elizabeth House, Sibbald Walk, Edinburgh, EH8 8FT

### Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

Where and whenever necessary, we will seek your prior consent to the new processing. To exercise all relevant rights, queries or complaints, please in the first instance contact us at:

[info@arosparkwalledgarden.com](mailto:info@arosparkwalledgarden.com)

### Monitoring and review of this policy

Responsibility for monitoring the application of this policy will rest with the trustees of Aros Park Historic Walled Garden.

The policy will be reviewed every 2 years with amendments being made as appropriate.

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## APPENDIX 1

### CONSENT

By signing this form, you are confirming that you have read this Data Protection Notice and that you are consenting to Aros Park Historic Walled Garden holding and processing your personal data for the following purposes. Please tick the box if you are happy to grant consent to receive emails:

- To keep you informed about relevant news, aims and updates.
- To keep you informed about relevant events, activities and services to do with Aros Park Historic Walled Garden.
- To keep you informed about opportunities to participate at the garden.
- To contact you with surveys about our aims, plans and current events.

Name/Organisation:

Address:

Email address:

By Email

By Post

You can grant consent to all the purposes; one of the purposes or none of the purposes. Where you do not grant consent we will not be able to use your personal data and we will be unable to inform you of the activities listed above except in certain limited situations, such as where required to do so by law or to protect members of the public from serious harm.

If you do grant consent, please note you can withdraw your consent to all or any one of the above purposes at any time by contacting [info@arosparkwalledgarden.com](mailto:info@arosparkwalledgarden.com)

Please note that all processing of your personal data will cease once you have withdrawn consent but this will not affect any personal data that has already been processed prior to this point.

SIGNED

DATED

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