

**Distributing Harestanes
Community Benefit on behalf
of ScottishPower Renewables**



**Helping communities
to make positive
changes**

Annandale & Nithsdale Community Benefit Company

Annandale & Nithsdale Community Benefit Company (ANCBC) is committed to protecting any personal information shared with it by individuals, or that it receives from other organisations, and to keeping it safe.

This Privacy Notice explains how ANCBC will use any personal information (data) it collects from you or others to comply with data protection law. This Privacy Notice applies to all data held by ANCBC and pages hosted at www.ancbc.co.uk. It does not apply to pages hosted by other organisations or individuals which our site may link to or be linked from, whose privacy notices may differ.

ANCBC is subject to the legal jurisdiction of Scotland and any data protection legislation that applies in that jurisdiction.

In legal terms, for the purpose of the Data Protection Act 2018 (which replaced the Data Protection Act 1998) (DPA) and the General Data Protection Regulation 2018 (GDPR), the data controller for this information is ANCBC.

Who are we?

ANCBC is a company limited by guarantee (Company Number SC492185) established primarily to distribute funds for the benefit of the community arising from the Scottish Power Renewables Harestanes Wind Farm.

Governed by a Board of Directors, ANCBC contracts Foundation Scotland to provide administrative support and deliver operational grant-making and distribution activity for its Main Fund. ANCBC directly administers and disburses Community Council Local Grant Funds. This means that both ANCBC and Foundation Scotland are processors of ANCBC's data.

Why does ANCBC need your data?

ANCBC is committed to supporting rural regeneration and efforts to improve the sustainability of Annandale and Nithsdale.

In order to do this effectively, we work with a range of individuals, groups and agencies to further the work of the company. We use the knowledge we have about

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people – personal data – only for the purpose of furthering the work of ANCBC now and in the future.

We understand our responsibilities as stewards of this data and will protect your privacy. This notice describes how we do this.

Whose personal data does ANCBC collect and how it is collected?

Personal data means any information capable of identifying an individual. It does not include anonymised data.

Both ANCBC and Foundation Scotland hold data on individuals who have given financial or other support to ANCBC, those who might do, and those who apply to ANCBC for funds, whether on behalf of an organisation or personally.

The majority of personal data held about you has been provided directly by you.

ANCBC may also receive information about you from third parties, for example: via a quote or invoice supplied by you with an application or by an individual copying you in to an e-mail. We may receive data from third parties such as carers, relatives, family members or others who have a power of attorney or your written permission, who are acting on your behalf.

ANCBC may collect information available in the public domain including social media such as Facebook. ANCBC may also use publicly available directories, electoral registers and similar information such as the British Telecom's telephone number database, Companies House or your organisation's website.

ANCBC may collect certain data from you automatically as you use our website by using cookies and similar technologies. Please see below for more details about cookies.

ANCBC may receive data from analytics providers, such as Google, based outside the EU; advertising networks, such as Facebook, based outside the EU; search information providers, such as Google, based outside the EU; and providers of technical, payment and delivery services, such as data brokers or aggregators.

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What Personal Data do we collect about you, for what purpose and on what grounds is it processed?

ANCBC may process the following categories of personal data about you:

- **Communication Data** that includes any communication that you send to ANCBC whether that is through letter, e-mail, text, social media messaging, social media posting or any other format. ANCBC processes this data for the purposes of communicating with you, for record keeping and for the establishment, pursuance or defence of legal claims. ANCBC's lawful ground for this processing is its legitimate interests, which in such cases are to reply to communications sent to it, to keep records and to establish, pursue or defend legal claims.
- **Applicant Data** that includes data relating to any grant you apply for (electronically and in paper format), such as your name, title, postal address, email address, phone number/s, grant related attachments or follow up communications. ANCBC processes this data to consider grant applications, award grants and to keep records of such transactions. When a grant has been awarded, ANCBC may use your name in publicly available media, listing individual grant recipients (amounts/name/purpose) to promote ANCBC and ensure wider community accountability. ANCBC may also seek your permission to use your name with a quote as a beneficiary (or representative of an organisation which is a beneficiary) of an award on promotional material. Our lawful ground for this processing is the performance of a contract between you and ANCBC and/or taking steps at your request to enter into such a contract, and legitimate interests in promoting the Fund.
- **Membership Data** that includes data relating to your nomination or application to become a member of ANCBC including your name, title, age, postal address, email address, and phone number/s. ANCBC processes this data to keep the Company's membership list up to date, send correspondence on member related issues and to keep records of such transactions. ANCBC's lawful ground for this processing is its legitimate interests in operating a community company accountable to its members.

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- **Board Director Data** that includes data relating to your application (electronically and in paper format) to become a Director of ANCBC and processing your membership of ANCBC. Data held includes your name, title, age, postal address, email address, and phone number/s, biography for election and/or publicity purposes and eligibility to serve as a Director.

If you become a Director, ANCBC will also collect further data such as: former names and addresses; nationality; date of birth; occupation; consent to act as a Trustee/Director; eligibility to act as a Trustee/Director; sample signature. We may also require photo identification and bank account details to verify your identity and reimburse any expense claims.

ANCBC's lawful ground for processing this data is to manage the governance of the organisation and comply with its legal requirements and obligations.

- **Marketing and Consultation Data** includes data about your preferences in receiving marketing and consultations from ANCBC and your communication preferences. ANCBC processes this data to deliver relevant website and social media content, to consult you on ANCBC related and wider community development related activity. Our lawful ground for this processing is our legitimate interests in how residents use and benefit from ANCBC's work and grant making activities and develop it in response to identified needs.

Who has access to data held by ANCBC?

The ANCBC Board has access to your data. As a third party providing secretariat services for ANCBC, Foundation Scotland has access to your data. Foundation Scotland is an independent charity registered in Scotland with the Office of Scottish Charity Regulator [registration number SC022910] and a company limited by guarantee [company number SC152949].

ANCBC will not sell or rent your data to third parties, or share your data with third parties for marketing purposes.

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ANCBC may pass data to other organisations, businesses and professional advisers, known as Data Processors, to provide specific services. An example would be providing data to Foundation Scotland in providing secretariat services; a mailing house in order to send out a newsletter; an organisation providing electoral services to conduct a vote; the organiser of an event or function that an ANCBC representative is attending or ANCBC has commissioned; or an assessor trained to assess an application for funding.

ANCBC will also provide your data to establish and defend its legal rights, and to prevent and detect crimes such as fraud. It may need to share your personal data with other people for this reason, such as Courts and law enforcement agencies.

Applicant data is provided to ANCBC appointed accountants/auditors because it has a legal obligation to provide this information.

ANCBC provides the necessary Board Member data to Companies House, donors and ANCBC appointed accountants and bankers because it has a legal obligation to provide this information.

ANCBC requires all third parties to whom your data is transferred to respect the security of your personal data and to treat it in accordance with the law. ANCBC only allows such third parties to process your personal data for specified purposes and in accordance with its instructions.

What are Cookies and what do they do?

Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org.

You have the ability to accept or decline cookies by modifying the settings in your browser. For example, in Internet Explorer, you can go to Tools and Internet Options, where there is the option to change your settings to disable cookies. However, you may not be able to use all the features of our site if cookies are disabled. You also have the ability to delete cookies that have been installed in the cookie folder of your

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browser. To do this you should search for “cookies” in your “Help” function for information on where to find your cookie folder. Unless you have adjusted your browser settings so that it will refuse cookies, our system will issue cookies when you log on to our Site. To prevent Google Analytics cookies being set, you may install the Google Analytics Opt-Out Browser Add-On by clicking on this link <https://tools.google.com/dlpage/gaoptout> and following the instructions. Most web browsers allow some control of most cookies through the browser settings.

How do we use Cookies?

We sometimes use ‘pop up’ messages (like the one that tells you about the cookies on this site) to make sure our visitors are aware of important information. If you choose to acknowledge the message, the pop up will no longer appear when you visit the site. These kinds of messages include a cookie that ‘remembers’ you have already acknowledged the message when you visit.

Google Analytics – Google - sets these cookies on our website. These cookies are used to collect information about how visitors use our site. Google stores the information collected on servers in the United States. Google may transfer this information to third parties where required to do so by law, or where third parties process the information on Google’s behalf. Google states that it will not associate your IP address with any other data it holds.

We may embed videos from YouTube using YouTube’s privacy-enhanced mode. This mode may set cookies on your computer once you click on the YouTube video player, but YouTube will not store personally-identifiable cookie information for playbacks of embedded videos using the privacy-enhanced mode. To find out more please visit YouTube’s embedding videos information page:

<https://support.google.com/youtube/answer/171780?hl=en-GB>

International Transfers

We may use suppliers who run their operations outside of the European Economic Area (EEA). Although they may not be subject to the same data protection laws as companies based in the UK, we will take steps to make sure they provide an adequate level of protection in accordance with UK data protection law. By

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submitting your personal information to us you agree to this transfer, storing or processing at a location outside the EEA.

Security of your data

Non-sensitive details (your email address, etc.), when transmitted normally over the internet cannot be guaranteed to be 100% secure. Whilst ANCBC uses all possible means to protect your personal data, it cannot guarantee the security of any information you transmit electronically to ANCBC, and you do so at your own risk.

ANCBC has put in place security measures to prevent your personal data from being accidentally lost, used, altered, disclosed, or accessed without authorisation.

ANCBC also allows access to your personal data only to those Board Members and parties who have a business need to know such data. They will process your personal data only on ANCBC instructions and they must keep it confidential.

If you are an ANCBC Board Member, where ANCBC has given you a password to access its website, social media accounts, and/or other online accounts and tools, you are responsible for keeping this password confidential and must not share it with others.

Where Board Members' personal e-mail addresses are used to send and receive ANCBC related correspondence, the Board Member is responsible for password protecting it and keeping this password confidential, and must not share it with others.

ANCBC keeps your data secure on its secretariat's IT systems with appropriate security mechanisms in place. ANCBC does not share your data with anyone else or any other organisation unless it is necessary for the purposes outlined above listing why ANCBC collects your data.

ANCBC responsibilities and how long your data will be kept for

The law requires ANCBC to tell you the basis on which it processes your data.

- Where activities require your consent, ANCBC will obtain it before carrying out that activity.

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- Other activities are carried out to fulfil a contract or agreement. If a contract is in place then ANCBC will process your data based on that contract.
- In all other cases the law allows ANCBC to process your data if it is in its legitimate interest to do so, but only so long as it needs to, and your “interests or your fundamental rights and freedoms are not overriding”. Practically speaking this means carrying out an exercise to check that ANCBC will not cause you harm by processing your data, that the processing is not overly intrusive and that it will only do so in a way which is described in this Privacy Notice.

ANCBC will retain your personal data only as long as necessary to fulfil the purposes it was collected for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Relationships between donors, grantees and ANCBC are often long term, and so ANCBC expects to keep your data for as long as that relationship exists, or until it is no longer needed.

When deciding what upon the correct duration to hold your data, ANCBC considers the following: the amount, nature and sensitivity of the data, potential risk of harm from unauthorised use or disclosure, the processing purposes and whether these purposes can be achieved by other means, and legal requirements.

For tax purposes, the law requires ANCBC to keep basic information about awardees (including Contact, Identity, Financial and Transaction Data) for six years after they stop being awardees.

In some circumstances, ANCBC may anonymise your personal data for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

Your Legal Rights

Under the law, you have rights in relation to your personal data that include the right to request access, correction, erasure, restriction and/or transfer, to object to processing, to object to portability of data, and (where the lawful ground of processing is consent) to withdraw consent.

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You can see more about these rights at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise any of the rights set out above, please email ANCBC at info@ancbc.co.uk

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

ANCBC may need to request specific information from you to help it confirm your identity and ensure your right to access your personal data (or to exercise 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. ANCBC may also contact you to ask you for further information in relation to your request to speed up its response.

ANCBC will try to respond to all legitimate requests within one month. Occasionally it may take 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. If you are not happy with any aspect of how ANCBC collects and uses your data, you have the right to complain to the Information Commissioner's Office (ICO). ANCBC would be grateful if you would contact ANCBC first if you do have a complaint, so that ANCBC can try to resolve it for you.

Contacting us

If you have any questions about this Privacy Notice or the way in which ANCBC processes your data, or if you wish to change the way ANCBC uses your data, including how it communicates with you, then please contact the ANCBC secretariat as follows:

ANCBC c/o Foundation Scotland, The Kiosk, Gatehouse of Fleet, Dumfries and Galloway, DG7 2HP; Tel: 01557 814927; Email: office@foundationscotland.org.uk

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Changes to this Privacy Notice

This Privacy Notice was approved by the ANCBC Board in May 2019. The Board may make amendments to this Privacy Notice from time to time to keep it up to date or to comply with legal requirements. The Privacy Notice is also available at the ANCBC website at www.ancbc.co.uk

Ends