

THE MUSTARD TREE

PRIVACY POLICY FOR OUR WEBSITE USERS AND SUPPORTERS

About this Privacy Policy

The website <https://mustardtree.org.uk/> (**our Website**) is operated by Mustard Tree. References in this Privacy Policy to "**we**", "**us**" and "**our**", are to Mustard Tree.

This Privacy Policy is designed to give you information about how we obtain and process your personal data. It applies if you are a visitor to our Website or social media pages (a **Website User**) and/or if you donate to or support our charity (by giving money, food, furniture or other goods, your time, by fundraising or otherwise) (a **Supporter**).

We are responsible for deciding how we hold and use personal data we collect or receive about you. We are committed to protecting and respecting your privacy. We will ensure your personal data is stored and used in accordance with this Privacy Policy.

We may collect, use, store and transfer different kinds of personal data about you when you visit our Website, make a donation to us, when you contact us or when you subscribe to our newsletter. The personal data we may collect includes information about how you use our Website and about your donation.

Please read this Privacy Policy carefully, together with our Cookies Policy. From time to time we may also issue other privacy or fair processing notices to you relating to the way in which we collect personal data about you which we will publish on our Website. We encourage you to frequently check this page for any changes to stay informed about how we are collecting and processing personal information about you.

Our details

The Mustard Tree is the "**data controller**" in respect of your personal data for the purposes of data protection legislation. The Mustard Tree is a charitable organisation registered in England and Wales under charity number 1135192 and has its registered address at 110 Oldham Road, Manchester M4 6AG.

Our Data Protection Officer is Graeme Woodworth and can be contacted Dataprotection@mustardtree.org.uk or on 0161-850-2282.

This Privacy Policy was drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of our collection and use of personal data. However, we would be happy to provide any additional information or explanation upon request. If you have any questions or concerns about any information contained within our Privacy Policy, please contact us.

The data we collect about you

Personal data comprises any information relating to an identifiable individual. It does not include any information which relates to a person that cannot be identified or where the person's identity has been removed (ie anonymous data) or information relating to a company. The term **processing** is used to refer to any activities carried out in respect of personal data, such as collecting, storing, using, organising, amending, disclosing and deleting data.

As a Website User, we will process different kinds of personal data about you, which we have grouped together as follows:

- **Visitor contact data** – the information you choose to disclose to us when you communicate with us via our Website or engage with us on our social media channels;

- **Usage data** – information about how you use our Website, including how you navigate our Website, which pages you view, any search terms you enter and if you encounter any problems;
- **Technical data** – electronic information which is automatically logged/stored by processing equipment, including internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, time zone setting and location, country and telephone code where your computer is located, operating system and platform and other technology on the devices you use to access our Website;
- **Social Media data** – data we have access to through a social media platform when you connect with us or like or follow our social media accounts (including your social media handle, photograph, date of birth, location, occupation, interests and other information and content you make available to us via your social media accounts).

If you are a Supporter, the personal data we may process about you includes:

- **Identity data** – your name, title, and any other data we collect which identifies you;
- **Contact data** – your contact details, including your contact telephone number, email address and postal address;
- **Financial data** – data we collect if you make a one off or repeat financial donation online, in person at our premises, by standing order or by cheque (including (as applicable) your bank account and payment card details);
- **Donation data** – details about any donations you make to our charity (whether financial, food, furniture or other goods), including, for example, the value of your donation, when it is received, whether you fundraised for us, your reasons for the donation and how you made the donation (via our Website, in person or otherwise);
- **Gift Aid data** – information we are required to collect in order for us to claim gift aid on your donation, including information contained on your gift aid declaration form available at <https://mustardtree.org.uk/wp-content/uploads/2015/11/Gift-Aid-Form.pdf>;
- **Customer Service data** – information relating to your interactions with us online, or by email, telephone or post, for example, if you contact us to make a general enquiry or to arrange a drop-off or collection of food or goods you would like to donate;
- **Marketing data** – data which we capture when you sign up to receive our newsletter and other communications, including your preferences regarding us contacting you in this way;
- **Covid-19 data** – data we are required to collect to comply with public health guidance relating to the Covid-19 pandemic, for example contact details for NHS Test and Trace.

We may **anonymise** some of your personal data so that it can no longer be linked to you. We are most likely to do this with your Usage and Technical data. We may then **aggregate** that data with other information we hold to help inform us how our Website is operating.

Anonymised and aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific feature on our Website. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

We do not collect any **special category** (such as information about your health, race, political opinions, religious beliefs or your sexuality) or **criminal data** about you.

How we collect personal data

- **Direct interactions**

Most of the personal data we hold about you is collected directly from you when you interact with us or correspond with us via our Website, by email, telephone or otherwise or when you make a donation to our charity. This includes personal data you provide when you:

- visit our Website;
 - make a donation, in person, online (including via a third party platform) or by post;
 - fill out a contact or an enquiry form on our Website (including to enquire about collection or drop off of food or goods donations);
 - subscribe to receive our newsletter;
 - write to us by email or post or contact us by telephone;
 - engage with us on social media, such as by following us, liking our posts, commenting on our posts or sending direct messages.
- **Automated technology**

When you visit our Website, our systems will automatically collect information about your equipment, browsing actions and patterns. We collect this data (namely Technical and Usage data) by using cookies, tracking pixels, server logs and other similar technologies. Please see our Cookies Policy and the section headed “**Cookies**” below.

- **Other third parties:**

We may also receive personal data about you from various third parties as set out below:

- our online payment providers (including Virgin Money Giving, JustGiving, PayPal, Giving Fund, Benevity, Charities Trust, Stewardship and Charitable Giving) who provide payment processing services to us to allow us to process electronic payments for donations;
- IT service providers, including the service provider who sends marketing communications and manages our marketing database on our behalf;
- operators of social media platforms, including LinkedIn, Instagram, Facebook, Twitter and YouTube who may be based outside of the UK and EEA;
- analytics providers, such as Google Analytics who provide us with Technical and Usage data;
- advertising networks, such as Google Adwords and Facebook who provide us with Technical and Usage data.

How and why we 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 if you are a Website Visitor and/or Supporter in the following circumstances:

- Where we have your **consent** to do so. Much of the personal data we hold about you will be provided to us by you because you want to support our charity, to connect with us or to keep up-to-date on our campaigns and charitable work, upcoming events and activities. Further details are provided in the section headed “**Your Rights**” below”). We are likely to process your Visitor contact, Social Media, Identity, Contact, Financial, Gift Aid, Customer Service and Marketing data on the basis of your consent.

Where we process information on the basis of your consent, if at any time you want us to stop processing this information, you can withdraw your consent and we will stop (save for any information we are legally allowed to continue processing, such as to allow us to claim gift aid relief or to keep a record of your donation). Please see the section headed “**Marketing Preferences**” for further information on how to stop direct marketing communications from us or to change your marketing preferences.

We will obtain your consent to collect certain Usage and Technical data when we ask you to consent to cookies.

- Where it is necessary for the **performance of a contract** to which you are a party or to take steps at your request before entering into such a contract (eg where you have donated money to us via the Virgin Money Giving platform or via another online fundraising website). We are

likely to need to process your Visitor contact, Identity, Contact, Financial, Donation, Gift Aid and Customer Service data on this basis.

- Where it is necessary to **comply with a legal or regulatory obligation** that we are subject to, including our obligation to keep accurate books and records, to verify our gift aid claims and to comply with public health guidance relating to the Covid-19 pandemic. We also have a legal obligation to conduct certain anti-money laundering checks and prevent against fraud. We are likely to process your Visitor Contact, Usage, Technical, Identity, Contact, Financial, Donation, Gift Aid and Covid-19 data on this basis.
- Where it is necessary for our **legitimate interests** (or those of a third party) and your interests and fundamental rights do not override those interests. Our legitimate interests in processing your personal data for our own charitable purposes include the following:
 - To manage our relationship with you (which may include processing Visitor Contact, Identity, Contact, Donation, Customer Service, Marketing, Gift Aid, Usage, Technical and Social Media data);
 - To promote our charitable business and keep you informed of our charitable work and upcoming activities and events, including online and via social media (which may include processing Visitor Contact, Identity, Contact, Customer Service, Marketing, Usage and Social Media data);
 - To correspond with you regarding your enquiries, referrals and donations (which may include processing Visitor Contact, Identity, Contact, Donation, Customer Service, Marketing, Usage and Social Media data);
 - To process financial donations (which may include processing Visitor Contact, Identity, Contact, Financial, Donation and Gift Aid data);
 - To process food or goods donations, including arranging for large items to be collected from you (which may include processing Identity, Contact, Donation, Customer Service and Gift Aid data);
 - To develop, test and improve the systems and services we provide (which may include processing Usage and Technical data);
 - To prevent and detect crime, including fraud (which may include processing Visitor Contact, Identity, Contact, Financial, Donation, Gift Aid, Usage and Technical data);
 - To protect our business and financial interests and to establish, exercise or defect legal claims (which may include processing Visitor Contact, Identity, Contact, Financial, Donation, Customer Service, Gift Aid, Marketing, Usage, Technical and Social Media data).

We may process your personal data on the basis of more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground applies.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

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 the original purpose. If you require an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

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.

If you fail to provide personal data

Where we need to collect personal data in order to process your donation or comply with another request, and you fail to provide that data when asked, we may not be able to process your donation or otherwise comply with your request. For example, if you are happy for us to claim gift aid on your donation, we require certain information from you by law in order for us to claim that amount.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Your personal data is only available to authorised personnel of Mustard Tree who need access to the information in order to fulfil their duties. All Mustard Tree personnel who have access to your personal data will only process your personal data on our instructions and they shall be subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Unfortunately, however, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

Once we no longer require your personal information, we will take reasonable steps to destroy it in a secure manner.

How long will we keep your data?

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.

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.

If at any time you decide to opt-out of receiving marketing newsletters and emails, we will keep a record of this alongside your email address or other contact details to ensure we do not send you marketing communications.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) in order to develop our charitable aims and strategy or for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

We shall not have any liability whatsoever to you for the deletion of personal data in accordance with our data retention policy.

Who do we share your data with?

We may share your personal data with third parties where required by law, where it is necessary to administer our relationship with you or where we have another legitimate interest in doing so.

We may share your personal data with the following third parties:

- IT companies who provide our organisation and Website with hosted software and systems and IT maintenance and support, including the service provider who sends marketing communications and manages our marketing database on our behalf;

- Payment providers and other platforms that allow us to process financial donations and claim gift aid, such as Virgin Money Giving;
- Marketing and customer communication companies who help us manage our communications with you and help us review our services;
- Online data analytics companies who provide us with insights into how our Website is used and allow us to improve our offerings, such as Google Analytics;
- Other organisations who we may partner with from time to time to conduct campaigns or fulfil our charitable aims;
- Within our organisation and with our investors, trustees, members and other interested parties supporting our organisation and its governance, including for the purposes of our regular reporting activities on performance, operating our charity or in the context of a reorganisation or restructuring exercise;
- Third parties to whom we may choose to sell, transfer or merge parts of our charity or assets. Alternatively, we may seek to acquire other organisations or merge with them;
- If we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation, or in order to enforce any agreements, or to protect the rights, property or safety of our business, our customers or others. This includes exchanging information with other organisations for the purposes of fraud protection and credit risk reduction, with HM Revenue & Customs, the Charity Commission, the police, NHS, other regulators and authorities and public bodies where we are required to do so by law;
- Professional advisers, including our lawyers, bankers, auditors and insurers.

We require all our data processors to respect the security of your personal data and to treat it in accordance with the law. We do not allow our data processors to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

In some instances where we share data with third parties, such as HMRC and the Charity Commission, those third parties will also be controllers of your personal data. We shall not be responsible or liable for the way in which other data controllers hold or process your personal data. Please contact those third parties for further information regarding how they will use your data. We shall only share your personal data with third parties in accordance with this Privacy Policy.

International transfers

We do not transfer your personal data outside the United Kingdom.

Your rights

You have certain rights in respect of the personal data that we process about you (where we determine the purpose and means for which that personal data shall be processed):

- the right to request **access** to your personal data that we hold and to receive certain information relating to that data;
- the right to ask us to **rectify** inaccurate data or to complete incomplete data;
- a right to receive or ask for your personal data to be **transferred** to a third party (note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you);

- the right to request the **erasure** of personal data where there is no good reason for us continuing to process it (note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request);
- the right to **object** to how we process your personal data where we believe we have a legitimate interest in processing it (as explained above) (note that in some cases we may demonstrate that we have compelling legitimate grounds to process your data which override your rights and freedoms);
- the right to **restrict** processing of your personal data in certain scenarios, for example if you want us to establish the accuracy of the data or you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it (note that when processing is restricted, we are allowed to retain sufficient information about you to ensure that the restriction is respected in future); and
- where you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to **withdraw your consent** for that specific processing at any time. 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. If you withdraw your consent, we may not be able to provide certain services to you.

If you wish to make a subject access request please email us at communications@mustardtree.org.uk or write to us at FAO Communications, Mustard Tree, 110 Oldham Road, M4 6AG.

If you wish to exercise any of the other rights set out above, please contact us at communications@mustardtree.org.uk.

We may ask you to verify your identity if you make a request to us to exercise any of the rights set out above. We may also contact you to ask you for further information in relation to your request to speed up our response. 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 is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances. You also have the right to request a copy of the information we hold about you.

Marketing preferences

If you would like to stop receiving marketing communications from us, please:

- click the “unsubscribe” link in any email communication that we send to you; or
- contact us by email at communications@mustardtree.org.uk or by post at FAO Communications, Mustard Tree, 110 Oldham Road, M4 6AG.

Please note that you may continue to receive communications for a short period after changing your preferences while our systems are fully updated.

Cookies

Our Website uses cookies to distinguish you from other users of our Website. This helps us to provide you with a good experience when you browse our Website and to improve our Website and services. A cookie is a small amount of data which is stored on your browser or the hard drive of your computer (or other electronic device). More information about cookies can be found at www.allaboutcookies.org and www.cookiecentral.com. Please note that we cannot be responsible for the content on external websites.

To find out more about the types of cookies we use, the purposes for which we use them and their duration, please see our Cookies Policy. We request your consent before using analytical or performance cookies, functionality cookies or marketing cookies, but do not require your consent to use strictly necessary cookies. Our Cookies Policy explains how you can change your cookie preferences.

Links to other websites

From time to time we may direct you to third party websites through our Website. We do not control the content of these third party websites. We encourage you to read the privacy policies for these third party websites before submitting personal information to them (including social media platforms). Where these third parties are collecting data on our behalf, your personal data will be transferred to us and used in accordance with this Privacy Policy. Alternatively, if the third party has not been authorised to collect information on our behalf, your personal data will be controlled by that third party subject to their privacy policy.

How to complain

Please let us know if you are unhappy with how we have used your personal data. You may contact us by email at communications@mustardtree.org.uk.

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 (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please do contact us in the first instance and we shall endeavour to resolve your complaint.

Changes to your data

Please let us know if you change your contact details. You have the right to question any information we hold about you that you think is wrong or incomplete. Please contact us if you want to do this.

This Privacy Policy was last updated in March 2021.