

PERSONAL INFORMATION AND FUNDRAISING: CONSENT, PURPOSE AND TRANSPARENCY

CHECKLIST

A. Purpose

Suggested actions to take:

1. Define the purposes for which your charity collects and uses personal information.
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2. Confirm which purposes are Direct Marketing, and which are not.
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3. For each Direct Marketing purpose, confirm what activities this includes and how any individuals are contacted, and document your rationale and legal basis for this in each case.
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4. Publish your decisions in your Privacy Policy.
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B. Lawfulness

Suggested actions to take:

For each Direct Marketing purpose,

1. Define which channel or channels you wish to use to communicate with individuals.
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2. Where you will rely on consent,
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 - a. outline how you will seek “unambiguous” consent via individuals giving “a statement” or “a clear affirmative action” and
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 - b. define how long consent will last in each case.
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3. Where you seek to rely on Legitimate Interests, define and publish the outcome of your balancing exercise.
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C. Fairness and Transparency

Suggested actions to take:

1. Define all “data collection points” used by your charity – i.e. the points at which you collect personal information for Direct Marketing purposes (electronically; on paper; face-to-face; verbally).
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2. Ensure each “data collection point” contains an agreed fair processing / privacy notice.
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3. Ensure your published privacy policy sufficiently addresses data protection and fundraising, including details on your use of personal information for Direct Marketing purposes, the lawfulness of this, and any additional detail required to ensure individuals can understand what will happen to their personal information.
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D. Using Third Party Suppliers

Suggested actions to take:

1. Review existing relationships with third party suppliers to ensure each
 - a. is based on a written contract.
 - b. addresses data protection responsibilities, including purpose and data security.
 - c. enables you to manage the personal information throughout the relationship with the supplier, i.e. from the moment personal information is passed to them / collected by them, through until the secure return or disposal of the information.
2. Define a procurement process that ensures sufficient due diligence is undertaken when selecting potential suppliers, and then results in contracts that contain the minimum DPA contract clauses.
3. Define a contract monitoring programme that provides sufficient oversight of the third party supplier's performance. This should include
 - a. a reporting process to your charity for any complaints received by the supplier, or about the supplier
 - b. an escalation process for serious concerns or breaches of contract to an appropriate level of management within the charity
 - c. regular reporting to Trustees on third party supplier performance.