



## **Policy and Procedures for Data Protection and Privacy**

Signed:

A handwritten signature in black ink, appearing to read "Dominic Deeson".

Dominic Deeson  
Chair of Trustees  
Faversham Foodbank

Registered Charity Number: 1158413

## **Policy Control**

Data Protection and Privacy Policy Version 3

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## **INTRODUCTION**

Faversham Foodbank is registered with the Information Commissioner's Office as a data controller (registration reference ZA472336) and is governed by the General Data Protection Regulation (GDPR); the Data Protection Act 2018 (DPA); and the Privacy and Electronic Communications Regulations 2003 (PECR).

Faversham Foodbank is a franchise of Trussell, an anti-poverty charity and community of foodbanks. We work together to ensure no one in the UK needs a foodbank to survive, while providing food and practical support to people left without enough money to live on.

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## **DATA PROTECTION**

### **Who this policy applies to**

Faversham Foodbank employees and volunteers are required to adhere to this policy which is designed to protect the personal data of Faversham Foodbank data subjects - our clients, donors/supporters, volunteers, employees, and trustees.

Written Data Protection Guidance is provided to help staff and volunteers comply with this policy and relevant data protection legislation.

## KEY DEFINITIONS

Data protection law applies to how we process people's personal information. The key terms that we need to understand are:

**Controller** - Faversham Foodbank is a controller because it collects and decides how personal information will be used

**Principles** - These are the rules that we must follow when processing personal information

**Processing** - This is what we do with personal information. It includes how we collect, record, store, share and use personal information

**Personal information** - This includes personal data and special category personal data

**Personal data** - This is information about people and held in computer systems, mobile devices including laptops, tablets, telephones, or in manual records such as paper files and notebooks. For example, name, address, date of birth, bank account details, interests. It also includes opinions about a person. For example, notes on how you think someone has behaved, performed, or appears.

**Special category personal data** - this is information about a person's health, religion, political opinion, trade union membership, race or ethnic origin, sexuality

**Data subject** - this is the person whose personal information is being processed. For example, a client, supporter, employee, volunteer, trustee

**A privacy policy** - this is how we inform people about how their personal information will be used. Faversham Foodbank privacy policy is provided on our website

**Privacy notice** - a short notice when we collect personal information from people to inform them how their personal information will be used

**Data processor** - this is an organisation that we use to process personal information on behalf of the Foodbank. For example, a print and mailing house

**Information Commissioner's Office (ICO)** - this is the government body responsible for enforcing data protection law in the UK

## **DATA PROTECTION PRINCIPLES**

All staff and volunteers are responsible for complying with the principles of data protection legislation which states that personal information must be:

1. Collected and processed in a fair, lawful and transparent way
2. Used only for the reasons it was collected
3. Relevant and not excessive
4. Kept accurate and up to date, and corrected or deleted if there are mistakes
5. Kept for no longer than it is needed
6. Kept safe to protect it from being lost, stolen, or used inappropriately
7. Processed in accordance with people's rights

## **DATA SUBJECTS AND THE PURPOSES OF PROCESSING DATA**

### **Data subjects**

Faversham Foodbank's data subjects include clients, donors/supporters, employees, volunteers, clients, agencies and trustees.

### **Processing data**

Faversham Foodbank needs to process personal information about our different data subjects to:

- Process donations and gift aid claims
- Process legacies and pledges
- Enable supporters to fundraise for us
- Enable supporters to participate in events
- Manage relationships with our supporters
- Provide supporters with information about us and the work that we do
- Manage marketing and communication preferences of our supporters
- Provide support to people who need to use the foodbank
- Develop case studies and stories about our beneficiaries to promote and report on the work that we do
- Recruit and employ members of staff
- Recruit and manage volunteers
- Fulfil our legal and governance obligations as a registered charity and company

## **LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION**

Personal information is processed with consent where appropriate, in order to meet our legal obligations as an employer, registered charity, and for our legitimate interests.

Faversham Foodbank may process some personal information based upon our legitimate interests. This is where the processing is required to fulfil our organisational objectives, is not to the detriment of our data subjects, and will not cause them damage or distress.

We undertake legitimate interest assessments to balance the rights and interests of our data subjects with that of Faversham Foodbank in order to make a judgement as to whether the legitimate interest condition applies to our processing.

## **RESPONSIBILITIES OF STAFF AND VOLUNTEERS**

**Faversham Foodbank's Data Protection Lead, who is also the Project Manager, is required to:**

1. Provide compliance advice to staff
2. Ensure that staff receive appropriate data protection training and guidance
3. Ensure that Faversham Foodbank data protection policies and documents are appropriate and up to date
4. Be the focal point for the administration of any subject access requests
5. Deal with data subject rights in relation to erasure, objection, restriction, and rectification that staff feel unable to manage themselves
6. Log and assess all personal data breaches at Faversham Foodbank
7. Refer data breach assessments to the board of trustees for a final decision on whether they should be reported to the ICO
8. Keep a central register of all organisations that Faversham Foodbank shares personal information with
9. Advise staff on the interpretation of this policy and guidelines and to monitor compliance with the policy.

**The Foodbank's Treasurer is responsible for:**

1. Renewing and ensuring that Faversham Foodbank's registration with the ICO is accurate

**All staff and volunteers are responsible for:**

1. Working in compliance with the data protection principles as set out in this policy
2. Ensuring that any personal information that they provide to Faversham Foodbank in connection with their employment, volunteering or other contraction agreement is accurate
3. Informing Faversham Foodbank of any changes to any personal information which they have provided, eg changes of address
4. Responding to requests to check the accuracy of the personal information held about them and processed by Faversham Foodbank

## **DATA SUBJECT RIGHTS**

Faversham Foodbank respects the rights of its data subject including the right to:

- To be informed - we do this by including appropriate privacy notice information when collecting personal information
- Subject access - the right to view their personal information which we hold
- Object and/or withdraw consent - where the processing of personal data could cause them significant damage or distress.
- Rectification - we must correct any inaccurate or incomplete personal information when asked
- Erasure - deletion or the removal of their personal information where there is no compelling reason for its continued processing

## **DATA SECURITY, POLICY AWARENESS AND COMPLIANCE, REDRESS, AND POLICY STATUS**

### **Security**

It is the responsibility of all staff and volunteers authorised to access personal data processed by Faversham Foodbank to ensure that data, whether held electronically or manually, is kept securely and not disclosed unlawfully, in accordance with this Policy.

Unauthorised disclosure will usually be treated as a disciplinary matter and could be considered as constituting gross misconduct in some cases.

### **Awareness and compliance**

Data protection awareness will be included as part of induction.

Changes to policy on data protection policy or guidance will be circulated to all staff and volunteers.

Compliance is the responsibility of all staff and volunteers. Any breach of this policy may lead to disciplinary action being taken, or even a criminal prosecution.

Any questions or concerns about the interpretation or operation of this policy should be taken up with the Data Protection Lead (Project Manager).

### **Redress**

Anyone who considers that this policy has not been followed in respect of personal data about themselves should raise the matter with the Data Protection Lead (Project Manager).

### **Status of this policy**

This policy does not form part of a formal contract of employment, but it is a condition of employment that employees will abide by the rules and policies made by Faversham Foodbank from time to time.

## **PRIVACY POLICY**

Keeping your personal information safe is very important to us. We are committed to complying with privacy and data protection laws and being transparent about how we use personal data.

We have policies, procedures, and training in place to help our people understand their data protection responsibilities and follow the principles of data protection.

The Project Manager is the nominated member of staff who serves as our Data Protection Lead.

This privacy policy relates to personal information that Faversham Foodbank collects and uses.

## **HOW WE COLLECT PERSONAL INFORMATION AND WHAT WE COLLECT**

### **How we collect personal information**

We may collect your personal information from you directly when you:

- communicate with us for any reason, by post, telephone, text, email, or via our website
- make a donation
- visit a foodbank or are referred to a foodbank
- participate in a survey or research
- work, or make an application to work, or volunteer for us
- agree to help us promote our work
- interact with us as a supplier, contractor, consultant, or in any other capacity.

We may also collect personal information about you from other organisations. For example, from a referral agency like a doctor's surgery, when you are referred to the foodbank.

### **The personal information that we collect**

We only collect personal information that we genuinely need.

This may include:

- Contact details such as name, address, email address and phone numbers
- Date of birth
- Gender
- Nationality

Any information that you give us relating to your circumstances and why you used a foodbank.

Financial information that you provide to us, for example, when making a donation.

For job and volunteer applicants:

- your bank account details, tax and residency status
- references from previous employers or educational institutions
- contact details for your family members and next of kin
- qualifications

- information concerning your health and medical conditions
- information about your race, ethnicity, and sexual orientation
- details of criminal convictions

## **OUR LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION**

Our legal basis for processing personal information is for our legitimate interests, or your consent, or for the performance of a contract, or to meet our legal obligations.

We may collect and use your personal data if it is necessary for our legitimate interest and so long as its use is fair, balanced and does not unduly impact your rights.

We will ask you to opt in to receiving marketing emails and text messages from us. You can unsubscribe from this at any time.

Usually, we will only process sensitive personal data if we have your explicit consent. In extreme situations, we may share your personal details if we believe someone's life is at risk.

We may process personal information because it is necessary for the performance of a contract to which you are a party (or to take steps at your request prior to entering a contract), or because we are legally obliged to do so, for example to meet employment or charity laws.

### **Assisting people who access foodbanks**

We collect personal information from you directly if you have to use to use a foodbank, or via an organisation that refers you to a foodbank.

Our legal basis for using this information is legitimate interest as we wish to respond to your need for help, and ensure that we are providing help when and where it is most needed.

We will share this information with Trussell, which works with us and other foodbanks to support our network, and uses anonymised statistical data to campaign at a national level to challenge the structural issues that lock people into poverty.

## **RECRUITMENT, EMPLOYEE AND VOLUNTEER ADMINISTRATION AND DEVELOPMENT**

### **Employees**

We will process personal information about our employees to fulfil our contract with them, and to meet our legal obligations as an employer.

This includes payroll processing and the provision of training. We are required by law to share some financial information with the HMRC.

We may also need to share some personal information with other organisations, for example solicitors, and pension providers.

If we share personal information about our employees with Trussell to support the work of the foodbank network, you will be informed.

### **Volunteers**

When you volunteer with us, we collect personal information to support the administration of your volunteering activity.

Our policy for processing volunteers' personal information is to meet our legal obligations.

If we share personal information about our volunteers with Trussell to support the work of the foodbank network, you will be informed.

### **Recruitment**

If you provide us with information about yourself, such as a resume or curriculum vitae, in connection with a job or volunteer application or enquiry, we may use this information to process your enquiry.

We will not store this information for any purpose other than that relating to your application.

Our legal basis for using your information in this way is for our legitimate interest.

## **RELATIONSHIPS WITH DONORS AND SUPPORTERS**

Our work is made possible because of the generosity of our donors and supporters.

We need a good understanding of our donors/supporters so that we can communicate with them effectively and appropriately. We will only send you marketing communications via email or text where you have opted in to receive them. You can unsubscribe from receiving these communications at any time by contacting [info@faversham.foodbank.org.uk](mailto:info@faversham.foodbank.org.uk).

### **Processing donations**

If you kindly make a donation to us (of food or money), we will use your personal information to collect your donation and maintain a record of our supporters.

Our legal basis for using your personal information for this purpose is to fulfil our legitimate interest and fundraising objective. We are legally required by HMRC to collect some personal information if you choose to gift aid your financial donation.

## **PROMOTING OUR WORK**

We will use personal information that you share with us if you agree to help us promote our work.

This might include photographs and videos.

For example, we may use your information in case studies and stories that we publish or share with the media, or which we use on the Foodbank's social media channels.

We will only use your information for these purposes if you have given your consent for us to do so.

## **SURVEYS AND RESEARCH**

If you choose to take part in one of our surveys, we will use the personal information that you provide to process the results of the survey and undertake analysis.

We may use a university or work with Trussell to undertake analysis of survey responses.

Survey results are anonymised before being shared or published.

## **SAFEGUARDING ACTIVITIES, INCLUDING DBS CHECKS**

When necessary, we process relevant personal information about employees and volunteers for safeguarding purposes.

This might include undertaking DBS and other checks to identify any criminal and other activity we need to be aware of.

It may be necessary to share some personal information with relevant authorities such as the police.

Our legal basis for this processing is to meet our legal obligations.

## **HANDLING COMPLAINTS AND APPEALS**

If a complaint is raised with us, we will process the personal information that is provided to us to manage and resolve the complaint or appeal.

This may include sharing relevant information with Trussell, or the person or persons, whom the complaint has been made about.

Our legal basis for using personal information for this purpose is legitimate interest.

## **GOVERNANCE**

We process relevant personal information about existing and potential trustee members for governance purposes.

This may include undertaking DBS and other checks to identify any criminal and other activity we need to be aware of to ensure that we select appropriate trustees.

Our legal basis for this processing is to meet our legal obligations with the Charity Commission and Companies House.

## **COOKIES AND AGGREGATE INFORMATION COLLECTED FROM OUR WEBSITE**

We use cookies on our website to store information about how you use our website.

A cookie is a piece of data stored on the user's computer tied to information about the user. This enables us to make navigation easier and direct you to information that best corresponds to your interests and country.

Aggregate information is collected from users using Google Analytics. This information includes users' Internet Protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, platform type, date/time of visit, number of clicks, error pages and number of unique visits.

This information is not linked to personal profiles, or to personally identifiable information provided by users. We use it to analyse visitor trends and use of our website, administer the website and to gather broad demographic information of our website users.

## **YOUR RIGHTS AND HOW LONG WE KEEP YOUR INFORMATION**

### **Your rights**

If you no longer wish to receive communications about products and services from us, please contact [info@faversham.foodbank.org.uk](mailto:info@faversham.foodbank.org.uk)

You can also unsubscribe at any time to emails that we may send to you about the products and services that we think will be of interest to you. A link to unsubscribe from all direct marketing will be included in any communications.

You also have the right to:

- Ask us for copies of your personal information
- Tell us to change or correct your personal information if it is incomplete or inaccurate.
- Ask us to restrict our processing of your personal data, or to delete your personal data if there is no compelling reason for us to continue using or holding this information.
- Receive from us the personal information we hold about you which you have provided to us, in a reasonable format specified by you, so that you can send it to another organisation.
- Object, on grounds relating to your specific situation, to any of our processing activities where you feel this has a disproportionate impact on you.

For all requests, please contact us at [info@faversham.foodbank.org.uk](mailto:info@faversham.foodbank.org.uk). We will respond to any request within 28 days.

Please note that we may be entitled to refuse requests where exceptions apply, for example, if we have reason to believe that the personal data we hold is accurate or we can show our processing is necessary for a lawful purpose set out in this Privacy Policy.

### **How long we keep your personal information**

We will hold your personal information only for as long as is necessary. We will not retain your personal information if it is no longer required. In some circumstances, we may legally be required to retain your personal information, for example for finance, employment, or audit purposes.

We have a personal data retention schedule which sets out how long we keep your personal information for. Please contact [info@faversham.foodbank.org.uk](mailto:info@faversham.foodbank.org.uk) if you wish to see the schedule.

## **COMPLAINTS**

If you are not satisfied with our response to any query you raise with us, or you believe we are processing your personal data in a way which is inconsistent with the law, you can complain to the Information Commissioner's Office <https://ico.org.uk/make-a-complaint/>