



**BALGA DATA PROTECTION POLICY (Revised March 2023)**

**1. Introduction**

- 1.1 The core functions of BALGA are:
- a) To manage allotment sites in Baldock as an alternative service provider to the North Herts Council on a voluntary 'not-for-profit' basis.
  - b) To provide a range of services for members to support their leisure gardening/allotment activities.
- 1.2 We collect personal data only in order to fulfil BALGA's core functions.
- 1.3 Data Protection Legislation (Data Protection Act 1998 and The General Data Protection Regulations 2018) is designed to protect the right of people to privacy in the computer age when information about them is being collected and processed.
- 1.4 The new Data Protection Law does not require a leisure organisation such as BALGA to register with the Information Commissioner. However, we must still obey the legislative requirements in the way we process members' personal information and we take this responsibility seriously. Personal information is any information that identifies an individual person.
- 1.5 A summary statement of BALGA's policy is contained in BALGA's Privacy Notice which is published on the BALGA website [www.balga-online.co.uk](http://www.balga-online.co.uk).

**2. Lawful Bases for processing Members' personal information:**

- 2.1 The lawful bases upon which BALGA processes personal data are as follows:

CONSENT: We hold and process personal information with the consent of members in order to fulfil BALGA's core functions. When someone joins BALGA and/or agrees to go on our waiting list for a plot, they will be asked to sign their consent to the way we store and use their personal data.

CONTRACT: Processing personal data is necessary in order to establish and maintain legal contracts in the form of tenancy agreements with members who rent allotment plots from BALGA.

LEGITIMATE INTEREST: It is necessary for us to process personal information in order to carry out activities in fulfilment of our core functions:

- Undertake essential administration in connection with membership applications and renewals and proof of membership.
- Serve the interests of members of BALGA by communicating information about BALGA services, events and news via post, telephone and email
- To provide evidence of BALGA membership to an insurance provider to enable protective cover in the interests of members.
- To provide evidence of membership to enable the BALGA shop to function in the best interest of members.
- To provide evidence for any concessionary adjustment to contract fees.
- To prepare and issue invoices and other essential paperwork as part of BALGA's remit for managing tenancies for allotment plots.

### 3. Storing Data

- Personal and transactional data are held electronically in the BALGA database.
- Email addresses are held in a computer email management programme.
- The website [balga-online.co.uk](http://balga-online.co.uk) will store details of any transactions made via the site.
- The website will optionally collect tracking data to assist in monitoring and improving the site. See Cookie Policy (<http://balga-online.co.uk/cookie-policy/>)
- Paper copies of
  - signed tenancy agreements
  - signed membership/tenancy application and consent forms
  - a list of members for use in the BALGA shop.

### 4. Policy governing use of data in emails.

- BALGA members must have given explicit consent to being contacted by email (see application form).
- Emails to all members will use blind copies, so that members do not see everyone else's email addresses.
- Copies of emails containing personal information that members send to us, or such emails that we send to members, may be copied to members of the Committee if relevant to the administration of BALGA. Copies will not be sent elsewhere without the member's express consent.
- When sending bulk emails, notices or information to BALGA members, we will use, in addition to the database, a third party mailing list website such as Mailchimp. The only information stored on the website will be members' names, their email addresses and whether they are an associate member or which site they are a tenant of. This is so we can target emails to the tenants of one site if needed and avoid unnecessary emails. All emails sent in this way are sent as blind copies. Members have the right to unsubscribe from this service at any time but BALGA reserves the right to continue to note a member's email address in our secure database for the purpose of contacting a member on an individual basis.

### 5. Policy governing use of data in paper form

In addition to the principles outlined above in section 2:

- From time to time there will be a need for BALGA committee members on BALGA shop duties to refer to a list of members/prospective members in order to process membership subscriptions, plot rentals, membership card validations and orders placed on behalf of members for items such as seeds and scaffold boards. Committee Members working in the shop will follow set procedures for safeguarding the confidentiality of the list containing members' names.
- The information on the list will be limited to basic detail such as name, invoice number, plot number and membership subscription / rent owing and date card stamped.
- No list of members' names will be left in the shop when it closes.
- The BALGA chairman will securely keep one paper copy of each tenancy agreement signed by a BALGA member and trustees. Each copy is kept for as long as the tenancy remains ongoing and, after termination, for a period of six years in archive. It is then destroyed.
- Access to paper copies of tenancy agreements is restricted to the Chairman and Vice –chairman of BALGA.

## 6. Details of Information collected and processed

Type of personal information	Description of the data:	Reason(s) for holding the data:	Database accessed by:	Data shared with :
Contact	Where you live and how to contact you (Postal address; Telephone; Mobile; Email.)	<ul style="list-style-type: none"> <li>• Communication of information.</li> <li>• Issuing invoices and membership cards.</li> <li>• Letters about plots and/or membership.</li> </ul>	<ul style="list-style-type: none"> <li>• Database Manager.</li> <li>• Assistant Database Manager.</li> <li>• Specific members of BALGA Executive Committee according to role.</li> <li>• Publicity officer</li> <li>• Site representatives</li> <li>• Deputy Site representatives</li> </ul>	<ul style="list-style-type: none"> <li>• National Society of Allotment and Leisure Gardeners (to enable members to access services).</li> <li>• BALGA insurance company in the event of a claim.</li> <li>• Member(s) of BALGA General Committee if and when necessary.</li> <li>• Email address and name shared with email management system e.g Mailchimp.</li> </ul>
Consents	<ul style="list-style-type: none"> <li>• Any permissions, consents or preferences that you give us.</li> </ul>	<ul style="list-style-type: none"> <li>• To fulfil obligations under Data Protection legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Database Manager.</li> <li>• Assistant Database Manager.</li> <li>• Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>• Member(s) of BALGA General Committee if and when necessary.</li> </ul>
Membership Status	Whether you are registered as any of the following: <ul style="list-style-type: none"> <li>• an associate member</li> <li>• a co-worker</li> <li>• a worker on a specific plot</li> <li>• a plot holder</li> <li>• member of the committee</li> <li>• shop volunteer</li> <li>• Facebook member.</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation of invoices and membership cards.</li> <li>• Preparation and issuing of tenancy agreements.</li> <li>• Summary statistics.</li> </ul>	<ul style="list-style-type: none"> <li>• Database Manager.</li> <li>• Assistant Database Manager.</li> <li>• Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>• Member(s) of BALGA General Committee if and when necessary.</li> </ul>

Personal information	In addition to contact details: <ul style="list-style-type: none"> <li>Entitlement to concession</li> <li>Information that you provide to us in connection with a tenancy e.g., a disability</li> </ul>	<ul style="list-style-type: none"> <li>Preparation of invoices and tenancy agreements.</li> <li>Consideration of any additional needs in connection with a tenancy</li> </ul>	<ul style="list-style-type: none"> <li>Database Manager.</li> <li>Assistant Database Manager.</li> <li>Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>Member(s) of BALGA General Committee if and when necessary.</li> </ul>
Financial	Details about: <ul style="list-style-type: none"> <li>Payments to us for plot rental;</li> <li>Deposit paid on starting a plot.</li> <li>Payment of Membership fee(s).</li> <li>Copies of invoices issued.</li> <li>Copies of letters relating to rents or membership payments.</li> </ul>	<ul style="list-style-type: none"> <li>To fulfil BALGA leaseholder responsibilities to manage the allotments efficiently.</li> <li>To ensure the BALGA organisation remains financially viable in the interests of its members.</li> </ul>	<ul style="list-style-type: none"> <li>Database Manager.</li> <li>Assistant Database Manager.</li> <li>Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>Member(s) of BALGA General Committee if and when necessary.</li> </ul>
Contractual	Copies of Tenancy Agreements.	<ul style="list-style-type: none"> <li>Maintain legal evidence of plot tenancies</li> </ul>	<ul style="list-style-type: none"> <li>Database Manager</li> <li>Assistant Database Manager</li> <li>Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>Member(s) of BALGA General Committee if and when necessary.</li> </ul>
General Administration	<ul style="list-style-type: none"> <li>Copies of letters, emails, and invoices.</li> <li>Recording events: <ul style="list-style-type: none"> <li>Tenancy /co-worker starts and finishes</li> <li>Membership starts and finishes and reasons.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Efficient management of BALGA.</li> <li>Collection of summary statistical information to guide BALGA policy formation and self-evaluation.</li> </ul>	<ul style="list-style-type: none"> <li>Database Manager.</li> <li>Assistant Database Manager.</li> <li>Specific members of BALGA Executive Committee according to role.</li> </ul>	<ul style="list-style-type: none"> <li>Member(s) of BALGA General Committee if and when necessary.</li> </ul>

## 7. Collection of Data

We will either collect or amend a member's personal data when:

- s/he first completes an application form for membership or when they ask to be added to the waiting list for a plot.
- s/he signs a tenancy agreement with BALGA.
- s/he registers as a co-worker on an allotment.
- s/he contacts us by email or via the website or social media pages.
- we use cookies on our website to provide functionality. For more information, members can view our Cookies policy (<http://balga-online.co.uk/cookie-policy/>) which includes information on how to control or opt out of these cookies and tracking technologies.
- s/he renews annual membership.
- s/he pays the annual rent for an allotment.
- s/he decides to relinquish membership, tenancy or co-working.
- BALGA exchanges communication about any issues relating to a tenancy or membership.
- s/he notifies BALGA about a change in address or other circumstances.

Under normal circumstances we only obtain data received from members and their ongoing interaction with BALGA. We do not obtain and record information about any member from other sources. In exceptional circumstances however, such as illness or accident, a member may not have the capacity to communicate directly with BALGA. In such cases BALGA may record information received from a member's agreed representative such as a family member or close friend.

## 8. Processing Data

To meet requirements of data protection legislation, we will:

- Only hold data about members that is relevant to the efficient management of BALGA and the achievement of its aims and core functions.
- Keep members' information secure with electronic records held in an industry standard database which only allows password access to authorised users.
- Endeavour to keep members' records accurate and up to date. We will record any changes of contact details or personal circumstances that members make us aware of.
- Recognise members' legal rights to see the information we have about them and to have any errors or omissions corrected.
- Respect members' rights to place restrictions on the use of their personal data and accommodate such requests as are compatible with the legitimate interests of BALGA.
- Keep members' records active for as long as they remain a member of BALGA. When a member leaves BALGA we will keep their personal and contact details archived on the database for one year to respond to any questions or complaints. After one year, archived personal and contact data will be permanently deleted or anonymised.
- Keep electronic copies of invoices and tenancy agreements in archive for six years when a tenant member gives up his/her tenancy. After six years these records will be deleted permanently. Similarly, a paper copy of their tenancy agreement will be kept for six years and then shredded.
- Not allow members access to each other's personal data. Committee members access members' personal information only when is strictly necessary in order to discharge their duty as a committee member.

We will process members' data anonymously to calculate overall statistics to reflect the work of BALGA as an organisation (for example giving the number of plots vacant; number of new tenancies in the year, number of members etc.).

## 9. Sharing with third parties

We share personal information with third parties that help us operate, provide and improve our Services. Members' information may be shared as follows:

- The National Society of Allotment and Leisure Gardeners at the time of annual renewal of BALGA's membership. This enables members to access services provided by the NSALG.
- The BALGA insurance company should they request the names and contact details of members in the event of an insurance claim.
- With a third party mailing list website such as Mailchimp for the purpose of BALGA sending bulk emails to members.
- If BALGA is legally required to do so by North Herts Council or legitimate Law Enforcement Agency.
- If we need to respond to an emergency which we believe, in good faith, requires us to disclose information to assist in preventing the death or serious bodily injury of any person.
- In exceptional circumstances, we may share information about you with a third party if we believe that sharing is reasonably necessary to (a) comply with any applicable law, regulation, legal process or governmental request, including to meet national security requirements, (b) enforce our agreements, policies and terms of service, (c) protect the security or integrity of our services, (d) protect Balga, our members or the public from harm or illegal activities.
- With other third parties if members have given clear and informed consent to the sharing of their information.

### Please note:

- Third Party Service Providers: We use third party service providers for website hosting, maintenance and backup storage which may require them to access or use information about a member if s/he uses our website. If a service provider needs to access information about a member to perform services on our behalf, they do so under instruction from us, including abiding by policies and procedures designed to protect members' information.
- Links to Third Party Sites: The Services may include links that direct a member to other websites or services whose privacy practices may differ from ours. A member's use of and any information they submit to any of those third party sites is governed by their privacy policies, not BALGA's Data Protection Policy.
- Third Party Widgets: Some of our website services contain widgets and social media features, such as the Twitter "tweet" button. These widgets and features collect a user's IP address, which page s/he is visiting on the Services, and may set a cookie to enable the feature to function properly. Widgets and social media features are hosted by a third party. A member's interactions with these features are governed by the privacy policy of the company providing it.

## 10. Complaints

If a member feels that we have not handled their data correctly, or if they are unhappy with our response to any requests they have made to us regarding the use of their personal data then they should address their concerns to:

BALGA Database Manager ([database@balga-online.co.uk](mailto:database@balga-online.co.uk)) or  
BALGA General Secretary ([gensec@balga-online.co.uk](mailto:gensec@balga-online.co.uk))

Alternatively members have the right to lodge a complaint with the Information Commissioner's Office. They can be contacted by:

Telephone: **0303 123 1113** or  
Online: [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)

**Monitoring of this Policy**

The Data Protection Policy will be reviewed every 2 years.

Signed ..... Chairman

Date.....