

Privacy Policy

We are committed to protecting the privacy of your personal data. We will respect any personal data you share with us and keep it safe. We aim to be clear when we collect your personal data and not do anything you wouldn't reasonably expect.

Your privacy

Please read this Privacy Policy carefully to understand our practices regarding your personal data and how we will collect, use and store your personal data. We may update this policy from time to time so please check it regularly. If there are significant updates, we will inform those people with whom we are in regular contact, such as members and email subscribers.

(1) Who we are

"The Kew Guild" refers to the organisation known as The Kew Guild, a Charitable Incorporated Organisation, number 1174033.

(2) What personal data we collect and the purposes for which we use it

(1) What personal data do we hold?

Some examples of the type of information we may collect and hold about you are as follows:

- (a) your full name and your title or an indication of the gender that you most closely associate with;
- (b) birth date or alternatively a relevant age range;
- (c) postal address;
- (d) telephone number(s);
- (e) email address;
- (f) records of your correspondence with us;
- (g) bank or credit card details (for your membership subscription);
- (h) donation and gift aid details (if you donate to us);
- (i) information you enter into our websites and digital products and details of how you use those websites and digital products (more details can be found in our cookie policy at <https://kewguld.org.uk/about/privacypolicy/cookies>);
- (j) Photographs and digital images of individuals attending meetings, tours and visits.

But we may also collect, hold and process other personal data where it is appropriate and relevant, for example:

- (k) details of why you have decided to support/contact us and how you may have heard about us and the work that we do;
- (l) details of how you would like to be involved and what you intend to do with the information we provide;
- (m) personal data about you that will enable us to be more precise in what we send you or how we approach you; and
- (n) for purely business-related reasons, including managing relationships with third party and partner organisations.

- (o) We will only process sensitive personal data also known as special categories of data (eg. in relation to your health), with your explicit consent, for reasons of substantial public interests or where necessary for the establishment, exercise or defence of legal claims.

(3) How and why will we use this personal data?

- (1) We will use your personal data to:
 - (a) Provide you with the information, product or service you have requested from us, including such things as admission to specific events that we run, responding to your enquiries and requests, attending educational activities and events, and to tell you about our work and our fundraising;
 - (b) Provide you with other information which we feel may interest you. This may include newsletters, tips, updates, information in relation to fundraising campaigns, voluntary surveys or questionnaires for you to complete, details of relevant volunteering opportunities, and details of any promotions and competitions we are running. We may also send you details of events we think you may be interested in attending;
 - (c) Administer all aspects of being a member of the kew guild;
 - (d) Analyse and understand how people use our websites and digital products so we can improve and personalise the experience for users and reflect your preferences and previous interactions;
 - (e) Keep a record of our relationship with you;
 - (f) Improve how we communicate with you, how we fundraise, and how we operate more generally;
 - (g) Keep in contact with you in the ways that you have requested or agreed to;
 - (h) Personalise our services and communications to you (for example, to ensure that they take into account your age, location and previous involvement with the kew guild);
 - (i) Provide you with information about carefully selected third party events, products, campaigns and competitions, where we are permitted to do so;
 - (j) Notify you about changes to our services;
 - (k) Administer and process payments you make for membership, events, services and charitable donations;
 - (l) Verify your identity where required to use some of our services and benefits;
- (2) Comply with applicable laws and regulations and requests from statutory agencies including for such purposes as health and safety; the detection and prevention of crime and safeguarding; and
 - (a) Carry out any obligations or provide you with any other services, functionality or content which you specifically request or agree to.
- (3) For the avoidance of doubt, the Kew Guild does not use personal data for automated decision-making which produces legal effects or similarly significantly affects individuals. However, Kew may use profiling techniques in certain circumstances for the purpose of evaluating personal data to provide you with more targeted advertising and for the purpose of segmenting our database of visitors and supporters so that we can communicate with you in the most relevant way possible. In some cases we use cookies to do this. Our Cookies Policy (at kew.org/cookies) explains in further detail the types of cookies we use to allow us to do this.

(4) Fundraising

Charitable giving is very important to The Kew Guild's ability to achieve its mission. We carry out a wide variety of marketing activities to seek individuals' support for our work, ranging from appeals for small one-off donations, to large fundraising initiatives for specific projects, such as building renovations. We want to ensure that we are contacting you with tailored and appropriate communications, and ensure we direct our resources and fundraising activities as efficiently and effectively as we can. We also want to communicate with you from time to time to thank you for your support and tell you what we have achieved with the help of your donation.

(5) Research and profiling using information in the public domain

- (1) Throughout our history The Kew Guild has relied on gifts of all sizes to support both our recurrent costs and for new projects. In order that our fundraising is appropriate, respectful, efficient and effective, we tailor our approaches to different people in different ways. We use information you have given us, sometimes together with data we collect from publicly available sources, to help us decide how best to do this.
- (2) For a small number of people, we may undertake research using publicly available information relating to philanthropic activities, wealth and capacity to give, to create a profile of interests and preferences. This helps us understand the background of the people who we believe may be willing to attend events and enter into a dialogue with us to learn more about supporting our work and organisation. Ultimately it helps us to ensure that proactive requests for gifts are directed to only those who we believe may be able and willing to give. This information is collected from public sources such as news articles, Companies House, the Charity Commission, Who's Who as well as specialist charity research sources such as Factory Phi, and Trustfunding.org. Very occasionally we may work with similar organisations (such as other botanic gardens or other charities) to undertake this research collaboratively.
- (3) If we do collect such information about you, whether jointly or on our own, we will inform you within one month of collecting this information in order to provide you with an opportunity to opt out of your data being used for these purposes. You can also opt out by emailing us on privacy@kewguild.org.uk.
- (4) We have an obligation to ensure we are undertaking appropriate due diligence on potential donors, in accordance with guidelines set out by the Charity Commission and the Fundraising Regulator, and we may collect information from the public domain information for this purpose too.

(6) What lawful bases do we rely on to use your personal data?

The legal bases that we rely on for processing your personal data are:

- (1) You have provided your consent to us using your personal data for a specific purpose:
 - (a) We will ask for your consent to use your personal data to send you marketing emails and SMS.
 - (b) You always have the right to withdraw your consent at any time.
- (2) It is necessary in connection with the performance of a contract with you:
 - (a) Sometimes it is necessary to process your personal data so that we can enter into contractual relationships with you. For example, when you become a member we will require your personal data to enable us to perform our agreement.
- (3) It is necessary for compliance with a legal obligation to which we are subject:

- (a) This would include where we have to retain certain records, for example, to manage health and safety, for the detection and prevention of crime, safeguarding obligations, for maintaining suppression lists to ensure we comply with marketing laws, for tax reasons (such as those related to gift aid donations) and undertaking due diligence before accepting certain donations or entering into certain relationships.
- (4) It is within our legitimate interests.
 - (a) Applicable law allows personal data to be collected and used if it is reasonably necessary for our legitimate interests or a third party's legitimate interests (as long as the processing is fair, balanced and does not unduly impact individuals' rights). We will rely on this ground to process your personal data when it is not practical or appropriate to ask for your consent, and where we are confident that this will not impact your rights. This may include where we undertake research on individuals including before we proactively contact them, as set out in Sections 4.2 and 4.3.
 - (b) Our legitimate interests include raising funds for a wide range of activities to support our charitable objectives, such as being a global resource for plant and fungal knowledge, undertaking and disseminating our scientific knowledge, and plant and fungal research, and preserving the living and non-living collections for public access. We also have a legitimate interest in publicity and income generation, campaigning and fundraising in order to support these objectives and undertaking due diligence to establish the provenance of donations that are made, or may be made, to us.
 - (c) Where you have provided your details to us, we may contact you by post and phone for certain marketing and fundraising activities as set out in Section 5 below (but we will explain this to you at the point that we collect your details). You can opt out of this activity at any time by emailing us on privacy@kewguild.org.
 - (d) We will also rely on our legitimate interests for the proper administration of The Kew Guild, and to manage our operations (for example, maintaining appropriate records and databases, for the detection and prevention of crime and safeguarding all those who access our premises and facilities).
 - (e) When we process your personal data to achieve such legitimate interests, we consider and balance any potential impact on you (both positive and negative), and your rights under data protection laws. We will not use your personal data for activities where our interests are overridden by the impact on you, for example where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).
- (1) Please see section above for the limited legal basis for when we process sensitive personal data.

(7) How we collect personal data

We collect information about you:

- (1) When you give it to us directly

You may give us your personal data in order to receive information from us; accompany us on a visit, administering and renewing membership; when you volunteer with us or take part in any of our programmes (or request information about these); when you donate to us; when you respond to a survey or when you otherwise engage with us on our websites and digital products.
- (2) When a third party provides us with your personal data.
- (3) Your personal data may be shared with us by third parties in certain circumstances. This may include (but is not limited to) ticket agencies that may sell tickets to venues on visits or tours, or specific events, and by our partners who may host and run events (or help to run and host

events). Where appropriate you should check any Privacy Policy of any third party when you provide your personal data to them in order to understand fully how they will process your personal data.

- (4) When it is available publicly.
- (5) We may combine personal data you provide to us with personal data available from external publicly available sources such as Companies House and published articles and newspapers. Depending on your privacy settings for social media services, we may also access personal data from those accounts or services. We use this personal data to gain a better understanding of you, and to improve our communications and fundraising approaches (see section 3 above).
- (6) When you use our websites and digital products, such as kewguild.org.uk.
- (7) We may collect personal data about you when you use our websites and digital products. Whenever you input personal data into our website (for example, if you become a member or renew a membership online or otherwise support us through our website, book a visit online or download any of our resources), we will collect the personal data that you give to us.
- (8) We use “cookies” to identify you when you visit our websites and digital products. Amongst other things this helps us to understand our website users and may enable us to improve the website experience for you and/or other users. Please refer to our Cookies Policy for details on how and why we use this data at kewguild.org.uk/about/privacypolicy/cookies.
- (9) We may collect other personal data from your use of the websites, such as your IP address and access times.
- (10) We may link our websites directly to other sites. This privacy policy does not cover external websites and we are not responsible for the privacy practices or content of those sites. We encourage you to read the privacy policies of any external websites you visit.

(8) Communications and marketing

- (1) We may contact you by post and telephone, and, where you have provided consent, by e-mail, to let you know about our events and activities (and we may also mention those of third parties, particularly where they are collaborating with us or sponsoring our events) that might be of particular interest to you; retail offers and promotions, or about the work of the Kew Guild more generally; and to request donations and provide you with information about and the opportunity to participate in our fundraising activities. We provide the opportunity for you to opt-out from receiving our marketing communications every time we contact you.
- (2) You can opt-out from receiving our marketing communications, or update your contact preferences at any time by emailing: privacy@kewguild.org.uk

(9) Social media targeting

- (1) If you are a social media user, we may use certain social media tools as part of our relationship with you. These tools include such things as Facebook and Instagram Custom/Lookalike Audiences, Google Customer Match/Similar Audiences, Twitter Tailored/Lookalike Audiences and LinkedIn Matched Audiences.
- (2) Through using these tools, we will provide some of your data to the social media platform / organisation to allow them to identify your social media profile with them. The social media platform / organisation will then show you relevant advertisements relating to The Kew Guild which we think you will be interested in seeing on your newsfeed.
- (3) The social media platform / organisation will also use your profile to identify those with similar characteristics to you who we think may also be interested in finding out more about The Kew

Guild and the work we do. These identified individuals will then be shown advertisements about The Kew Guild on their newsfeed. This activity is governed by the social media platform's own privacy policy and terms and conditions, so please do refer to these documents if you require any further information about this activity.

(10) Data sharing

- (1) We do not sell your information under any circumstances. We will not share your personal data with third parties for them to use for marketing purposes but may share your personal data where we work jointly with a third party on a joint fundraising or excursion project. However, we will only ever do this where you have given us permission to do so.
- (2) We work with service providers and other third parties who help us to operate and to provide and improve our information, products and services, and we may share information with them for this purpose.
- (3) Whilst we may allow our staff, consultants and/or external service providers acting on our behalf to access and use your personal data for the activities we have described in this policy (eg. to provide services or products to you, deliver mailings, to analyse data and to process payments), we only permit them to use it to deliver the relevant information, goods or services, and only if they apply an appropriate level of security protection.
- (4) We may need to disclose your personal data upon request to regulatory and government bodies as well as law enforcement agencies. We may also merge or partner with other organisations and in so doing, acquire or transfer personal data but your personal data would continue to be used for the purposes set out above.
- (5) The personal data we collect from you may be transferred to, shared and/or otherwise processed by organisations or companies outside the European Economic Area ("EEA"). Where your personal data is transferred outside the EEA, we will take reasonable steps to ensure that the recipient implements appropriate measures to protect your personal data (for example, by entering into EU Commission approved standard contractual clauses).
- (6) Unfortunately, the transmission of personal data 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 personal data transmitted to or via our websites and digital products; any transmission is at your own risk. If you have any questions about the international data transfer of your personal data, please contact us using the details below in section 12.

(11) Children's data

We do not collect or manage personal data about children.

(12) How we keep your personal data safe and who has access to it

- (1) We are committed to ensuring that there are appropriate technical controls in place to protect your personal data including protection from misuse and unauthorised access. For example, our network is protected and routinely tested.
- (2) Your information is only accessible by staff, volunteers and contractors who are bound by appropriate policies and procedures to protect your information.

(13) Your rights

Please note that you may only use/ benefit from some of the following rights in limited circumstances. For more information, we suggest that you consult guidance from the Information

Commissioner's Office (ICO) – <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-act-2018/> - or please contact us using the details in section 12 below.

(1) Right to restrict processing

In certain circumstances as outlined in the ICO guidance referred to above, you have a right to require us to stop processing your personal data in a particular way.

(2) Right to erasure

You have the right to request that your personal data is erased from our records in certain circumstances.

(3) Right of access

You have a right to ask for a copy of the personal data we hold about you. If you want to access your personal data, please send a description of the personal data you want to see and proof of your identity by post to The Privacy Team, The Kew Guild, The Royal Botanic Gardens, Kew, Richmond, TW9 3AE.

(4) Right to rectification

We also want to make sure that your personal data is accurate and up to date. Please let us know if your details change. You may also ask us to correct or remove personal data which is inaccurate.

(5) Right to object

You can also opt-out of receiving all or some of our marketing/fundraising communications or request that we stop processing personal data about you for certain purposes at any time by contacting us using the details below.

(6) Right to data portability

In certain circumstances you have a right to data portability which means we will provide you (or a third party you nominate) with your personal data in a structured, commonly used and machine-readable format.

(14) Complaints

If you are unhappy with the way in which we have handled your personal data please contact us using the details below.

Please let us know if you have any queries or concerns about the way that your personal data is being processed by us by contacting us on the details below. You are also entitled to make a complaint to the Information Commissioner's Office. For further information see the Information Commissioner's guidance here <https://ico.org.uk/for-the-public/personal-information>.

(15) Data retention

- (1) We keep personal data for as long as there is a need to keep it in connection with the purposes for which it was collected. We may keep your personal data after a particular matter or exchange has concluded but purely for record keeping purposes and to be able to respond to queries. In some cases, we are also obliged to retain your personal data to comply with legal or statutory obligations (for example, to keep records of contractual or financial matters).
- (2) Whilst the specific time periods vary depending on the circumstances, in general we will not keep records that include personal data for more than 10 years after a particular matter or exchange has concluded. In the event that you ask us to stop sending you marketing

communications, we will retain certain details, such as your name and email address, but only to ensure that you are not contacted again.

(16) Contract

For all enquiries in respect of this privacy policy, please contact privacy@kewguild.org.uk or The Privacy Team, The Kew Guild, The Royal Botanic Gardens, Kew, Richmond, TW9 3AE.

(17) Websites and digital products

In this policy “websites and digital products” refers to all Kew Guild websites, including the primary Kew Guild website found at <http://www.kewguild.org.uk/> and all our digital products, such as email, applications and digital channels, including social media.

(18) Changes to this privacy policy

We keep our privacy policy under regular review. This privacy policy was last updated in June May 2018.