

## Privacy policy



### **1.0 Introduction**

- 1.1 We are committed to safeguarding the privacy of West Mercia Search and Rescue (henceforth WMSAR) members, missing persons and their families and our sponsors, supporters and funders.
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of WMSAR members, missing persons and their families and our sponsors, supporters and funders; in other words, where we determine the purposes and means of the processing of that personal data.
- 1.3 This policy applies where we are acting as a data processor with respect to the personal data of missing persons and their families supplied by tasking authority or in the live situation of an incident; in other words, where we receive data and use it for the purposes giving information and instruction to our members.
- 1.4 We may operate with members from other Lowland Rescue teams or under the control of other Lowland Rescue teams in which case this policy will apply to our members.

### **2.0 Definitions**

- 2.1 In this policy, "we", "us" and "our" refer to WMSAR.
- 2.2 The tasking authority is relevant statutory body, typically a UK Police Authority, requesting the services of the charity for the purposes of searching for, tracking, finding and removing to a place of safety a missing or vulnerable person(s) including the processing of data to provide statistical information on their possible track and location.

### **3.0 Missing Persons and Casualties**

- 3.1 We receive information on missing and vulnerable persons from the tasking authority and other sources during an incident. We recognise that due to the nature of these incidents we are not able to verify information before processing. Our policy is to, as far as is reasonably practicable, instruct our members to delete all information that is not anonymised.
- 3.2 In the event of dispute regarding data relating to missing persons or casualties, obtained from the tasking authority or from any source in the progress of a incident we will without undue delay collect the data and return it to the tasking authority.

### **4.0 How we use your personal data**

- 4.1 In this section we have set out:
  - 4.1.1 the general categories of personal data that we may process;
  - 4.1.2 in the case of personal data that we did not obtain directly from you, the source and specific categories of that data;
  - 4.1.3 the purposes for which we may process personal data; and
  - 4.1.4 the legal bases of the processing.
- 4.2 We may process data about your use of our website, databases and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is our analytics

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- tracking system and internal database logging. This usage data may be processed for the purposes of analysing the use of the website and services, resolving bugs and creating an audit trail. The legal basis for this processing is our legitimate interests, namely managing our operations, recording member qualifications and certifications and recording statistical information regarding searches and missing people.
- 4.3 We may process your account data ("**account data**"). The account data will include your name and email address. The source of the account data is you, Lowland Rescue or WMSAR. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and managing Our operation, recording member qualifications and certifications.
- 4.4 We may process your information included in your personal profile on our website ("**profile data**"). The profile data may include your name, telephone number, email address, profile pictures, gender, date of birth, photograph and team name. The profile data may be processed for the purposes of enabling and monitoring your use of our website and services. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and managing of our operation, recording member qualifications and certifications.
- 4.5 We may process your personal data that are provided during the use of our services ("**service data**"). The service data may include your name, telephone number, email address, profile pictures, gender, date of birth, photograph and team name. The source of the service data is you Lowland Rescue or WMSAR. It may also be generated from internal database and application logs or derived from ("**usage data**"). The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and managing our operation, recording member qualifications and certifications, and statistical recording details of missing person searches and missing persons.
- 4.6 We may process information that you post for publication on our website or through our services ("**publication data**"). The publication data may be processed for the purposes of enabling such publication and administering our website and services. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and managing our operation, providing historical, archival and statistical details of missing person searches.
- 4.7 We may process information that you provide to us for subscribing to our email and/or text notifications and/or newsletters ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and managing Our operation and informing you when changes are made to your records.
- 4.8 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and organisation and communications with users.

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- 4.9 We may process information contained in or relating to any PR, marketing or fundraising activity that you send to us ("**marketing data**"). The marketing data may include your name, address, email address and phone number. The marketing data may be processed for the purposes of sending you information about WMSAR and to raise funds by soliciting for donations or sponsorship. The legal basis for this processing is consent.
- 4.10 We may process ("**incident data**"). This data may include the names, age, date of birth, location information such as grid references and addresses, medical conditions of missing persons or those in need of rescue by LR Teams. The source of this data is the tasking authority WMSAR member teams. This data may be processed for maintaining records of searches for statistical and scientific research use. The legal basis for this processing is our legitimate interests, namely managing Our operation and recording statistical information regarding searches and missing people.
- 4.11 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- 4.12 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our organization against risks.
- 4.13 In addition to the specific purposes for which we may process your personal data set out in this section we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or to protect your vital interests or the vital interests of another natural person.
- 4.14 Please do not supply any other person's personal data to us, unless we prompt you to do so.

### **5.0 Providing your personal data to others**

- 5.1 We may disclose your personal data to any member of our group of teams insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.
- 5.2 We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 5.3 We may disclose your personal data or the data relating to any search and rescue operation to any legitimate request from a UK Police Authority or legally sanctioned request from other such statutory body insofar as reasonably necessary for the investigation of missing persons or other incidents, confirmation of the identity of legitimate search & rescue persons and their qualifications.
- 5.4 Financial transactions relating to our website and services maybe handled by our payment services providers. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds.
- 5.5 Certain services relating to how we process marketing data, notification data and publication data may be handled by our bulk email management services providers. We will share transaction data with our email management services providers only to the extent necessary for the purposes of emailing you.

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We will provide contact details for these providers if requested and you can find information about the services providers' privacy policies and practices by contacting them or using their website.

- 5.6 In addition to the specific disclosures of personal data set out in this document, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

### **6.0 International transfers of your personal data**

- 6.1 In this section we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).
- 6.2 The hosting facilities for our website and databases are situated in the EU, namely the United Kingdom and Ireland. The European Commission has made an "adequacy decision" with respect to the data protection laws of each of these countries. Transfers to each of these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission.
- 6.3 The hosting facilities for our bulk email management are situated not confined to the UK. WMSAR does not give permission for data to be processed for data science projects.

### **7.0 Retaining and deleting personal data**

- 7.1 This section sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 7.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 7.3 We will retain your personal data as follows:
- 7.3.1 Personal data relating to membership of WMSAR Teams and certification/qualifications will be retained for a minimum period of 7 years from the point that the member has left LR or one of our teams.
  - 7.3.2 Personal data relating to search & rescue incidents will be retained for a minimum period of 3 years after which it will be fully anonymized before archival.
  - 7.3.3 The period of retention of incident data relating to missing person searches will be determined from the date the missing person was located which can sometimes be many months/years after the search itself.
- 7.4 Notwithstanding the other provisions of this section we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

### **8.0 Amendments**

- 8.1 We may update this policy from time to time by publishing a new version on our website.
- 8.2 You should check this page occasionally and at least annually to ensure you agree with any changes to this policy.
- 8.3 We may notify you of changes to this policy by email or through the private messaging system on our website or database systems.

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### **9.0 Your rights**

- 9.1 In this section we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 9.2 Your principal rights under data protection law are:
- 9.2.1 the right to access;
  - 9.2.2 the right to rectification;
  - 9.2.3 the right to erasure;
  - 9.2.4 the right to restrict processing;
  - 9.2.5 the right to object to processing;
  - 9.2.6 the right to data portability;
  - 9.2.7 the right to complain to a supervisory authority; and
  - 9.2.8 the right to withdraw consent.
- 9.3 You have the right to confirmation as to whether we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.
- 9.4 You have the right to have any inaccurate personal data about you rectified and, considering the purposes of the processing, to have any incomplete personal data about you completed.
- 9.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed.
- 9.6 However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
- 9.7 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.
- 9.8 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third

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- party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 9.9 You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.
- 9.10 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 9.11 To the extent that the legal basis for our processing of your personal data is:
- 9.11.1 consent; or
  - 9.11.2 that the processing is necessary for the performance of a contract to which you are party or to take steps at your request prior to entering into a contract, and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- 9.12 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 9.13 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.
- 9.14 You may exercise any of your rights in relation to your personal data by written notice to us, in addition to the other methods specified in this section.
- 10.0 Our details**
- 10.1 Our website and database systems are owned and operated by WMSAR.
- 10.2 We are a charity registered in England and Wales under registration number 1122651, and our registered office is West Mercia Search & Rescue, c/o RCF, Park Lane East, Tipton, DY4 8RF
- 10.3 Our website is [www.westmersiasar.org.uk](http://www.westmersiasar.org.uk)
- 10.4 You can contact us:
- 10.4.1 by post, to the postal address given above;
  - 10.4.2 using our website contact form;
  - 10.4.3 by email, using the email address published on our website from time to time.
- 11.0 Systems**
- 11.1 Any computer equipment owned by the charity is used in search activities and is not password protected or encrypted. No personal data of any type is retained on this equipment.
- 11.2 The officers and management team use personal computing devices and storage systems for the operation and management of the charity. All such equipment is password protected by the individual concerned.

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11.3 The officers and management team undertake to immediately inform the trustees of any breach of confidentiality or any loss of equipment containing charity data.

11.4 The trustees will without undue delay review the incident and initiate a plan to comply with the protection of data as required by the Regulations

**12.0 Data protection officer**

12.1 Our data protection officer's contact details are available on our website

**Revision History**

Version	Date	Remarks	Author
V1.0	9-Apr-18	Agreed Initial Issue	D.Brown