

WEST COUNTRY HISTORIC OMNIBUS & TRANSPORT TRUST
EU General Data Protection Regulations (GDPR)

Obligations

On 25 May 2018, the General Data Protection Regulation (GDPR) came into effect in the EU and across the United Kingdom. The GDPR replaces the Data Protection Act (DPA) and ushers in expanded rights to individuals and their data, and places greater obligations on businesses and other entities that process personal data. The GDPR governs personal data, which it defines as any information that can be used to directly or indirectly identify an individual. If we are unsure whether something is personal data, we will treat it as such. Failure to comply with the GDPR can result in a heavy fine. Personal details of WHOTT members is held by the Membership Secretary and covers the following elements:-

Name and surname

Home address

Email address

Phone numbers

Amount of monies contributed by way of subscription and/or donation.

Whether or not Gift Aid is applicable.

Driving Licence details in respect of PCV and HGV drivers who drive the Trust's vehicles.

Whether or not a member is willing to act as a marshal at WHOTT events.

Although the GDPR expands the definition of personal data from the DPA, many of the GDPR's main concepts and principles are the same as those in the DPA. However, there are new elements and significant enhancements. One of the most consequential of these revisions is how to handle personal data, which is guided by the following six principles:-

1. Data will be processed lawfully, fairly and in a transparent manner in relation to individuals.
2. Data will be collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
3. Data will be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
4. Data will be accurate and, where necessary, kept up to date. Every reasonable step will be taken to ensure that where personal data is inaccurate, and having regard to the purposes for which it is processed, it is erased or rectified without delay.
5. Data will be kept in a form which permits identification of data subjects for no longer than is necessary, and for the purposes for which the personal data is processed.
6. Data will be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Interpretation

WHOTT was formed in 2000 as a company limited by guarantee, and is a registered charity. It is a non-profit making organisation supported by paid up members and other volunteers. A membership secretary holds a database containing personal details of all members. These details are taken from membership application and annual renewal forms. Each member has an identifying membership number. The revised membership renewal form introduced at the beginning of 2018 enables the member to tick a box allowing the membership secretary to share certain aspects of their personal data with officers of the Trust.

In order for WHOTT to conduct its business and inform its members properly, it is necessary for a database to be kept with members' details. This has always been the case since WHOTT was formed and information in the database has been kept primarily by the membership secretary. Personal data is stored electronically on a non-portable computer with in a file protected by a separate and different password from that which protects the computer itself.

Historic information is transferred to a memory device and locked away in a secure place and will be deleted after a period of four years. In order for specific tasks to be performed, it is necessary for the membership secretary to share information with certain officers of the Trust. The manner in which this information is shared will, from 25th May 2018, be restricted further so that officers requiring certain information, are given only the details they require to perform their task. It will therefore not be possible for officers to access full particulars of any member. It will not be possible for one member to obtain personal details of another member unless one is an officer of the Trust and requires it to fulfil his/her role. At present officers with specific tasks are needed for the distribution of WHOTT's NEWS and other Trust material, to the Treasurer for subscriptions paid by Standing Order, to the HMRC officer for the administration of Gift Aid where applicable, and to officers responsible for events who need to know contact details of entrants and marshals.

Members' Rights

The GDPR enables individuals to better control their personal data, regardless of where this data is sent, stored or processed. The GDPR has four provisions as follows:-

Members can insist on seeing the amount of information we hold about them.

Members can be told how their information is being used or shared.

Members will have a clear explanation of the way their information is processed.

Members can have their personal data erased if there is no legitimate ground for retaining it.

Non-member Rights

Non members may take the form of customers purchasing goods or services from WHOTT. No more personal data will be obtained from these people other than is necessary to provide the service required.

Non members may include vehicle owners entering an event organised by WHOTT. The entrant will be required to complete an entry form containing their personal details but with a tick-box option confirming whether or not they are willing to have their basic details published in an event programme.

Membership lists

WHOTT will not externally publish and/or circulate by any means a list of members and their personal details.

Policy document for GDPR

Adopted at the Members' AGM

12th May 2018

Revised September 2024

Review 2029