

# Kielder Observatory Astronomical Society Privacy Notice

(Updated 2 September 2021)

## Our data promise

Kielder Observatory Astronomical Society is committed to protecting your privacy and personal data. We will use the personal data that we collect about you in accordance with the General Data Protection Regulation ((EU) 2016/679) (**UK GDPR**) and the Data Protection Act 2018 (**DPA 2018**).

## About us

The Kielder Observatory group is made up of two different legal entities:

- Kielder Observatory Astronomical Society (**KOAS**) is a charitable incorporated organisation registered at Companies House with company number CE000119 and on the Charity Commission Register of Charities with charity number 1153570; and
- Kielder Observatory Services Limited (**KOSL**), which is a wholly-owned subsidiary trading company of KOAS, is a limited company registered at Companies House with company number 09294853.

This privacy notice is issued on behalf of the group. However, when we mention "KOAS", "we", "us" or "our" in this privacy notice, we are referring to Kielder Observatory Astronomical Society as the controller and relevant company in the group responsible for this website and for processing your personal data.

## Contact details

If you have any questions about this privacy notice or our privacy practices, including any requests to exercise your legal rights, please contact us in the following ways:

- Email address: [admin@kielderobservatory.org](mailto:admin@kielderobservatory.org)
- Postal address: Kielder Observatory Astronomical Society, Unit C, Bewick, Prestwick Business Park, Prestwick, Ponteland, Newcastle upon Tyne, NE20 9SJ
- Telephone number: 0191 265 5510

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to this privacy notice and your duty to inform us of changes**

We keep our privacy notice under regular review. This version was last updated on the date stated at the beginning of the policy. Any changes we may make to our privacy notice in the future will be posted on this page and, where appropriate, notified to you by email.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third party links**

This website may include links to third party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share personal data about you. We do not control these third party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

### **What personal data do we collect?**

You give us your personal data when you book an event on our website, order merchandise, contact us by email or by phone or communicate with us in any other way, update your preferences on our website, or make a donation. We also process your personal data when you sign up to receive emails, newsletters and other communications from us.

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). This website is not intended for children and we do not knowingly collect personal data relating to children.

We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:

<b>Identity Data</b>	title (optional), first name and last name.
<b>Special Category Data</b>	includes age and details of physical illness or medical condition.
<b>Contact Data</b>	email address, telephone number, postal address and billing address.
<b>Profile Data</b>	a history of donations made by you. If you receive marketing from us, we may track any subsequent actions online, such as booking an event or ordering merchandise.
<b>Financial Data</b>	all bank account and payment card details are handled by our merchant service provider, Worldpay. We can access the last four digits of your payment card to help us identify transactions. More information about this can be found in the ' <b>Third party sources</b> ' section below.
<b>Transaction Data</b>	your order transaction history.
<b>Marketing and Communications Data</b>	preferences in receiving marketing from us and your communication preferences. We keep a record of the emails we send you. We may also track whether you receive or open them, so we can make sure we are sending you the most relevant information.
<b>Technical Data</b>	includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices used to access this website.
<b>Usage Data</b>	includes information about how you use our website, products and services, the full Uniform Resource Locators (URL) clickstream to, through and from our website (including date and time), page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call our contact number.

We may collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

### **Special Category Data**

Some of the personal data we may collect about you is considered to be sensitive and requires a higher level of protection. This may include your age and details of physical illness or medical condition. We need to have further justification for collecting, storing and using this type of personal data.

We will only process special categories of personal data in limited circumstances with your explicit written consent. When we seek your explicit written consent, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. This will usually be when you apply for certain events or when you apply for a job with us.

You should be aware that it is not a condition of your arrangement with us that you agree to any request for consent from us.

We do not need your consent where the purpose of the processing special category personal data is to protect you or another person from harm or to protect your well-being and if we reasonably believe that you need care and support, are at risk of harm and are unable to protect yourself.

### **Images and filming**

Please be aware that we allow visitors to record film and take photographs throughout their visits and these may be posted on social media. We take photographs and film videos and time lapses for use on social media.

We also have password protected ingress protection livestream cameras on site to monitor the weather. Only staff are permitted to access images from the livestream.

External media representatives will be asked to seek permission before capturing images.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that personal data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with merchandise or enable you to attend one of our events). In this case, we may have to cancel a product or service we provide to you, but we will notify you if this is the case at the time.

### **How do we collect your personal data?**

We use different methods to collect personal data from and about you.

#### **Direct interactions with you**

By filling in forms on our website or by corresponding with us by post, phone, email or otherwise, you may give us your Identity, Special Category, Contact, Profile, Financial, Transaction and Marketing and Communications Data. This includes personal data you provide when you:

- purchase our products;
- make a donation to us or support us in any other way;
- register to attend one of our events;
- create an account on our website;
- subscribe to our newsletter or publications;
- request information or marketing to be sent to you; or
- give us feedback, complete a survey or contact us.

#### **Automated technologies or interactions**

As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies (which may include server logs). We may also receive Technical Data about you if you visit other websites employing our cookies.

### **Third party sources**

We receive Financial Data from data controllers Worldpay (UK) Limited and WorldpayAP Limited (together **Worldpay**), who provide us with merchant services. UK customer data processed by Worldpay is generally stored in the UK and EEA. Worldpay's key data processing infrastructure is located in the UK or EEA. For more information about Worldpay's data processing activities, please contact them directly.

We receive Technical Data from analytics providers such as Google based outside the UK.

### **How do we use your personal data?**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- **where it is necessary for our legitimate interests.** This means the interests of our group in conducting and managing our group to enable us to give you the best service. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
- **where we need to perform a contract that we have entered into with you.** This means processing your personal data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- **where we need to comply with a legal obligation.** This means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to change your preferences or withdraw your consent to marketing at any time by contacting us.

We rely on consent as a lawful basis for processing your Special Category personal data.

## Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using it.

Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below:

Purpose/Activity	Type of data	Lawful basis for processing
To process any donations you make	(a) Identity (b) Contact (c) Profile (d) Financial (e) Marketing and Communications	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to receive donations and claim Gift Aid (where applicable))
To manage our relationship with you, which will include: <ul style="list-style-type: none"> <li>• providing you with information you have requested including our newsletter;</li> <li>• notifying you about changes to our terms or privacy notice; and</li> <li>• asking you to undertake occasional customer research.</li> </ul>	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Necessary to comply with a legal obligation  (b) Necessary for our legitimate interests (to keep our records updated and to study how you use our events, products and services, to develop them and grow our group, and to help us understand how we can improve our events, products and services or information)
To enable you to purchase our products, including: <ul style="list-style-type: none"> <li>• administering an order for products that you have made with us; and</li> </ul>	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	Performance of a contract with you

<ul style="list-style-type: none"> <li>contacting you if there are any important changes to and order for products that you have made with us.</li> </ul>		
<p>To enable you to attend one of our events, including:</p> <ul style="list-style-type: none"> <li>providing you with booking or order confirmation forms or respond to information you have asked for;</li> <li>administering your booking;</li> <li>informing you of any important changes to an event booking you make, particularly in relation to weather conditions given the remote location of the observatory.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Special Category</li> <li>(c) Contact</li> <li>(d) Profile</li> <li>(e) Marketing and Communications</li> </ul>	<p>Performance of a contract with you</p>
<p>To administer and protect our group and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Technical</li> <li>(d) Usage</li> </ul>	<ul style="list-style-type: none"> <li>(a) Necessary for our legitimate interests (for running our group, provision of administration and IT services, network security, to prevent fraud and in the context of a group restructuring exercise)</li> <li>(b) Necessary to comply with a legal obligation</li> </ul>
<p>To deliver relevant content to you and measure or understand the effectiveness of the content we serve to you and analyse your personal data to create a profile of your interests and preferences, so that we can contact you with information most relevant to you</p>	<ul style="list-style-type: none"> <li>(a) Identity</li> <li>(b) Contact</li> <li>(c) Profile</li> <li>(d) Marketing and Communications</li> <li>(e) Technical</li> <li>(f) Usage</li> </ul>	<p>Necessary for our legitimate interests (to study how customers use our events, products and services, to develop them, to grow our group and to inform our marketing strategy)</p>

To use data analytics to improve our website, events, products and services, marketing, experiences and our relationship with you	(a) Technical (b) Usage	Necessary for our legitimate interests (to keep our website updated and relevant, to develop our group and to inform our marketing strategy)
To tell you about changes in our programme, make suggestions and recommendations to you about new events, products and services and mention opportunities to support us that we think you will find of interest	(a) Identity (b) Contact (d) Profile (d) Marketing and Communications (e) Technical (f) Usage	Necessary for our legitimate interests (to develop our events, products and services and grow our group)
To respond to you or someone else if you/they exercise your/their legal rights in relation to your/their personal data	(a) Identity (b) Contact	Necessary to comply with a legal obligation (to comply with an individual exercising their legal rights in relation to their personal data)

### Marketing and promotional information

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which events, products and/or services may be relevant for you (we call this marketing). You will receive marketing communications from us if you have requested information from us by opting-in during the registration process..

### Opting out

You can ask us to stop sending you marketing messages at any time by contacting us at any time. Every email, letter or html communication sent to you will also tell you how to do this.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a donation made, event attended, or other experience provided. This means that

we may still get in touch with you regarding your booking. For example, we may email you to give you important information about the event you have booked for, with any changes that affect you.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the lawful basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Cookies**

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to use our donation systems.
- **Analytical or performance cookies.** These allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to our website and remember your preferences (for example, your choice of language or region).
- **Targeting cookies.** These cookies record your visit to our website, the pages you have visited and the links you have followed.

We do not share the personal data collected by the cookies with any third parties.

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our website.

## **Do we disclose your personal data to third parties?**

We may share your personal data with the third parties set out below for the purposes set out in the

**'Purposes for which we will use your personal data'** table above:

- Service providers acting as processors who provide marketing, merchant or shipping services including Zymplify, Worldpay and Royal Mail respectively.
- Analytics and search engine providers that assist us in the improvement and optimisation of our website including Google.
- Third parties to whom we may choose to sell, transfer or merge parts of our group or our assets. Alternatively, we may seek to acquire other charities or businesses or merge with them. If a change happens to our group, then the new owners may use your personal data in the same way as set out in this privacy notice.
- Third parties to whom we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements or to protect the rights, property, or safety of our donors, or others.
- Professional advisers such as lawyers, bankers, auditors and insurers based in the UK who provide consultancy, legal, banking, accounting and insurance services.
- HM Revenue & Customs, regulators and other authorities based in the UK who require reporting of processing activities in certain circumstances.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **Do we transfer your personal data internationally?**

We may transfer your personal data to third parties that are located outside the UK, including Worldpay and Google.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
- Where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

## **How do we keep your personal data safe?**

Your personal data will be held and processed on our systems, depending on the nature of your relationship with us. Where possible, we aim to keep a single record for each customer. With the exception of any personal data referred to in the 'Do we transfer your personal data internationally?' section above, your personal data is held in the UK. Your personal data is processed in compliance with UK data protection laws.

Your personal data is always held securely, and we have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

Access to customer personal data is strictly controlled, meaning that we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We may need to disclose your personal data if required to the Police, regulatory bodies or legal advisers.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## How long do we keep your personal data?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

We may retain your personal data for a longer period in the event of a complaint.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law, for tax purposes, we have to keep some of your personal data for seven years from the end of the tax year or accounting period to which it relates. This will apply to Gift Aid declarations and associated Identity and Contact Data, and Financial and Transaction Data.

In some circumstances you can ask us to delete your personal data. Please see the '**Your legal rights**' section below for further information.

In some circumstances we will anonymise your personal data so that it can no longer be associated with you for research or statistical purposes, in which case we may use this anonymised data indefinitely without further notice to you.

## Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out above, please contact us. You have the right to:

- **Request access to your personal data** (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate personal data we hold about you corrected, though we may need to verify the accuracy of the new personal data you provide to us.
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the

right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your personal data unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

- **Object to processing of your personal data** where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your personal data which override your rights and freedoms.
- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - if you want us to establish the personal data's accuracy;
  - where our use of the personal data is unlawful, but you do not want us to erase it;
  - where you need us to hold the personal data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
  - you have objected to our use of your personal data, but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data to you or to a third party.** We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated personal data which you initially provided consent for us to use or where we used the personal data to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain events, products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is manifestly unfounded or excessive, or you request further copies of your personal data following a previous request. Alternatively, we could refuse to comply with your request in these circumstances.

**What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

**Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**Thank you**

On behalf of the Trustees and the staff, I would like to thank you for your ongoing support of our charity and its important development work.

Catherine Johns

Chief Executive Officer