

Privacy and Cookies policy of the BAJ

1. Introduction

- 1.1 This policy is intended to provide information about how BAJ will use (or "process") personal data about individuals including data. This policy applies where we are acting as a data controller with respect to the personal data of our website visitors and members of the BAJ; in other words, where we determine the purposes and means of the processing of that personal data. The General Data Protection Regulation (GDPR) is an EU Regulation which was to replace the current Directive and be directly applicable in all Member States, from 25th May 2018 onwards without the need for implementing national legislation. 2
- 1.2 We are committed to safeguarding the privacy of our website visitors and service users.
- 1.3 We use session cookies on our website. These cookies identify the browser only which is visiting the website. We do not record or process any cookie information.
- 1.4 This Policy sets out how we comply with data protection principles under the Data Protection Act 1998 and the GDPR:
 - Personal data shall be processed fairly and lawfully.
 - Personal data shall only be obtained and further processed for specified and lawful purposes.
 - Personal data shall be adequate, relevant and not excessive in relation to the purpose that they are processed.
 - Personal data shall be accurate and kept up to date.
 - Personal data shall not be kept longer than necessary.
 - Personal data shall be processed in line with the rights of the data subject.
 - Personal data must be kept secure.
 - Personal data must not be transferred to a country without adequate protection.
 - The right to be informed
 - The right of access
 - The right of rectification
 - The right to erase
 - The right to restrict processing
 - The right to data portability
 - The right to object
 - Rights in relation to automated decision making and profiling

2. How we use your personal data

2.1 In this Section 2 we have set out:

- (a) the general categories of personal data that we may process;
- (b) the purposes for which we may process personal data; and
- (c) the legal bases of the processing.

2.3 We may process your personal data that are provided in the course of your belonging to BAJ and the use of our services as a trade union ("**service data**"). The service data includes your name, address, email address and telephone number, the name of your employer, your profession, your job title, your date of birth, and the date you joined the BAJ. The source of the service data is you. The service data may be processed in providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you by email for newsletters, voting on union matters, membership card and/or press card renewals. The legal basis for this processing is our legitimate interests, namely the proper administration of the membership data base and the provision of our services to you as part of your membership contract with us.

2.4 If you are not a member of BAJ we may process information contained in any enquiry you submit to us regarding your application to join the BAJ ("**enquiry data**"). The enquiry data may be processed for the purposes of determining if you satisfy the membership requirements of the BAJ. The legal basis for this processing is consent.

2.5 We may process information relating to transactions including payment of BAJ membership subscription fees that you enter into with us and/or through our website] ("**transaction data**"). The transaction data may include your contact details, your card details and the transaction details. The legal basis for this processing is the payment for the contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely the proper administration of our website and business as a trade union for members.

2.6 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims which we only undertake as your legal representative on your written consent, whether in employment tribunal or court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is to represent you in disputes in the aforementioned proceedings.

2.7 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 the business of the BAJ union against risks.

2.8 In addition to the specific purposes for which we may process your personal data set out in this Section 2, 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 in order to protect your vital interests or the vital interests of another natural person.

2.9 Please do not supply any other person's personal data to us, unless we prompt you to do so.

3. Automated decision-making

3.1 We do not have any automated decision making capability on our website.

4. Providing your personal data to others

4.1 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 employment tribunal or court proceedings or in an administrative or out-of-court procedure whether acting as your legal representative or acting for the BAJ.

4.2 Financial transactions relating to payment of membership subscriptions are handled by our payment services provider, Bottom Line Technologies, 115 Chatham Street, Reading, Berkshire, RG17JX United Kingdom. We will share transaction data with our payment services provider 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. You can find information about the payment services providers' privacy policies and practices at upon request to BAJ at office@bajunion.org.uk.

4.3 In addition to the specific disclosures of personal data set out in this Section 4, we may disclose your personal data where such disclosure 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. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in employment tribunal or court proceedings or in an administrative or out-of-court procedure.

5. Retaining and deleting personal data

5.1 This Section 5 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.

5.2 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.

5.3 We will retain your personal data as follows:

(a) Service data will be retained for a minimum period of 6 years from the date of the cessation of your membership of BAJ and for a maximum of 12 years following that date.

(b) Enquiry data will be retained for a minimum period of 6 years from the date of the cessation of your membership of BAJ and for a maximum of 12 years following that date.

(c) Transactional data retained for a minimum period of 6 years from the date of the cessation of your membership of BAJ and for a maximum of 12 years following that date.

5.4 Notwithstanding the other provisions of this Section 5, 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.

6. Security of personal data

- 6.1 We will take appropriate technical and organisational precautions to secure your personal data and to prevent the loss, misuse or alteration of your personal data.
- 6.2 We will store all your personal data on an encrypted cloud servers hosted by Dataware Office 2, Riverside business Centre, Fort Road, Tilbury, Essex RM18 7ND
- 6.3 The following personal data will be stored by us in encrypted form: your name, address, email address and telephone number, the name of your employer, your profession, your job title, your date of birth, and the date you joined the BAJ.
- 6.4 You acknowledge that the transmission of unencrypted (or inadequately encrypted) data over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.
- 6.5 You should ensure that your password is not susceptible to being guessed, whether by a person or a computer program. You are responsible for keeping the password you use for accessing our website confidential and we will not ask you for your password (except when you log in to our website).

7. Amendments

- 7.1 We may update this policy from time to time by publishing a new version on our website.
- 7.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

8. Your rights including Subject Access Rights (SARs)

- 8.1 In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of 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.
- 8.2 Your principal rights under data protection law are:
 - (a) the right to access;
 - (b) the right to rectification;
 - (c) the right to erasure;
 - (d) the right to restrict processing;
 - (e) the right to object to processing;
 - (f) the right to data portability;
 - (g) the right to complain to a supervisory authority; and
 - (h) the right to withdraw consent.
- 8.3 You have the right to confirmation as to whether or not 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.

- 8.4 All SARs received will be handled by the Company's Data Protection Officer.
- 8.5 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
- 8.6 In some circumstances you have the right to the erasure of your personal data without undue delay (the right to be forgotten). 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 process.

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.
- 8.7 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.
- 8.8 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 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.
- 8.9 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
 - (b) that the processing is necessary for the performance of a contract to which you are party or in order 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.

- 8.10 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.
- 8.11 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.
- 8.12 You may exercise any of your rights in relation to your personal data by written notice to us by post or by email.

9. Third party websites

- 9.1 Our website includes hyperlinks to, and details of, third party websites.
- 9.2 We have no control over, and are not responsible for, the privacy policies and practices of third parties.

10. Updating information

- 10.1 Please let us know if the personal information that we hold about you needs to be corrected or updated.

11. Data Controller and Data Processor

- 11.1 In respect of the personal data identified in section 2 we do not act as a data controller; instead, we act as a data processor.
- 11.2 Insofar as we act as a data processor rather than a data controller, this policy shall not apply. Our legal obligations as a data processor are instead set out in the contract between us and the relevant data controller.

12. About cookies

- 12.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 12.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 12.3 BAJ only uses session cookies on the website.
- 12.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

13. Our details

13.1 This website is owned and operated by the BAJ.

13.2 We are registered in England and Wales and Northern Ireland as a Trade Union with the Certification Office and our registered office is PO Box 742, Winchester SO23 3QB.

13.3 You can contact us:

- (a) by post, to the postal address given above;
- (b) by telephone, on 0207353 3003; or
- (d) by email at office@bajunion.org.uk or using the email address published on our website from time to time.

14. Data protection registration

14.1 BAJ is registered as a data controller with the UK Information Commissioner's Office

14.2 BAJ registration number is A8337405

15. Data protection officer

Our data protection officer's contact details are: Annette Raitz who can be contacted at annetteraitzbaj@gmail.com

16. Data Breach Notification

16.1 All personal data breaches must be reported immediately to the Company's Data Protection Officer.

16.2 If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Data Protection Officer must ensure that the Information Commissioner's Office is informed of the breach without delay, and in any event, within 72 hours after having become aware of it.

16.2 In the event that a personal data breach is likely to result in a high risk (that is, a higher risk than that described under Part 22.2) to the rights and freedoms of data subjects, the Data Protection Officer must ensure that all affected data subjects are informed of the breach directly and without undue delay.

16.3 Data breach notifications shall include the following information:

- i. The categories and approximate number of data subjects concerned;
- ii. The categories and approximate number of personal data records concerned;
- iii. The name and contact details of the Company's data protection officer (or other contact point where more information can be obtained);
- iv. The likely consequences of the breach;
- v. Details of the measures taken, or proposed to be taken, by the Company to address the breach including, where appropriate, measures to mitigate its possible adverse effects.

17.Implementation of Policy

This Policy shall be deemed effective as of 23 May 2018. No part of this Policy shall have retroactive effect and shall thus apply only to matters occurring on or after this date.

This Policy has been approved and authorised by:

Name: Jon Bamborough

Position: NEC Chairman

Date: May 2018

Due for Review by: May 2019

Signature: