

Ness Botanic Gardens, University of Liverpool

Privacy Statement

Author: Zoë Chapman

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Introduction

The University processes personal data in line with our obligations under the General Data Protection Regulations (GDPR) and any data provided to Ness Botanic Gardens will be treated with confidence, and processed in accordance with the rights provided to individuals under GDPR.

We need to tell you about the types of personal information we collect, the purposes we use it for and the legal basis contained in GDPR and the Data Protection Act 2018 which allows us to use it in these ways, how long we store the information for and how you can exercise your rights.

The following privacy notices outline the extent of our processing activities for different groups of individuals spending time at Ness Botanic Gardens.

The collection, retention and processing of your personal data is necessary for NBG to exercise its responsibilities, and to fulfil its education and support obligations to you whether you are a visitor, member, student, volunteer or member of staff. We may process your data for the purposes of fulfilling a contract if you are a member, to perform its public task in providing education or other legitimate interests if you are a visitor or volunteer.

We regularly run a photographic competition and entries from this will be used on our website, marketing, print materials and social media channels.

This Privacy Statement outlines what this means in practice and explains how the Ness Botanic Gardens collects, stores, manages and protects your personal data.

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.

Who we are and what we do: Ness Botanic Gardens

Ness Botanic Gardens (NBG) was founded by Arthur Kilpin Bulley in 1898, became the University of Liverpool's botanic garden in 1948 as a gift from Bulley's daughter, Agnes Lois Bulley. The Declaration of Trust between Agnes Lois Bulley and the University of Liverpool required that the University "maintain and keep [Ness] forever as a public park and flower garden." As part of our work we undertake the maintenance and development of the gardens, a membership scheme, retail, catering, a public and commercial events programme, an education programme alongside public access to the Gardens.

Definitions

Personal information means any information which relates to or identifies you as an individual.

Special Category Data is more sensitive and so needs more protection. Special Category Data may include information about an individual's race, ethnic origin, politics or health.

The data we hold.

1. How we collect personal data

We may collect information about you in a variety of ways: • When you give it to us directly

You may give us your personal data in order to receive information from us; visit our facilities; buy products or services from us including such things as purchasing, administering and renewing membership; when you volunteer with us or take part in any of our community 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. • When a third party provides us with your personal data

Your personal data may be shared with us by third parties in certain circumstances. This may include (but is not limited to) individuals who may purchase gift membership on your behalf, ticket agencies that may sell tickets to access NBG specific events run there, schools or other institutions who work with us or receive our services, by mutual contacts who recommend you to us or buy goods and services on your behalf or as a gift, and by our partners who may host and run events (or help to run and host events) at our premises, or run competitions or prize draws jointly with us. • When it is available publicly

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.

When you use our websites and digital products, such as www.liverpool.ac.uk/ness-gardens or NBG social media channels.

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.

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.

We may collect other personal data from your use of the websites, such as your IP address and access times.

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.

2. Who we collect data from • Children and Young People

Data relating to children and young people and is collected both directly from the individual and from a third party, most commonly a parent, grandparent, teacher, carer or support worker. Such data is usually collected only in the instance of an emergency or first aid incident or a query made by the visiting individual. This data could include names, addresses, telephone numbers (landline and mobile) and email addresses as well as background information on health conditions and related material.

We may collect and manage personal data about children in some circumstances, such as where children participate in activities at NBG (such as educational and learning activities, fundraising events) or have requested to receive certain communications from us, such as newsletters.

Where consent is required to process children's personal data we shall seek consent from a parent or guardian, or shall ensure such consent is in place before any data is shared with us. We shall only hold personal data about children that is absolutely necessary for the purpose of the event/programme that they are applying for or participating in.

• Members

Member data is collected direct from the individual and includes names, addresses, telephone numbers (landline and mobile), email addresses bank details for those making payment by Direct Debit and signatures. Member information can also be gathered from a third party in the case of gift and complimentary wedding memberships. • Staff

Staff data is collected direct from the individual in the form of emergency contact information and includes names, addresses and telephone numbers (landline and mobile). On occasion data can be obtained via a third party, when information is obtained from a University of Liverpool department such as Human Resources or Finance. • Students and prospective students

Student data is collected direct for the individual and includes names, addresses and telephone numbers (landline and mobile). • Visitors

Visitor data is collected direct from the individual and only in the instance of an emergency or first aid incident or a query made by the visiting individual. This data could include names, addresses, telephone numbers (landline and mobile) and email addresses as well as background information on health conditions and related material. • Volunteers

Volunteer data is collected direct from the individual and includes name, addresses, telephone numbers (landline and mobile), email addresses and related emergency contact details.

3. What personal data we hold.

This document outlines the variety of activity that takes place across NBG. However, we only hold personal data that the individual provides to us or that is provided to use in connect with specific purposes, which are explained to the individual at the time of data collection.

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

- your full name and your preferred title;
- birth date or alternatively a relevant age range;
- postal address;
- telephone number(s);
- email address;
- records of your correspondence with us;
- bank or credit card details (if you purchase something from us, become a member or donate to us);
- donation and gift aid details (if you donate to us);
- information you enter into our websites and digital products and details of how you use those websites and digital products, including cookies, (NB: Cookies don't themselves contain personal data, but do uniquely identify your browser and device);
- CCTV footage of those visiting our premises and gardens.

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

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

Special Categories Data

NBG will only process Special Category Data also known as sensitive personal data where necessary and unavoidable, for example in relation to an individual's health during a first aid emergency. We will do this with your consent where possible and is most likely to occur if an individual is a member of staff or a volunteer with us.

Most commonly this processing will arise in our management of a variety of situations, including: managing health and safety incidents, accidents or other complaints, security and the detection or prevention of crime on our premises and carrying out safeguarding obligations to protect those on our premises or involved in our activities.

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4. What we use your information for.

We may use your personal data in a number of ways.

General

- To provide a service, information or a product which has been requested of us. This could include admission to the gardens, booking onto an event or attendance at educational activities and events or to update you on our work, services;
- To update you on fundraising activities, including directly by the NBG team or by the University of Liverpool's development or alumni department.

This could relate to a specific project or fundraising aim or could be more general in nature; • To provide you with information which we feel may be of interest to you. This could include monthly e-newsletters, event information, information relating to particular projects or plans, details of employment or volunteer opportunities or information relating to competitions we are holding; • To administer an individual's membership with us. This may include updates on membership status, to join or renew a membership, invites to special events or to provide information relating to member benefits and changes to either a membership or the wider scheme; • To administer a donation, legacy or in memorium request. This could include a donation, a legacy or the scattering of a loved ones ashes; • To report on, analyse and review, in order to better understand how people use our products and services. This could include data captured at the Admissions Desk, via our website or social media in order that we can better understand our visitors; • To keep a record of our relationship with our visitors, members, stakeholders, staff, volunteers and others visiting or with an interest in NBG; • To help improve our communications with individuals and to keep in contact with individuals; • To help improve our visitor experience and operation or to notify individuals to changes in operation or services; • To administer and process payments for good, services, products and donations; • To verify an individual's identity. This could include confirming your postcode, membership number or telephone number in order to discuss your membership; • To comply with laws, regulations and requests from external agencies. This could include investigating a health and safety incident, a fire or burglary or to prevent a crime or safeguarding breach. • We will only provide individuals with information relating to third party events which are taking place either at NBG or in partnership with NBG.

Fundraising • Fundraising is critical to the achievement of NBG's strategy and long-term aims and objectives. We aim, in the future, to undertake work in collaboration with University of Liverpool colleagues to seek individual support for specific projects and other work at NBG which could range from appeals for one-off donations to larger scale fundraising projects. • If we do collect such information about you, 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 nessgdns@liverpool.ac.uk

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• We also 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.

Communications, promotion and marketing • We may contact you by post and/or telephone, and, where you have provided consent, by email, 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) that might be of particular interest to you; retail offers and promotions, or about the work of NBG more generally; and to request donations and provide you with information about and the opportunity to participate in our fundraising activities. • In the case of venue hire, we may also contact you by post, phone or email to tell you about associated events which support or relate to your venue hire booking. We will provide the opportunity for you to opt-out from receiving our marketing communications every time we contact you. • You can opt-out from receiving our marketing communications, or update your contact preferences at any time by emailing: nessgdns@liverpool.ac.uk.

Social media targeting • 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 and Twitter Tailored/Lookalike Audiences. • 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 NBG which we think you will be interested in seeing on your newsfeed. • 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 NBG and the work we do. These identified individuals will then be shown advertisements about NBG 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.

Data sharing • We do not sell your information under any circumstances. We may from time to time share your personal data with third parties for them to use for marketing purposes or for us to use jointly with a third party where we are embarking upon a joint fundraising project. However, we will only ever do this where you have given us permission to do so or where we are carrying out joint research.

5. How we keep your personal data safe and who has access to it

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 by our colleagues in the University of Liverpool's Computing Services team.

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Your information is only accessible by staff, volunteers and contractors who are bound by appropriate policies and procedures to protect your information.

Please note that you may only use/ benefit from some of the following rights in limited circumstances: • 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. • Right to erasure

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

You have a right to ask for a copy of the personal data we hold about you. A request can be made here: https://www.liverpool.ac.uk/legal/data_protection/accessing-your-information/ • 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. • 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. 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>.

7. Data retention

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).

While 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

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

8. Our legal basis for processing personal data

We may use personal data if it is considered to be of legitimate interest, and if the privacy interests of the people we collect data about (data subjects) do not override this interest.

Normally, to establish the legal basis for data collection, an assessment has been made during which a mutual interest between the University and the individual person has been identified.

We will always inform individuals about their privacy rights and the purpose for collecting personal data.

9. Contact

Should you have any further queries, require further information or advice, please contact:

Zoë Chapman, Business Manager, Ness Botanic Gardens

Email: ZChapman@liverpool.ac.uk

Data Protection Manager, University of Liverpool

Email : legalservices@liverpool.ac.uk.

8. Changes to this privacy policy

We keep our privacy policy under regular review. This privacy policy was last updated in July 2019.