



## **BERMUDA NATIONAL TRUST (BNT)**

### **PRIVACY POLICY**

Compliance with Personal Information Protection Act 2016 (PIPA)

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## 1) PERSONAL INFORMATION USED BY BNT

### a) Principles

- BNT will only collect personal information when we believe it is necessary and we have a valid legal reason to do so under applicable law, such as with your consent, to comply with laws, to provide you with services to enter into or fulfill our contractual obligations, to protect your rights, or to fulfill our legitimate business interests. BNT will only use personal information in accordance with the original purpose for which we collected it.
- BNT will only handle people's information in ways they would reasonably expect, or we can explain why any unexpected processing is justified.
- BNT considers how the processing of information may affect the individuals concerned and can justify any adverse impact.
- BNT will clearly identify any personal information that we need to keep for public interest archiving, scientific or historical research, or statistical purposes.

### b) Types, purpose, legal basis

Information classed as sensitive is in red

Staff (permanent, part-time, temporary and former staff)

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status** and names of dependents, photographs, bank details, result of police check, employment contract and salary, performance reviews, disciplinary records, copy of driving license (if driving a BNT vehicle), references
- *Legal basis: Information is provided by/used with the consent of the individual for the purpose of the employment contract and managing the employer-employee relationship. The sensitive information is used to monitor BNT's employee profile in terms of diversity and inclusion.*

Council (Board)

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status**, photographs, copy of passport and utility bill for bank/charity registrar compliance
- *Legal basis and purpose: Information is provided by/used with the consent of the individual for the purpose of good governance of the organisation, compliance with the Bermuda Registrar of Charities and in some cases banking compliance. The sensitive information is used to monitor BNT's governing body profile in terms of diversity and inclusion.*

Members

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status**
- *Legal basis and purpose: Information is provided by/used with the consent of the individual - given at the time they sign up for/renew their membership - for the purpose of managing*

*the individual's membership of BNT (renewals, newsletter distributions, invitations, donation solicitations etc.) The sensitive information is requested on a voluntary basis and used to monitor BNT's membership profile in terms of diversity and inclusion.*

### Volunteers

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status**
- *Legal basis and purpose: Information is provided by/used with the consent of the individual (given at the time they sign up for volunteering) for the purpose of managing the individual's volunteer relationship with BNT. The sensitive information is requested on a voluntary basis and used to monitor BNT's volunteer profile in terms of diversity and inclusion.*

### Donors

(NB PIPA does not apply to the use of business contact information for the purpose of contacting an individual in their capacity as an employee or official of an organisation)

- For private donors (who are not members): name, birth date, home address, personal and work email addresses and phone numbers, amounts donated
- *Purpose: Information is provided by/used with the consent of the individual (given at the time they donate) for the purpose of recording their donation and thanking them. Donors are given the option to be listed as 'do not solicit', otherwise they reasonably expect their information to be kept on file for the purpose of solicitation for the annual appeal or other donation requests. Legal basis: compliance with Registrar of Charities and banking regulations requiring BNT to know the source of its donations (anti-money laundering and anti-terrorism funding compliance).*

### Tenants

- Name, home address, personal and work email addresses and phone numbers, bank details, references
- *Legal basis and purpose: Information is provided by/used with the consent of the individual (given at the time they sign a lease) for the purpose of entering into the lease contract and managing the landlord-tenant relationship.*

### Children (members, attending camps or clubs, volunteering, entering art competition)

- Name, birth date, home address, names and personal/work email addresses and phone numbers of parents/guardians, **sex, race, nationality**, photographs, school, **disabilities, relevant health issues, learning differences**, photographs
- *Legal basis and purpose: Information is provided by/used with the consent of the child's parent(s) or guardian(s) given at the time they sign the child up for membership, for a holiday camp, after-school club, volunteering or competition. Contact information and information*

*on health issues, disabilities or learning differences is provided for the purpose of safeguarding the children while in BNT's care and ensuring any special needs are met. Information on sex, race, nationality and school is requested on a voluntary basis and used for monitoring the profile of children engaged with BNT camps and other activities in terms of diversity and inclusion. Specific permission is requested for taking and using photographs of children.*

#### Other

- Credit card and bank information used for financial transactions with BNT. *Legal basis and purpose: Information is provided by/used with the consent of the individual for the purpose of processing financial transactions with BNT.*
- Personal information provided by job applicants. *Legal basis and purpose: Information is provided with the consent of the individual and used for the purpose of assessing suitability for employment.*

#### **c) Transfer to third parties**

In the course of its ordinary work BNT rarely needs to transfer personal information to any third party either in Bermuda or overseas. If such a transfer is necessary or desirable for BNT to carry out its work, BNT will only transfer personal information to a third party with the written consent of the individual (apart from exceptional circumstances where a statutory exemption applies).

#### **d) Matters of opinion**

Our records will clearly identify any matters of opinion, and where appropriate whose opinion it is and any relevant changes to the underlying facts.

## 2) PRIVACY OFFICER

BNT's privacy officer is Dr. Dörte Horsfield, Head of Development & Engagement – [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm), tel. 236 6483 ext. 222.

The role of the privacy officer is to ensure BNT's compliance with PIPA. The privacy officer has primary responsibility for communicating with the Privacy Commissioner. The privacy officer does not have access to staff personal information.

## 3) PROCESSES

### **Collection of information**

Personal information used by BNT is collected in a variety of ways – digitally (e.g., online forms via our website, or via email), on paper (e.g., membership forms, tenancy application forms) and

sometimes via the telephone (e.g., a credit card number given over the phone to make a payment, a member's address change given verbally).

All formal points of information collection, such as online or paper forms, include a privacy notice and request for consent (see below). Where sensitive information is requested, it is made clear that it is voluntary and will only be used anonymously for the purpose of general diversity and inclusion data.

## **Secure retention of information**

### CRM database

The majority of personal information held by BNT is stored in our Bloomerang CRM database. It is a cloud-based donor management and fundraising software for non-profits, used worldwide. Bloomerang is a reputable company based in the USA, which has its own security policy and privacy policy and is GDPR compliant.

Bloomerang holds name and contact data on BNT members (including staff and tenants who have complimentary membership), volunteers (including Council), and donors. This includes information on age, sex and race if it has been voluntarily provided.

Access to the database is restricted by password protection and is only available to staff members whose roles require them to input or retrieve information as part of their duties. These roles include the Executive Director, Head of Finance, Head of Development, Development Officer, Development Administrator, Head of Natural Heritage, and Head of Cultural Heritage. Each of these team members records their interactions with donors, volunteers, and members in the Bloomerang database to ensure transparency in engagement with both individuals and organisations.

### Digital data - Office 365

Some personal data is also stored digitally in Office 365. This includes staff data, Council data, tenant data and data for children attending BNT holiday camps. Access to the folders holding such data is password restricted to those who need the information to do their job. Some spreadsheets, e.g. staff salaries, are also password protected.

- Staff – Contact data is shared internally in a BNT Directory. Each employee's personal information, including contract, performance reviews, police check etc. is only available to the Executive Director, their manager and themselves. Employment contracts are also shared with the Head of Finance.
- Council – Contact data is shared internally in the BNT Directory. Resumes and sensitive data are held in password protected files available only to the Executive Director.
- Volunteers – Contact and volunteer activity data.
- Tenants – Spreadsheets of contact data are held digitally in password protected folders. Sensitive information, if voluntarily provided, is only held in Bloomerang.
- Children – Data on children attending holiday camps, clubs or volunteering is kept securely in password restricted folders which are only accessible to staff who need the information to do their job e.g., the Heritage Education Manager, the Head of Natural Heritage who runs the youth EcoClub.

## Paper data

A limited amount of personal data is stored in paper form in the BNT office:

- Staff data (including resumes, contracts, performance reviews, disciplinary records, doctor's notes etc.) are stored in a locked filing cabinet. Only the Executive Director and the President hold the key.
- Temporary lists/spreadsheets containing contact data of volunteers for events, lists of children attending camps etc. are created from time to time. These will be secured in a locked drawer out of hours and shredded once they are no longer necessary.

## **Destruction of information**

Digital data will be deleted when no longer needed (according to retention policies below). When BNT computers are decommissioned, the hard drives will be removed and destroyed.

Paper data will be shredded when it is no longer needed (according to retention policies below). Shredding of any sensitive information and private employee records will be carried out only by those with authorized access to the information.

## **Accuracy checks and updates**

Personal information on staff, Council, members and donors will be checked for accuracy once a year.

- Staff – At the time of the annual performance review staff will be asked to review the employee data sheet and advise of any changes. Employees will be asked to sign any documents relating to performance or disciplinary matters to confirm that they agree the contents are accurate and have been discussed. Only the final signed versions will be kept on file.
- Council – At the time of the Annual General Meeting Council members will be asked to review for accuracy personal data held by BNT.
- Members – At the time of renewal members will be sent a copy of the personal data held by BNT and asked to update or correct it as needed. For Life members this review will be carried out in March prior to the annual appeal mailing in April.
- Donors – at the time of the Annual Appeal donors will be asked to advise BNT if the contact data held is accurate, and to advise if they do not wish their name to be published in the Annual Report.
  
- **Child data** will be kept for no more than three months after the child's interaction with BNT, whether that was attending a holiday camp, an after-school club, volunteering or entering a competition.
- **Job applicant data** will be kept for six months. Permission must be sought to retain the data on file for longer than six months.
- **Sensitive data** - data on age, sex and race for any of the above groups may be anonymized and kept indefinitely, for the purpose of tracking BNT's diversity profile.

## **Handling an information breach**

An information breach has occurred if personal information held by BNT is lost, stolen, unlawfully destroyed, or deliberately or accidentally disclosed to an unauthorized person at BNT or to a third party without the consent of the individual; with such a breach likely to adversely affect an individual.

In case of an information breach or a suspected information breach, the member of staff who first becomes aware of the breach must notify the Executive Director and BNT's Privacy Officer immediately.

The Privacy Officer and any other relevant staff shall determine without delay if there has been a breach or potential breach. If necessary, the Privacy Officer shall notify the Privacy Commissioner of the breach, without undue delay, and then notify any individual affected by the breach. The notification to the Commissioner shall describe the nature of the breach; its likely consequences for that individual; and the measures taken and to be taken by BNT to address the breach.

**Privacy Commissioner contact: 543-7748, [PrivCom@privacy.bm](mailto:PrivCom@privacy.bm)**

The Privacy Officer shall investigate the nature and cause of the security breach and document the facts regarding the breach, its effects and the remedial action taken, and conduct a risk assessment for further potential breaches.

## **Access, correction or destruction requests**

Individuals have the right to request access to a copy of their personal information and other supplementary information, including:

- the purposes for which the personal information is used by the organisation;
- the names of the persons to whom their personal information has been disclosed; and
- the circumstances in which the personal information has been disclosed.

Individuals have the right to have inaccurate personal information corrected. As a matter of good practice, BNT will keep note of any challenges to the accuracy of personal information.

Individuals have the right to request that the personal information held by BNT is not used for the purposes of advertising, marketing or public relations.

Individuals have the right to request that BNT erases or destroys personal information about themselves that is no longer relevant for the purposes of its use.

All such requests (access, correction, erasure) must be made in writing. BNT will acknowledge the request within 14 days (asking for more information to complete the request and verify the identity of the applicant if necessary) and must by law comply with the request within 45 days. (See sections 17-20 of the Act for exceptions).

#### 4) PRIVACY NOTICES AND CONSENT

Privacy Notices will be provided before personal information is collected and consent obtained at the time the information is collected.

Privacy Notices will include:

- a. Purpose for which personal info is being collected or might be used
- b. Identity and types of third parties to whom the information might be disclosed
- c. Identity, location and contact details for BNT including name of Privacy Officer
- d. Choices and means provided to the individual to access, rectify, block and/or destroy their personal information.

The request for consent will be prominent and separate from other terms and conditions. We will make it easy for individuals to withdraw their consent to use of their personal information and will not penalize individuals who wish to withdraw consent.



## BERMUDA NATIONAL TRUST PRIVACY NOTICES

### GENERAL PRIVACY NOTICE

This privacy notice for the Bermuda National Trust (BNT) describes how and why we might collect, store, use, and/or process personal information.

- A. When people use our services, such as when you:
- Visit the BNT website ([www.bnt.bm](http://www.bnt.bm))
  - Download or use BNT applications, use BNT social media applications or any other application that links to this privacy notice
  - Connect with BNT as school children and holiday camp attendees
  - Connect with BNT as tenants or sub-contractors
- B. When people connect with BNT as donors, staff or volunteers.

The Personal Information Privacy Act 2016 (PIPA) requires us to explain the valid legal bases we rely on in order to process your personal information. As such, we may rely on the following legal bases to process your personal information:

- **Consent:** We may process your information if you have given us permission in writing to use your personal information for a specific purpose. You can withdraw your consent at any time.
- **Performance of a Contract:** We may process your personal information when we believe it is necessary to fulfill our contractual obligations to you, including providing services or at your request prior to entering into a contract (e.g. rental agreement) with you.
- **Legitimate Interests:** We may process your information when we believe it is reasonably necessary to achieve our legitimate purposes as a charity and those interests do not outweigh your interests and fundamental rights and freedoms. For example, we may process your personal information for some of the purposes described in order to:
  - Send users information about our programmes and events (e.g. newsletter)
  - Develop and display personalised and relevant advertising content for our members and supporters
  - Analyse how our programmes are received so we can improve them to engage and retain members and supporters (e.g. questionnaires)
  - Support our marketing activities
  - Engage with donors and volunteers
- **Legal Obligations.** We may process your information where we believe it is necessary for compliance with our legal obligations, such as to cooperate with a law enforcement body or regulatory agency, exercise or defend our legal rights, or disclose your information as evidence in litigation in which we are involved.
- **Vital Interests.** We may process your information where we believe it is necessary to protect your vital interests or the vital interests of a third party, such as situations involving potential threats to the safety of any person.

## SPECIFIC PRIVACY NOTICES

### **STAFF** *(included in Employee Manual and Employee Data Form)*

BNT maintains personal information about all of its employees for the purpose of managing the employer-employee relationship, including your employment contract, administration of compensation and benefits, and performance management. We are committed to respecting your privacy by handling all of the personal information collected in accordance with applicable law and our own Privacy Policy.

We collect sensitive personal information on race, sex, nationality and family status for the purpose of monitoring BNT's equal opportunities, diversity and inclusion, and to comply with requests for such statistics from the Government Department of Statistics, the Registrar of Charities, major donors and other parties with a legitimate interest. This information will only be used anonymously for statistical purposes.

In order to fulfil the purposes set out above, it may be necessary for BNT to pass employee personal data (or sensitive personal data, as appropriate) to regulatory bodies, government agencies and other third parties as required by law or for administration purposes. The trust may record, process, use and disclose personal data relating to employees as set out above (including the recording, processing, use and disclosure of the employee's sensitive personal data to the extent required by reason of his/her employment or by law), including the transmission of such data abroad.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use.

BNT's full Privacy Policy can be viewed on BNT's SharePoint, on [bnt.bm](http://bnt.bm) or by request to your manager. BNT's Privacy Officer is Dr Dörte Horsfield, [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm).

**I consent to the use of the personal information I have provided for the purposes outlined above.** *(Consent box on employee data form only)*

### **COUNCIL** *(included on Council Information Form)*

BNT maintains personal information about its Council (board) members for the purpose of good governance of the organisation, compliance with requirements of the Bermuda Registrar of Charities and compliance with the KYC requirements of BNT's banks. We are committed to respecting your privacy by handling all of the personal information collected in accordance with applicable law and our own Privacy Policy.

Your information will never be disclosed to a third party outside of BNT without your consent.

We collect personal information on race, sex, nationality and family status for the purpose of monitoring BNT's board profile in terms of diversity and inclusion and to comply with requests for

such statistics from donors, the Registrar of Charities and other parties with a legitimate interest. This information will only be used anonymously for statistical purposes.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use.

BNT's full Privacy Policy can be viewed on [bnt.bm](http://bnt.bm) or by request to BNT's Privacy Officer Dr Dörte Horsfield, [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm).

**I consent to the use of the personal information I have provided for the purposes outlined above.**

### **MEMBERS** *(included on membership page of website and membership form)*

BNT collects this personal information from you with your consent for the purpose of managing your membership of BNT, including providing your membership card, sending you newsletters, event invitations and other notices, and to solicit your support for our annual appeal.

Information on your race, sex and nationality is requested on a voluntary basis and used to monitor BNT's membership profile in terms of diversity and inclusion. This data will only be used anonymously for statistical purposes.

Your information will never be disclosed to a third party outside of BNT without your consent.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use. Such requests must be made in writing to Bermuda National Trust, 2 Pomander Road, Paget PG05 or by email to [palmetto@bnt.bm](mailto:palmetto@bnt.bm).

BNT's full Privacy Policy can be viewed on [bnt.bm](http://bnt.bm) or by calling (441) 236 6483. BNT's Privacy Officer is Dr Dörte Horsfield, [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm).

**I consent to the use of the personal information I have provided for the purposes outlined above.**

### **TENANTS** *(included on Rental Application Form and in Leases)*

BNT collects this personal information from you with your consent for the purpose of entering into a tenancy contract and managing the landlord-tenant relationship.

Your information will never be disclosed to a third party outside of BNT without your consent, except in the event of legal proceedings when it needs to be shared with our legal advisors.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use. Such requests must be made in writing to Bermuda National Trust, 2 Pomander Road, Paget PG05 or by email to [palmetto@bnt.bm](mailto:palmetto@bnt.bm).

APPROVED BY COUNCIL 20 NOVEMBER 2024

BNT's full Privacy Policy can be viewed on [bnt.bm](http://bnt.bm) or by calling (441) 236 6483. BNT's Privacy Officer is Dr Dörte Horsfield, [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm).

**CHILDREN** *(included on Camp application forms)*

BNT collects this personal information about your child/children with your consent for the purpose of safeguarding the children while in BNT's care and ensuring any special needs are met. Unless otherwise requested, this information will be erased from our databases as soon as it is no longer needed, or within three months of collection.

You have the right to withhold information on any disabilities, health issues or learning difficulties that your child has, but doing so could impact our ability to safeguard your child and meet their needs.

Information on sex, race, nationality and school is requested on a voluntary basis and used to monitor the profile of children engaged with BNT camps in terms of diversity and inclusion. This data will only be used anonymously for statistical purposes.

Your child's information will never be disclosed to a third party outside of BNT without your consent.

You have the right to request a copy of the personal information we hold about your child, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use. Such requests must be made in writing to Bermuda National Trust, 2 Pomander Road, Paget PG05 or by email to [palmetto@bnt.bm](mailto:palmetto@bnt.bm).

BNT's full Privacy Policy can be viewed on [bnt.bm](http://bnt.bm) or by calling (441) 236 6483. BNT's Privacy Officer is Dr Dörte Horsfield, [dhorsfield@bnt.bm](mailto:dhorsfield@bnt.bm).

- I consent to the use of the personal information I have provided about my child/children for the purposes outlined above.**
- I consent to photographs being taken of my child during the camp and used for the purposes of promoting the Bermuda National Trust and its holiday camps.**
- I DO NOT consent to photographs being taken of my child during the camp.**