

Winning Leishman Privacy Policy

Overview

We take our obligations under privacy and data protection law very seriously. This Privacy Policy is designed to help you understand what Personal Information we collect, why, how we use it and who we share it with. It also explains the rights you have in connection with your Personal Information, including how to contact us or to make a complaint.

This notice applies to Winning Leishman Ltd, who we also refer to throughout as "we", "us" or "our". See below for our Contact Information.

Winning Leishman Ltd is registered as a data controller with the Information Commissioner's Office, which is the UK's independent body set up to uphold information rights. As a data controller, we are responsible for ensuring that when we process Personal Information we comply with EU and UK data protection law and use it in accordance with our client's instructions and our professional duty of confidentiality.

If you have any questions about this notice please get in touch with your usual Winning Leishman Ltd contact or see below for our Contact Information.

This Privacy Policy may change from time to time and in response to guidance and best practice advice issued by the Information Commissioner's Office in particular in response to the change in data protection law in the UK on 25 May 2018. We will inform you of changes via our website and if you are a client we will inform you of any key changes in writing.

Glossary of Key Terms used in this privacy policy

We, us, our	Winning Leishman Ltd.
Matter	Fundraising advice, services and representation to you on your particular matter.
Personal Information	<p>Also referred to as 'personal data' and means information about a living person by which that person can be identified.</p> <p>Some of that information will identify the individual directly, for example by giving their name and email address. It may also be possible to identify someone indirectly, from information in which their name is not given, for example by naming their job title and employer, or by using another form of identifier such as their IP address.</p> <p>See below in What Personal Information do we collect and use? for examples of the type of information which would fall within this definition.</p>

Special Category Personal Information	<p>Personal information revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership</p> <p>Genetic and biometric data.</p> <p>Data concerning health, sex life or sexual orientation.</p>
Website	<p>The website at this address: www.winningleishman.co.uk</p>

What Personal Information do we collect and use?

The type of Personal Information we collect and process depends on our relationship with you and the context in which we obtain and use it. The table below sets out the Personal Information we will or may collect depending on the circumstances.

Our relationship with you	Personal Information we will or may collect
<p>Clients – where we are advising and/or acting for you</p>	<p>We will require certain Personal Information to be able to provide our service to you. If you do not provide Personal Information we ask for, it may delay or prevent us from providing services to you.</p> <p>Your name, address and telephone number.</p> <p>Information to enable us to check and verify your identity, e.g. your date of birth.</p> <p>Electronic contact details, e.g. your email address and mobile phone number.</p> <p>Information relating to the Matter in which you are seeking our advice or representation.</p> <p>Information provided by you about other individuals in connection with the service we are providing to your business, e.g. information relating to your employees or board members.</p> <p>Information provided by you about your service users in the form of case studies or photographs. These can be used only with specific consent and other safeguards in place.</p> <p>Your organisation’s financial details so far as relevant to your instructions, e.g. the source of your funds if you are instructing us on a purchase</p>

	<p>transaction or your bank or building society details if we will need to transfer money to you.</p>
<p>Potential clients</p>	<p>If you contact us proactively:</p> <p>Information entered into our website contact form, or supplied to us via email and phone, such as names, email address, contact phone number, and any other details supplied. We use these to respond to enquiries and engage in any ongoing business relationship which may arise from this.</p> <p>Using the details you have supplied, we may also obtain details of your professional online presence, e.g. LinkedIn profile. This would include details of your occupation and interests and professional information (such as job title, previous positions and professional experience).</p> <p>If you do not contact us proactively:</p> <p>We may obtain information about organisations to whom we would like to provide our services. We may obtain contact information from your organisation's website or charity registration web page, including Personal Information, such as the details of an appropriate staff member which we may use to make contact and offer our services.</p>
<p>Grant givers and potential grant givers</p>	<p>Grant giver details such as names and addresses, and background information regarding personal funding interests. This enables us to make applications for funding on behalf of clients and to report back on funding which has been received previously, or to supply these details to clients for clients to make applications and reports directly.</p>
<p>Visitors to our website</p>	<p>Information entered into our website contact form, or supplied to us via email and phone, such as names, email address, contact phone number, and any other details supplied. We use these to respond to enquiries.</p> <p>Technical Personal Information in connection with details of your visits to our Website including your browser type and version, device and location. These details are received in aggregate. (Please see Visitors to Our Website and our Cookies Policy for further information.)</p>

How Personal Information is collected and your responsibilities

We will collect Personal Information from you in person when we meet you or through correspondence with you in relation to your Matter and via our Website (see – Visitors to Our Website).

Third parties may pass Personal Information to us to use in the course of providing our fundraising and professional services. The processing of this Personal Information may be necessary for the progression of your Matter and to enable us to act in your best interests as your fundraising adviser.

The sources we may also collect Personal Information from include:

- publicly accessible sources, e.g. Companies House, the Charity Commission for England and Wales, the Office of the Scottish Charity Regulator, published print or digital fundraising guides such as those published by the Directory of Social Change, social media and general media sources.
- direct from a third party, e.g. from a client (such as information about their employees or a family member)
- a third party with your consent, e.g., your bank or building society, another financial institution or advisor; consultants and other professionals we may engage in relation to your Matter; your employer, professional body or pension administrators; your doctors, medical and occupational health professionals
- our information technology systems, e.g., document management
- automated monitoring of our Website and other technical systems, such as our computer networks and connections, email and voicemail and instant messaging systems.

When we provide our services to you, we may hold and use Personal Information about you, your officers and/or your employees or other third parties. When you provide Personal Information to us relating to a third party you confirm that you have any necessary permission or authority to do so. You are also responsible for ensuring that the provision of that Personal Information complies with data protection and other applicable law.

In personal matters, you may be providing other third-party data to us, for example details of your family or staff members. You must have the authority to disclose personal data if it relates to someone else and all data disclosed should be complete, accurate and up to date.

Personal data of children

If your Matter involves children, these children must be represented by their parents or guardians. In these circumstances, you will explain to the parent or guardian why we need to use any Personal Information relating to the children and how it will be used, both when we first collect the data and as the particular Matter progresses, and you will provide evidence to us that appropriate consent has been obtained.

Visitors to our website

We use Google Analytics to collect statistical information about the number of visitors to our Website. This technology tracks the patterns of behaviour of visitors to our Website. This can include using a "cookie"

which would be stored on your browser or the hard drive of your computing device. Please read our Cookies Policy for more information about how we use cookies.

We use this information to maintain and improve our Website and the services we provide and to analyse and understand what is of interest to our Website visitors so we can improve and tailor the content and this data will not directly or indirectly reveal your identity.

Our Website is not intended for children and we do not knowingly collect data relating to children via the Website.

How and why we use your personal information

Under data protection law, we can only use your Personal Information if we have a proper reason for doing so, for example:

- to comply with our legal and regulatory obligations
- for our legitimate interests (see below) or those of a third party
- for the performance of our contract with you or to take steps at your request before entering into a contract
- you have given consent.

A legitimate interest is when we have a business or commercial reason to use your Personal Information, so long as this is not overridden by your own rights and interests. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information 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).

The table below explains what we use your Personal Information for and our reasons for doing so. In general terms, we will collect Personal Information to:

- to provide fundraising and professional services to you, to manage our relationship and comply with our legal obligations arising from it
- provide you with information about our business and the services we offer including relevant communications
- help us improve our business and the services we offer.

What we use your Personal Information for	Our reasons
To provide fundraising services to you.	For the performance of our contract with you or to take steps at your request before entering into a contract.
Conducting checks to identify our clients and verify their identity. Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety	To comply with our legal and regulatory obligations and for our legitimate interests or those of a third party.

What we use your Personal Information for	Our reasons
regulation or rules issued by our professional regulator, the Institute of Fundraising.	
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies.	To comply with our legal and regulatory obligations.
Ensuring our business policies (and client requirements) are adhered to, e.g. policies covering security and internet use.	For our legitimate interests or those of a third party.
Operational reasons, such as improving our business and services by undertaking analysis and research and assessing your satisfaction with our services, efficiency, insurance purposes, training and quality control.	For our legitimate interests or those of a third party.
Ensuring the confidentiality of commercially sensitive information.	For our legitimate interests or those of a third party. To comply with our legal and regulatory obligations.
To respond to any complaint or allegation of negligence made against us.	For our legitimate interests or those of a third party. To comply with our legal and regulatory obligations.
Statistical analysis to help us manage our business or to provide information required by our clients, e.g. in relation to our financial performance, client base, work type or other efficiency measures or key performance indicators.	For our legitimate interests or those of a third party.
Preventing unauthorised access and modifications to systems.	For our legitimate interests or those of a third party. To comply with our legal and regulatory obligations.
Updating and maintaining client records.	For the performance of our contract with you or to take steps at your request before entering into a contract.

What we use your Personal Information for	Our reasons
	To comply with our legal and regulatory obligations. For our legitimate interests or those of a third party.
Statutory returns.	To comply with our legal and regulatory obligations.
Ensuring safe working practices, staff administration and assessments and to enforce or protect any of our rights, property or safety (or those of our members, employees or clients).	To comply with our legal and regulatory obligations. For our legitimate interests or those of a third party.
To contact you about our services and events which we think may be of interest to you, and to provide you with legal updates and briefings.	For our legitimate interests or those of a third party.
With your consent, external audits.	For our legitimate interests or a those of a third party.

The information above does not apply to any Special Category Personal Information which you may have provided to us or authorised us to obtain from a third party, and which we will usually only process with your explicit consent.

Change of purpose

We will only use your Personal Information 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 we need to use your Personal Information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We may process your Personal Information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Marketing communications

We may use your Personal Information to send you updates (by email, telephone or post) about fundraising developments that might be of interest to you and/or information about our services, including new services.

We have a legitimate interest in processing your Personal Information for our business development purposes (see How and why we use your Personal Information). This means we do not usually need your consent to send you updates and information about our services. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your Personal Information with the utmost respect and we will never sell or share it with other organisations for marketing purposes.

You have the right to opt out of receiving marketing communications at any time by telephone or by responding to one of our emails.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

Who we share your Personal Information with

We share Personal Information with:

Grant givers, who may be: registered charities; government or local authority bodies; grant-making lotteries; registered companies; or private individuals who are known to make charitable donations.

Our IT support and service providers may also access your Personal Information as a consequence of them providing support to us.

We only allow our service providers to handle your Personal Information if we are satisfied they take appropriate measures to protect your Personal Information. We also impose contractual obligations on service providers to ensure they can only use your Personal Information to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies, such as The Office of Scottish Charity Regulator and the Charity Commission for England and Wales, to comply with our legal and regulatory obligations.

We may also need to share some Personal Information with other parties. For example, if we, in the course of our own business operations, sell or buy any business or assets we may disclose Personal Information held by us to the prospective seller or buyer of those businesses or assets.

Where possible, information will be anonymised but the recipient of the information will be bound by confidentiality obligations. If we are acquired, or substantially all of our assets are acquired, by a third party (or are subject to a reorganisation), Personal Information held by us will be one of the assets which is transferred.

Where your Personal Information is held

Information may be held at our offices, third party agencies and service providers as described above (see Who we share your Personal Information with).

How long your Personal Information will be kept

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

When it is no longer necessary to retain your Personal Information, we will delete or anonymise it. In some circumstances, we may anonymise your Personal Information (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure

of it, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances, you can ask us to delete your data (see Your rights with respect to your Personal Information).

Clients

We only keep your Personal Information about your Matter for as long as is necessary to:

- carry out our services for your Matter
- respond to any questions, complaints or claims made by you or on your behalf
- show that we treated you fairly
- keep records required by law to comply with our legal obligations and our duties to our regulator.

For most types of Matters we retain your matter file for up to fifteen years from the date of your final bill although this may vary depending on the nature of your Matter. We will only retain Personal Information contained therein while it is in use and subsequently as agreed within our Data Processing Agreement. Further information about the likely retention period will be provided to you when your Matter concludes.

Complaints or requests

If you are not a client of ours but you complain to us about how we have processed your Personal Information or you seek to exercise a data protection right such as a data subject access request, we will retain details of your complaint or request. We will only use the Personal Information we collect to process the complaint or request, to audit the level of service we have provided and to provide information to our insurers or regulator.

We will keep information in connection with the complaint or request in line with our retention policy. In most cases this means we will retain the information for six years.

How we protect your Personal Information

Keeping information secure is a key part of data protection compliance. We have put in place appropriate security measures to prevent your Personal Information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your Personal Information to those employees, agents, contractors and other third parties who have a business need to know and they are subject to a duty of confidentiality.

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 or where we have otherwise agreed with you that we will.

Your rights with respect to your Personal Information

You are entitled at any time to ask us for a copy of Personal Information we hold about you, known as a data subject access request. You are also entitled to ask that any information we hold about you is supplemented, updated or rectified. You can make any of these requests free of charge by contacting us – see Contact Details.

In certain circumstances, you can also ask us to restrict our processing of your Personal Information, e.g. if you contest the accuracy of it. We will always review your request and will inform you if we decide we are not required to action it. If you require us to restrict or stop processing your Personal Information in any way, this may impact on our ability to provide our professional services to you. Depending on the nature of your requests we may have to stop acting for you but you will still have to pay any unpaid fees and disbursements which we have incurred on your behalf to date.

You are entitled to ask that we send a copy of the Personal Information we hold about you to another organisation for your own purposes, for example if you intend to instruct another service provider instead of us. If you want us to move, copy or transfer your Personal Information in these circumstances, please let your usual Winning Leishman contact know or contact us, (see Contact Information).

We will aim to respond to your request within one month once we have assessed how feasible your request is, taking into account the technical capability of the other organisation involved.

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation.](#)

We do not use your Personal Information for automated decision making.

How to complain

We hope that we can resolve any query or concern you may raise about our use of your information. If you want to complain about how we have handled your Personal Information, please follow the procedure in our Complaints Policy. We will investigate your complaint but if you are not satisfied with our response or believe we are processing your Personal Information unlawfully, you can complain to the UK Information Commissioner's Office. Further information is available on the [ICO website](#) or telephone 0303 123 1113.

The EU General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or EEA) State where you work, normally live or where any alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner.

Contact Information

Please contact us by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details
Winning Leishman Ltd 190 Queensferry Road Edinburgh EH4 2BW info@winningleishman.co.uk 0131 478 4667

Do you need extra help?

If you would like this notice in another format (for example large print) please contact us using the details above.