



**Generic data protection statements for use by Professional Fundraising Organisations (PFO's), Payroll Giving Agencies (PGA's) and Charities, on Payroll Giving Donor Mandates.**

**September 2007**

***Generic Data Protection Statements***

The following statements cover:-

- Contact by the recipient charity
- Contact by other organisations

and are compliant with the Data Protection Act as interpreted by the Information Commissioner's Office in September 2007.

In preparing this guidance, a number of interviews were undertaken which revealed a substantial diversity of views on a number of aspects related to creation of suitable Data Protection statements.

In developing the specimen Data Protection statements that follow, the key test that data should only "*be used only for the purpose for which it was given*" was interpreted as "the purpose of Payroll Giving." The relationship of donors to their selected charity and the underlying principle that the data subject – the donor- understands why the data is being processed and what is being done with it, i.e. the use of their data is specific and informed, was also held paramount.

We have also tried to accommodate the needs of the parties to obtain broader use of their donor lists for purposes of charitable fundraising and support via the mechanism of donor acknowledgement, where these services could be offered on an opt-in basis.

***Suggested Data Protection Statement***

The following suggested Data Protection Statements have been discussed with the Information Commissioner's Office and have received their assent.

The proposed recommendations have the following objectives:-

- To protect charities' interests
- To be handled in a way that maintains donor expectations.

***The Statement***

**“The data supplied on this form will be used to enable your donation to reach your chosen charity/charities.**

**In order that your instructions can be acted on, your details will be passed to Her Majesty’s Revenue & Customs registered Agency, with whom your employer has contracted, who will forward your donation to your chosen charity/ies.**

**Your chosen charity/ies may send you a thank you letter acknowledging your donation.**

**If you do not wish to receive acknowledgement from your charity and only wish to be contacted in the event of a specific query needed to resolve the processing of your data for the purposes of these instructions, please tick here.  ”**

***The Follow Up***

It is acknowledged that charities will wish to use their donor lists for wider contact and fundraising purposes. It is suggested that these are handled through the acknowledgement statement.

Although under the auspices of the charity, the acknowledgement statement may in practice, be sent by the charity themselves or contracted to be processed by another party – possibly PFOs or PGAs - on their behalf.

This acknowledgement statement could include a number of opt in boxes, which would allow both the Charities and other parties to the process to contact the donor with appropriate details of other charity related “offers”:

A number of opt in boxes could request:-

- Usage of data to send charities own newsletters, fund raising materials.
- Usage of data to send like materials from Consortia
- Usage for other suitable purposes concerned with fundraising

For example, if Charity Y contracts with PGA X to send its acknowledgement statement on their behalf, then PGA X might be able to negotiate with Charity Y to include an opt in box related to the charity related activities of the PGA.

In this scenario Payroll Giving is handled in a way which matches the expectations of the donors – to give tax effectively to charities through the payroll- and enables the charity and other parties to subsequently increase the opportunity for contact and fundraising. This has the effect of distancing the initial act of Payroll Giving from immediate contact for other fundraising or commercial purposes.

While this might be more administratively burdensome it does ensure the immediate integrity of Payroll Giving, whilst providing a means for charities and their processors to utilise their door lists to greater effect.