

Data Protection Policy

1. What is a BID?

Business Improvement District (BID) schemes are business led initiatives supported by government legislation which give local businesses the power to 'raise funds locally to be spent locally' on improving a defined commercial area and supporting the businesses located within that trading area through the delivery of projects and services.

A BID is created when the majority of business ratepayers within that area vote to invest collectively in local improvements.

Under BID legislation, a BID can only continue for five years before a new business plan needs to be published and a ballot held where businesses vote 'yes' or 'no' to the BID. If the majority of businesses by number and rateable value, vote in favour of the proposal, the BID will go ahead and apply to all. It is just like a referendum and the majority view will prevail.

BID schemes are independent of local authorities and other statutory bodies although the local authority has a duty to collect the annual levy on the BID's behalf.

There are over 300 BID schemes operating across the UK and a rise in the number of Destination BIDs because businesses have recognised a larger areas potential when competing for attracting visitors

2. What Legislation Underpins BID Schemes?

Legislation enabling the formation of bids was passed in 2003 in England and Wales (with subsequent regulations published in 2004 and 2005 respectively) and in 2006 in Scotland. Collection of the BID levy carries the same enforcement weight as collection of the non-domestic rates and is mandatory for all eligible businesses within the BID area regardless of how they voted.

www.legislation.gov.uk/uksi/2004/2443/contents/made

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK
COMPANY No. 11820859

3. About Yorkshire Coast BID Ltd

Yorkshire Coast BID has been operating since August 2019 as a not for profit company limited by guarantee incorporated in February 2019 (registered in England and Wales company number 11820859).

Yorkshire Coast BID Ltd has positions on its Board for up to thirteen private sector Directors who voluntarily support the BID and retain 81% of voting power; there are also 5 positions for public bodies who deliver services within the BID area and who pay the levy, but their voting rights are capped at 19%.

4. Our Approach to Data Protection

We are a not for profit organisation that uses data to inform local businesses and organisations about issues and services that will support them or enhance their knowledge. We are not ‘selling’ a product or service but providing information that we deem is in their interest.

We are committed to protecting and respecting personal data and privacy and to complying with all applicable laws including the General Data Protection Regulation (GDPR) which came into force on 25th May 2018.

We will only use data where we have a proper reason to do so; this includes sharing it outside Yorkshire Coast BID Ltd if appropriate with third-party providers. We will never sell our data to companies for marketing purposes. All our data is confidential.

We will regularly review what data we are storing and processing and on what basis it is being used for; each time we communicate, we will check whether there are reasonable grounds to do so and whether we need consent and obtain this where it has not been granted.

We store data on two specific Yorkshire Cost BID computers which are password protected and regularly backed up by the Yorkshire Coast BID CEO and Project Coordinator who are the only people who have access to these devices; information shared with third parties is encrypted and we seek assurances that third parties have good data protection policies in place.

Yorkshire Cost BID Ltd is currently being registered with the Information Commissioner (ICO).

We embrace the use of social media and may wish to process any comments made public by you; we will always ask your consent before using your comments.

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK

COMPANY No. 11820859

5. The Data We Hold

Yorkshire Coast BID Ltd holds the following data and is the data controller and processor. The principles outlined in section 4 apply to all data held:

Levy payers database (including archived copies that have been used throughout the development of the BID) – It is essential that we hold this data and keep it up to date in order to communicate with our levy payers who have contributed funds towards the BID. We are also required to retain archived copies that have been used throughout the development.

Our database contains approximately 1354 business entries* of organisations over £12,000 rateable value including their name, address, email address, phone numbers and rateable value of business premises and their owners or senior managers. *as of July 2019.

We will regularly update these lists for the purpose of communicating with levy payers regarding the renewal of our BID (legal interest) and updating our levy payers on how we are spending their money in line with the business plan upon which the BID was voted in (legitimate interest).

We may share elements of this data with third parties such as an appointed agency contracted to contact levy payers to support them with procuring services at a reduced rate e.g. energy, telecoms, insurance etc (legitimate interest).

Occasionally, we will communicate with levy payers on issues which are not deemed to be in either legal or legitimate interest but require consent; in these instances, we will contact levy payers describing how we wish to use their data and asking for consent (see section 6).

BID team database – we hold data on the members of our BID Board Directors (name, mobile no, email address and home address also listed on Companies House) and other team members (name, mobile no and email address) to enable us to communicate and hold meetings (legitimate interest)

Staff – we hold data relating to our two employees which includes staff contracts and appraisal documents. (legitimate interest)

Tenders – we hold data relating to those companies who have tendered for work and the associated assessment notes – this information is held electronically in an archived folder (legitimate interest).

Our collection methods are:

In addition to point 3 of our privacy policy, please find additional information regarding our collection methods.

Through being eligible to pay into the BID – this information originates from the ratings list held by Scarborough Borough Council and East Riding of Yorkshire Council but Yorkshire Coast BID adds to this data by collecting the name of the person operating the business and their email address.

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK
COMPANY No. 11820859

Through our website yorkshirecoastbid.co.uk

By communications including email, telephone, post or social media

Through networking and one to one visits – when a new business opens in Yorkshire Coast BID geographical area or there is a change in ownership of an existing business, we make contact with the new occupier to tell them about the BID and what we provide.

From third parties who engage with Yorkshire Coast BID Ltd and / or publicly available resources (for example from Companies House)*

When using our website, Yorkshire Coast BID gathers data from users using cookies and other internet tracking software, such as Google Analytics. The purpose of this is to understand how digital visitors are using our services, and to provide them with better and enhanced services via the BID.



COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK

COMPANY No. 11820859

6. How we have determined the use of data and how it will be used

In addition to point 4 of our Privacy Policy, please find more detailed information relating to the use of data.

There are six conditions or 'lawful basis' for processing data (the first four of which we have determined apply to Yorkshire Coast BID Ltd):

1. Legal obligation
2. Contract
3. Legitimate interest
4. Consent
5. Vital Interest
6. Public Interest/lawful authority

We have determined that the majority of our BID communications with BID levy payers are either our 'legal duty' or in the recipient's 'legitimate interest' where there is a business or commercial reason to use the information.

In this document, we have outlined the types of communication we have determined falls within the various 'lawful basis':

1. **Legal** – As a BID we have a legal obligation in the run up to a BID renewal which takes place every five years, to provide relevant BID information i.e. ballot papers, business plan.

It is our legal duty to communicate with all the businesses in the BID area giving them an opportunity to shape the business plan via consultation, receiving the final business plan, a notice of ballot and the ballot paper.

There is no opportunity for levy payers to unsubscribe to these communications or to activate their right for erasure given that there is a legal obligation to process their data.

2. **Contract** – We sometimes provide services under a contract, as set out in a formal document – this includes contracts of employment for BID staff or contracts with third party suppliers.

With contracts, there is a lawful reason to hold the data and to be in communication.

3. **Legitimate Interest** – We process data under what we have determined is a 'legitimate interest'. We will communicate with levy payers regarding the delivery of projects and services to demonstrate how we are using their funds and to give levy payers the opportunity to shape our projects and service delivery.

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK
COMPANY No. 11820859

More specifically, we will communicate with levy payers via emails/newsletters for the following purposes:

- Letting levy payers know about projects and their delivery as they have paid the levy and have an interest in finding out what the BID is doing with their money
- Giving levy payers the opportunity to shape projects – asking for feedback/completing a BID survey or inviting them to be involved on a working group
- Giving levy payers updates on issues that are in their interests to know about e.g. road being resurfaced outside their premises
- Asking levy payers if they wish to attend an event – providing that this is not an event with a cost attached
- Providing them with information or services that they request from us or which we feel may interest them and have deemed is in their legitimate interest
- Notifying them about changes to our BID

Levy payers will have an opportunity to unsubscribe to these communications if they wish.

4. Consent – we will seek consent from levy payers or others where we feel our communications do not fall under either legal, contractual or legitimate interest as detailed above.

The circumstances where Yorkshire Coast BID may seek consent are:

If launching a campaign to sign up members of the public to receive offers from Yorkshire Coast BID businesses e.g. a loyalty card If seeking additional contributions from levy payers or 'selling' them something

If Yorkshire Coast BID Ltd run a B2B scheme whereby businesses generate offers for other levy payers and their employees in the area – we would either gain consent from each employee or invite the main levy payer to cascade this to staff or post the offers on our website asking people to sign up to receive them.

Consent can be withdrawn at any time and Yorkshire Coast BID Ltd respects this right.

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK

COMPANY No. 11820859

7. How we will share data

We will share information within Yorkshire Coast BID Ltd (including our Yorkshire Coast BID board of directors) for administration purposes to ensure we can deliver our business plan and maintain communications with levy payers on how we are spending their money and provide them with the information required legally during the renewal of the BID.

We occasionally use third party service providers such as agents or mail services to help us support our levy payers and provide services to them and where we have a legitimate interest to do so.

These would include:

- Survey monkey: For consultation exercises, member and director forms
- Election Runner: For member ballots
- Jot Note: For consent agreements
- Mail chimp for mailing out information updates
- Email and secure document share filing systems including One Drive and Google Drive utilising passwords to protect data
- Our accountancy firm who handles the payroll for our staff, completes and submits our VAT returns and End of Year accounts. Currently, this is Moore Accountants
- Other agencies who may be able to provide support services to our levy payers E.G. with regard to procuring reduced costs on services such as energy, telecoms, merchant services, insurance etc

We will ensure that all our third-party service providers demonstrate that they are compliant with data protection practices and are taking reasonable and appropriate security measures to protect our data.

We only permit our third-party service providers to process our data for specified purposes and in accordance with our instructions.

We have a data sharing agreement with all our third-party service providers and an assurance that confidentiality is maintained.

We will never transfer or sell our data to a third party for marketing purposes.

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK

COMPANY No. 11820859

8. Data Retention

We will only retain business data for as long as is necessary to fulfil the purposes for which it is collected taking account of our legal obligations with respect to holding data relating to BID renewal.

9. Data Deletion

Under GDPR there is the right to erasure under specific circumstances. A request for data to be deleted will be decided on a case by case basis and must be submitted in writing to the contact details provided in this policy. It is not possible to delete information relating to levy payers who Yorkshire Coast BID Ltd has a legal duty to communicate with during the run up to a BID ballot taking place every five years

10. Correcting Data

If we are notified in writing, we will correct any inaccurate data as soon as we can

11. Subject Access Request

Yorkshire Coast BID Ltd wishes to be open and transparent giving people access to the data we hold if they request this in writing; the person making the request would need to demonstrate their identity.

12. Changes to this Policy

Yorkshire Coast BID Ltd may amend this policy from time to time. If we do so, we will post amendments on our website at www.yorkshirecoastbid.co.uk

13. Complaints

There is the right to complain about the processing of personal data. In the first instance, please contact us using the details provided below.

Alternatively, there is the right to complain to the Information Commissioners Office:
www.ico.org.uk/make-a-complain

14. Further Information

For further information, please contact Kerry Carruthers, Yorkshire Coast BID Ltd CEO at kerry@yorkshirecoastbid.co.uk

COMPANY ADDRESS

317, WOODEND, THE CRESCENT,
SCARBOROUGH. YO11 2PW

KEEP IN TOUCH

T: 07803 307 679
KERRY@YORKSHIRECOASTBID.CO.UK
PRESS@YORKSHIRECOASTBID.CO.UK

ONLINE

WWW.YORKSHIRECOASTBID.CO.UK

COMPANY No. 11820859