



Dear Applicant,

Vacancy: Trustees

Thank you very much for your interest in the role of Trustee with Moray Rape Crisis. Please find enclosed:

- Trustee Role Description and Terms of Reference
- Application Form
- Equal Opportunities Monitoring Form
- Privacy Notice
- Self-Declaration Form.

Further information about Moray Rape Crisis is available from our website www.morayrapecrisis.scot

Please note that there is no current deadline for receipt of completed applications for this role.

Please note that we do not accept CVs. The full application form should be completed and emailed to recruitment@morayrapecrisis.scot, **marked MRC Recruitment** in the subject line.

Please note only women need apply under Schedule 9, Part 1 of the Equality Act 2010. We welcome applications from a diverse range of candidates, in particular women of colour and LGBTI women.

We look forward to receiving your application. In the meantime, if you have any queries, please contact me at caroline@morayrapecrisis.scot

With best wishes,

A handwritten signature in black ink that reads 'C Burrell'. The signature is written in a cursive, slightly slanted style.

Caroline Burrell
Manager

Moray Rape Crisis is a registered Scottish Charitable Incorporated Organisation No: SC050532

Registered office: 28 Institution Road, Elgin, IV30 1QT
01343 550 407
contact@morayrapecrisis.scot
www.morayrapecrisis.scot



Trustee Role Specification

Purpose of Role: As a Trustee of Moray Rape Crisis (MRC), you will provide leadership and direction for MRC, to secure its long-term sustainability, and to oversee the legal, financial and operational management of MRC, ensuring it meet the charitable aims set out in its constitution.

Remuneration: There is no payment for acting as a Trustee. Travel and out-of-pocket expenses will be paid on submission of a claim with receipts.

As a Trustee of Moray Rape Crisis, you will:

- Provide leadership and firm strategic direction for MRC and maintain appropriate accountability.
- Safeguard and promote the values, ethos and objectives of MRC
- Fulfil the legal duties and responsibilities of Company Directors and Charity Trustees.
- Monitor and maintain the sustainability and financial viability of MRC.
- Support the Manager of MRC in delivering the aims and objectives of MRC.
- You will contribute to the development of MRC's strategic plans.
- You will prepare for and attend Board meetings
- You will monitor progress on the implementation of MRC business and strategic plans and review the financial position of the organisation.

Demands of the post of Trustee, and commitment required

- Learn about MRC its work, and the individual and collective roles and responsibilities of the Trustees.
- Attend at least 75% of meetings annually.
- You may be asked to participate in short life working groups to progress particular areas of the Board's work.
- You may be asked to contribute to occasional staff recruitment processes, development days and training (approximately 3 days per year.)

Potential Trustees of MRC will demonstrate:

- A commitment to the values, ethos and objectives of MRC.

- A commitment to fulfil the legal duties and responsibilities of Trustees of a Scottish Charitable Incorporated Organisation.
- An understanding of the importance of strategic planning and a commitment to participating in the development of MRC strategic and business plans.
- The ability to assess plans and proposals and make objective decisions.
- The ability to actively contribute to the work of MRC and participate fully in the responsibilities set out in the Role Description.
- The ability to be creative and innovative and response positively to change.
- A commitment to Nolan's seven principles of public life (see Terms of Reference document).

Knowledge, skills and/or experience in one or more of the following areas is desirable :

- Staff management
- Financial management
- Fundraising
- Marketing
- Employment/charity law
- Governance
- Experience of lobbying/campaigning
- Experience or interest in homelessness, health, children's service, education or social policy



Terms of Reference for Board of Trustees

1. Introduction

The Board of Moray Rape Crisis is the governing body of Moray Rape Crisis (hereinafter referred to as “MRC”). The staff of MRC, service users and the wider public are entitled to expect that those who have been elected to the Board (known as “Trustees”) act with integrity and conduct themselves appropriately at all times. For the Board to command confidence, it is important that Trustees comply with appropriate standards of conduct and these Terms of Reference have been designed to set out these standards of conduct.

2. Key Principles

This document is intended to reflect MRC’s key values and the seven principles on Standards in Public Life which are:

Selflessness – Trustees should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity – Trustees should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity – In carrying out business, including making appointments, awarding contracts or recommending individuals for awards or benefits, holders of public office should make choices on merit.

Accountability – Trustees are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness – Trustees should be as open as possible about all the decisions and actions they take. They should give reasons for the decisions and restrict information only when the wider public interests clearly demands.

Honesty – Trustees have a duty to declare any private interest relating to their duties and to take steps to resolve any conflict arising in a way that protects the public interests.

Leadership – Trustees should promote and support these principles by leadership and example.

3. **Code of Conduct**

(a) **Induction**

All new Trustees are expected to undertake appropriate induction which will be arranged by the organisation.

(b) **Attendance at meetings**

Trustees should endeavour to attend all Board meetings and any meetings of committees of which they are members. Where a Trustee is unable to attend a scheduled meeting, she should submit her apologies to the Chair in advance. Where a Trustee expects to miss a number of meetings because of illness or other good reason she should let the Chair know in advance. Where a Trustee has been absent from three or more Board meetings and without giving notice of her intention to be absent in advance the Board will consider at its next meeting a resolution to remove the Trustee in question from office. The Trustee will be informed of the resolution in advance, and will be invited to make representations either in person at the Board meeting, or in writing, as to why she should not be removed from office..

Trustees have a general duty to make themselves available for service on sub committees and to attend meetings of those groups regularly.

Trustees are expected to attend general meetings of the organisation unless there is a good reason for absence. Trustees are generally expected to support other MRC events where due notice has been given and to assist where they have been invited to take on a particular role or duty.

(c) **Conduct at meetings**

Trustees are expected to respect the Chair of the meeting and their fellow Trustees, MRC employees and any other attendees during meetings. Trustees are expected to comply with rulings from the Chair and the conduct of the business of these meetings.

Trustees should follow the principles of mutual respect in all their dealings and be prepared to accept in good faith that others may have equally strong views that differ from their own. Trustees should treat colleagues with respect and not engage in any behaviour towards others which might reasonably be interpreted as discriminatory, bullying or harassment.

Trustees are expected to adhere to MRC's health and safety and other relevant policies when attending meetings at MRC's offices or other locations.

(d) Fairness and Impartiality

Trustees should take decisions solely in terms of MRC's role to support survivors or rape and sexual abuse. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

Employees of MRC, service users and the public are entitled to expect that a Trustee will make a decision based on their conscientious assessment of what is in the interests of the organisation and service users without regard to their own interests or those of other organisations or individuals.

Trustees will be required to discuss and vote on a variety of matters. It is the responsibility of the Board to ensure that decisions are properly taken and that any parties involved in the process are dealt with fairly. They have a responsibility to act fairly and take reasonable steps to be seen to act fairly. In making any decision, Trustees should only take into account relevant and material considerations. Members must not only avoid in propriety but must avoid any occasion for reasonable suspicion of improper conduct.

(e) Confidentiality

Trustees will often receive information of a private nature which is not yet public, or which perhaps would not be intended to be public. Trustees must always respect and comply with the requirement to keep such information private and all such information will be appropriately marked. Trustees must ensure that confidential information is kept safely, securely disposed of or effectively protected against loss and/or unauthorised disclosure. The requirement will remain in force after their membership of the Board comes to an end.

(f) Collective responsibility for Trustees

Trustees should accept collective responsibility for enabling the Board to meet its strategic aims and objectives and for decisions to be taken by the Board. Members are expected to contribute to discussion and debate freely to enable robust decisions to be made. Members should recognise that decisions with which they disagree may be made by majority of the Board. Members, may dissent and make that dissent known publicly. Trustees should however not seek to actively oppose the implementation of decisions that have completed the Board's due process.

(g) Declarations of Interest

Trustees are expected to declare relevant interests at meetings they attend. It is the responsibility of Trustees to decide whether they have to declare an interest or make a judgment as to whether a declared interest should prevent them from receiving detailed information, being present when issues are being discussed, taking part in any decisions or voting on a particular issue. Trustees can seek advice from the Chair, the Manager or from other sources available to them.

(h) Managing interests at meetings

A Trustee who has an interest which could lead them to be influenced, or to be reasonably perceived to be influenced by the real possibility of personal gain (or loss) of a financial or non-financial nature, will be deemed to have a conflict of interest. She should therefore not speak or vote on that matter and may also need to withdraw from the room whilst the matter is being discussed. If a member has an interest in a matter where no significant personal gain or loss could arise, but has a personal connection or previous involvement in an issue, it will be a matter for the member's discretion whether to take part in the proceedings, based on whether she feels she can bring an open mind to the question. If the Trustee is in any doubt as to whether or not there is a conflict of interest, she should disclose the whole matter at a Board meeting and it will be for the Board to decide whether or not there is a conflict of interest and how it should be managed.

(i) Conduct in relation to employees of MRC

Trustees should respect the employees of MRC and treat them with courtesy at all times. Where a Trustee has concerns about the conduct of a member of staff she should either contact the Business Manager or Chair to try to resolve the issue informally.

(j) Allowances and Expenses

In claiming travel and other reasonable expenses resulting from their MRC role Trustees are expected to comply with MRC's travel and expenses policy.

(k) Gifts etc

Trustees should not accept any offer of a gift or hospitality arising from their role which could give rise to a real or substantive personal gain or a reasonable suspicion of influence to show favour or disadvantage to any individual or organisation. Similarly Trustees should never use their role to canvas for or seek gifts or hospitality.

Trustees are personally responsible for all decisions connected with the acceptance of gifts or hospitality offered to them arising from their MRC role and for avoiding the risk of damage to confidence in and the reputation of MRC.

(l) Equality and Diversity

Trustees are expected to abide by all equalities legislation and to help to deliver MRC's equality and diversity strategy.

(m) Criminal Offences

Trustees are expected to inform the Chair promptly of any criminal investigation or prosecution to which she is subject.

The Board shall automatically consider the suspension of a Trustee who is subject to any investigation or proceedings in the United Kingdom relating to a criminal offence, or elsewhere than in the United Kingdom relating to an offence which, if committed in any part of the United Kingdom would constitute a criminal offence, and:

- (a) The investigation or proceedings relates to an offence involving dishonesty, deception, violence or abuse; or
- (b) The final outcome of the investigation or proceedings may be that the member is sentenced to a term of imprisonment.

The Board shall also automatically consider the suspension of a Trustee who is convicted of an offence which is subject to a level four fine or more on the Standard Scale.

(n) Other disciplinary processes

Trustees are expected to abide by the standards which are set down by any professional body of which she is a member. The Board shall automatically consider the suspension of a Trustee if that member has;

- (a) Been suspended from any professional body of which she is a member as a result of disciplinary or regulatory proceedings and/or,
- (b) Has been found guilty of professional misconduct or an equivalent by any professional body of which she is a member.

Any alleged breach of this code of conduct should be referred to the Chair of the Board in the first instance by way of a written complaint, either by letter or email. If the issue concerns the conduct of the Chair then it may be raised with another Trustee who will take the place of the Chair in this process.

The Chair will in the first instance do her best to resolve any complaint of a breach of this code of conduct informally, quickly and fairly. The Chair will keep a note of her discussions with both the Trustee raising the issue and the Trustee who is alleged to have breached the code of conduct, but need not report them to a meeting of the Board if the matter is resolved satisfactorily to both the other Trustees. If the matter is not resolved informally to their satisfaction, the Chair will (if necessary) ask the Trustee raising the issue to set it out in writing in more detail so that the issue is clear. She will arrange a meeting with the Trustee raising the issue, another Trustee who is not involved, and the Trustee who is alleged to have breached this code of conduct. A note

will be kept of the meeting by the Chair. The meeting will report to the Board at its next meeting and will recommend a course of action to be taken.



Application to Board of Trustees

Section 1: Personal Details

Please complete all the information requested below:

Name:	
Address:	
Telephone number:	
Email address:	

Section 2 –Relevant Knowledge, Skill and Experience

Please tell us of any current or past paid or unpaid experience which may be relevant to the role of Board Member of Moray Rape Crisis, giving details of the organisation(s) involved, the role and responsibilities undertaken by you, and the dates of your involvement. You should relate this to the responsibilities, demands and commitment set out in the role specification. Please feel free to draw on your experiences from work and life generally, and any relevant situations.

Section 3 – Reasons for Application

Please tell us why you are interested in becoming a Board member of Moray Rape Crisis.

Section 4– References

Please provide details of two referees who can attest to your suitability for the position of Charitable Trustee.

Referee 1

Referee 2

Name:		Name:	
Address:		Address:	
Telephone No.:		Telephone No.:	
Email Address:		Email Address:	
Relationship to applicant:		Relationship to applicant:	

Section 5 – Declaration

By completing and submitting this nomination and application form, you agree:

- The information you provide and that obtained from others in connection with this application will be used to process your application to become a Board member of Moray Rape Crisis.
- Personal information you give us will also be used in a confidential manner to help us monitor our internal procedures. If you become a Board member of Moray Rape Crisis, the information will be used in your registration with Companies House, OSCR etc. We may check the information you give us with third parties or other information held by us. We may use or provide information to third parties to prevent or detect crime, to protect public funds, or in other ways permitted by law.

Certain persons are prohibited by law from becoming a director of a charity:

- Anyone with an unspent conviction for dishonesty
- An undischarged bankrupt
- Anyone who has been removed under Scottish or English law, or by a court, from being a charity trustee

- Anyone disqualified from being a company director

As a member of the Board, you may be party to commercially sensitive and other confidential information which would be disclosed to you on a confidential basis strictly for the purposes of performing your role as a Trustee and which would require to be treated accordingly.

Declaration

I declare that:

- I am not disqualified from being a charity trustee or a company director.
- The information given on this application form is correct and complete.
- I will treat all information disclosed to me in a discrete and confidential manner, and use only for the purposes of carrying out my duties as a Board member of Moray Rape Crisis

I understand that the role will be subject to membership of PVG (protection of Vulnerable Groups Scheme).

Signed

Print Name

Date

Please complete and send the application form to recruitment@morayrapecrisis.scot marked MRC Trustee Recruitment in the Subject Line.



Self-Disclosure Form for Declaring Convictions

The post that you have applied for requires a Basic, Standard or Enhanced Disclosure, or is one where your normal duties include regulated work and requires a PVG disclosure in accordance with at least one of the following pieces of legislation:

- o Rehabilitation of Offenders Act 1974 (as amended)
- o Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (as amended)
- o Protection of Vulnerable Groups (Scotland) Act 2007 (as amended)
- o Police Act 1997 (as amended)

You are therefore required to disclose certain convictions below, but you should not tell us about any convictions which were gained before the age of 12.

Having a criminal record will not necessarily be a bar to working or volunteering with us. We will consider any information disclosed fairly and in accordance with the requirements of Rehabilitation of Offenders Act 1974.

Data Protection Act 2018 and GDPR

The information given in this form will be treated in strict confidence. When completed, the document contains sensitive personal data as defined by the Data Protection Act and GDPR which will be used only for the purpose it was requested and handled in accordance with the Act.

Unspent Convictions

You must complete this section.

Do you have any unspent convictions?

Yes	
No	

All unspent convictions must be disclosed. If you have answered Yes to the above question, please provide details of any unspent convictions here:

Date	Court	Offence	Disposal

Spent Convictions

This section should only be completed following the guidance below, if you will be applying for a standard, enhanced or PVG disclosure you should not tell us about any convictions which were gained before the age of 12. Do not complete this section if you are applying for a basic disclosure.

The 2020 amendment order gives 2 lists of offences that may be disclosed for an extended period. Please visit the Scottish Government’s website for guidance:

- Offences that must be disclosed - <https://www.mygov.scot/offences-always-disclosed/>
- Offences that must be disclosed according to rules - <https://www.mygov.scot/offences-disclosed-rules/>

If you have any convictions for offences detailed in these lists which are now considered to be spent in normal circumstances, you should not disclose these on this form, however, please be aware that if you are applying for a Standard, Enhanced or PVG disclosure, this information can be released on your certificate for longer than the normal rehabilitation period. Disclosure Scotland will notify you if you have any convictions which fall under this extended disclosure period as you can (if you wish) apply to have this information removed from your disclosure. Where such information is released, we will discuss this with you when we receive our copy of your disclosure. Please note that applying to have this information removed does not guarantee its removal, the final decision on this will be made by a Sheriff or using the review mechanism when it becomes available. For further guidance on this visit the Disclosure Scotland section of the Scottish Governments’ website - <https://www.mygov.scot/convictions-higher-disclosures/>

If you have any convictions that must be disclosed and the extended disclosure period has not passed, please provide the information here:

Date	Court	Offence	Disposal

Barred Lists

This section should only be completed if you will be applying for PVG disclosure or enhanced disclosure with list checks. Do not complete this section if you are applying for a basic, standard or enhanced disclosure without list checks.

I understand that my role involves regulated work and confirm that I am not barred from the relevant regulated work group(s).	
Signed	Date

Declaration

I certify that the information contained in this form is true and complete to the best of my knowledge and belief. I understand that any false information or omission in the information I have given may lead to the immediate suspension or termination of my volunteering or employment with the organisation.	
I confirm that I have read and understood this declaration.	
Full name	
Address	
Signed	
Date	



Equalities and Diversity Monitoring Form: Trustee Recruitment

Moray Rape Crisis is committed to promoting equality of opportunity. You are not required to answer any or all of the questions, but it would assist us in monitoring the effectiveness of our recruitment and selection policy.

The information you provide is for monitoring purposes only and will not be used as part of the recruitment and selection process. This section will be removed before the shortlisting process. The information will be treated in the strictest confidence.

Please return this form separately by email to: recruitment@morayrapecrisis.scot marked **Private and Confidential**.

If returning by post, please return in a sealed envelope marked **Private and Confidential** to: Recruitment, Moray Rape Crisis, 28 Institution Road, Elgin, IV301QT.

Age (please tick)

- | | |
|-------------------|--------------------------|
| Between 16-18 | <input type="checkbox"/> |
| Between 19-24 | <input type="checkbox"/> |
| Between 25-34 | <input type="checkbox"/> |
| Between 35-44 | <input type="checkbox"/> |
| Between 45-54 | <input type="checkbox"/> |
| Between 55-64 | <input type="checkbox"/> |
| Between 65-75 | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> |

Disability

The Equality Act 2010 defines disability as 'a physical or mental impairment which has a substantial & long term effect on a person's ability to carry out normal day to day activities'. Do you consider yourself to have a disability, impairment, learning difference or long-term condition?

- | | |
|-------------------|--------------------------|
| Yes | <input type="checkbox"/> |
| No | <input type="checkbox"/> |
| Prefer Not to Say | <input type="checkbox"/> |

Ethnicity

A. White

- Scottish
- English
- Irish
- Northern Irish
- Welsh
- British
- Gypsy/ Traveller
- Polish
- Any other white ethnic group (please specify):
-

B. Asian, Asian Scottish or Asian British

- Pakistani, Pakistani Scottish or Pakistani British
- Indian, Indian Scottish or Indian British
- Bangladeshi, Bangladeshi Scottish or Bangladeshi British
- Chinese, Chinese Scottish or Chinese British
- Other (please specify):
-

C. African, Caribbean or Black

- African, African Scottish or African British
- Caribbean, Caribbean Scottish or Caribbean British
- Black, Black Scottish or Black British
- Other (please specify):
-

D. Mixed or multiple ethnic groups

Any mixed or multiple ethnic groups (please specify):

E. Other ethnic group

- Arab, Arab Scottish or Arab British
- Other (please specify):
-

F Not known

G Prefer not to say

Religion or Religious Belief

- None
- Christian – Church of Scotland
- Christian – Roman Catholic
- Christian – other
- Buddhist
- Hindu
- Muslim
- Jewish
- Sikh
- Other (please describe):

Sexuality

- Lesbian
- Gay
- Bisexual
- Heterosexual
- Pansexual
- Asexual
- Fluid
- Other
- Prefer not to say

Gender

- Male (including female-to-male trans man)
- Female (including male-to-female trans woman)
- Non-binary
- Gender-fluid
- Other
- Prefer not to say

Do you identify, or have you ever identified, as transgender?

- Yes
- No
- Prefer not to say



Trustee Data Policy and Privacy Notice

1. INTRODUCTION

1.1 This document sets out Moray Rape Crisis' (MRC)'s policy on the protection of information relating to Trustees.

1.2 Protecting the confidentiality and integrity of personal data is a critical responsibility that MRC takes seriously at all times.

1.3 MRC will ensure that data is always processed in accordance with the provisions of relevant data protection legislation, including the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

2. KEY DEFINITIONS

2.1 Data processing

Data processing is any activity that involves the use of personal data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal data to third parties.

2.2 Personal data

Personal data is any information identifying a data subject (a living person to whom the data relates). It includes information relating to a data subject that can be identified (directly or indirectly) from that data alone or in combination with other identifiers MRC possesses or can reasonably access. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

2.3 Sensitive personal data

Sensitive personal data is a special category of information which relates to a data subject's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data. It also includes personal data relating to criminal offences and convictions.

3. PRIVACY NOTICE

3.1 This policy, together with the information contained in the table of Trustee data appended to the policy, constitutes a privacy notice setting out the information MRC holds about Trustees, the purpose for which this data is held and the lawful basis on which it is held. MRC may process personal information without Trustee's knowledge or consent, in compliance with this policy, where this is required or permitted by law.

3.2 If the purpose for processing any piece of data about Trustees should change, MRC will update the table of Trustee data with the new purpose and the lawful basis for processing the data and will notify Trustees.

4. FAIR PROCESSING OF DATA

4.1 Fair processing principles

In processing Trustees' data the following principles will be adhered to. Personal data will be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that are clearly explained and not used in any way that is incompatible with those purposes;
- Relevant to specific purposes and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the specified purposes; and
- Kept securely.

4.2 Lawful processing of personal data

Personal information will only be processed when there is a lawful basis for doing so. Most commonly, MRC will use personal information in the following circumstances:

- when it is needed to perform the role of Trustee of MRC;
- when it is needed to comply with a legal obligation; or
- when it is necessary for MRC's legitimate interests (or those of a third party) and Trustees' interests and fundamental rights do not override those interests.

MRC may also use personal information in the following situations, which are likely to be rare:

- when it is necessary to protect Trustees' interests (or someone else's interests); or
- when it is necessary in the public interest or for official purposes.

4.3 Lawful processing of sensitive personal data

MRC may process special categories of personal information in the following circumstances:

- In limited circumstances, with explicit written consent;
- in order to meet legal obligations; or
- when it is needed in the public interest or for official purposes.

Less commonly, MRC may process this type of information where it is needed in relation to legal claims or where it is needed to protect a Trustee's interests (or someone else's interests) and the Trustee is not capable of giving consent, or where a Trustee has already made the information public. MRC may use particularly sensitive personal information in the following ways:

- information about Trustees' physical or mental health, or disability status, may be used to ensure health and safety in the workplace, and to provide appropriate workplace adjustments.

4.3 Lawful processing of information about criminal convictions

Where appropriate, MRC collects information about criminal convictions as part of the Trustee recruitment process or may require Trustees to disclose information about criminal convictions during the course of undertaking their role as Trustee of MRC. MRC thereby envisages that it will hold information about criminal convictions. MRC will only use this information where it has a legal basis for processing the information. This will usually be where such processing is necessary to carry out MRC's obligations. Less commonly, MRC may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect a Trustee's interests (or someone else's interests) and the Trustee is not capable of giving consent, or where the Trustee has already made the information public.

4.4 Consent to data processing

MRC does not require consent from Trustees to process most types of Trustee data. In addition, MRC will not usually need consent to use special categories of personal information in order to carry out legal obligations. If a Trustee fails to provide certain information when requested, MRC may not be able to perform the agreement entered into with the Trustee. MRC may also be prevented from complying with legal obligations (such as to ensure the health and safety of Trustees).

Where Trustees have provided consent to the collection, processing and transfer of personal information for a specific purpose, they have the right to withdraw consent for that specific processing at any time. Once MRC has received notification of withdrawal of consent it will no longer process information for the purpose or purposes originally agreed to, unless it has another legitimate basis for doing so in law.

4.5 Automated decision making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

MRC does not envisage that any decisions will be taken about Trustees using automated means, however Trustees will be notified if this position changes.

5. COLLECTION AND RETENTION OF DATA

5.1 Collection of data

MRC will collect personal information about Trustees through the application and recruitment process directly from candidates. MRC may sometimes collect additional information from third parties including former employers and other background check agencies, specifically Volunteer Scotland Disclosure Services and Disclosure Scotland.

The table of Trustee data appended to this policy relates to information which is collected at the outset of undertaking the role of Trustee of MRC. From time to time, MRC may collect additional personal information in the course of related activities throughout the period of performing the role of Trustee of MRC. If MRC requires to obtain additional personal information, this policy will be updated or Trustees will receive a separate privacy notice setting out the purpose and lawful basis for processing the data.

5.2 Retention of data

MRC will only retain Trustees' personal information for as long as necessary to fulfil the purposes it was collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of personal information are set out in the table of Trustee data appended to this policy.

When determining the appropriate retention period for personal data, MRC will consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which the personal data is processed, whether MRC can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances MRC may anonymise personal information so that it can no longer be associated with individual Trustees, in which case MRC may use such information without further notice to Trustees.

After the data retention period has expired, MRC will securely destroy Trustees' personal information.

6. DATA SECURITY AND SHARING

6.1 Data security

MRC has put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Details of these measures are available upon request from Caroline Burrell (Manager) at contact@morayrapecrisis.scot

Access to personal information is limited to those staff members, agents, contractors and other

third parties who have a business need to know. They will only process personal information on MRC instructions and are subject to a duty of confidentiality.

MRC expects staff members handling personal data to take steps to safeguard personal data of Trustees (or any other individual) in line with this policy.

6.2 Data sharing

MRC requires third parties to respect the security of Trustee data and to treat it in accordance with the law. MRC may share personal information with third parties, for example in the context of seeking legal advice. MRC may also need to share personal information with a regulator such as the Office of the Scottish Charity Regulator or to otherwise comply with the law.

MRC may also share Trustee data with third-party service providers where it is necessary to administer the working relationship with Trustees or where MRC has a legitimate interest in doing so. The following activities are carried out by third-party service providers: disclosure and Protecting Vulnerable Group checks, legal advisors, health and safety advisory services, and IT services.

7. TRUSTEE RIGHTS AND OBLIGATIONS

7.1 Accuracy of data

MRC will conduct regular reviews of the information held by it to ensure the relevancy of the information it holds. Trustees are under a duty to inform MRC of any changes to their current circumstances. Where a Trustee has concerns regarding the accuracy of personal data held by MRC, the Trustee should contact Caroline Burrell (Manager) to request an amendment to the data.

7.2 Trustee rights

Under certain circumstances, Trustees have the right to:

- **Request access** to personal information (commonly known as a “data subject access request”).
- **Request erasure** of personal information.
- **Object to processing** of personal information where MRC is relying on a legitimate interest (or those of a third party) to lawfully process it.
- **Request the restriction of processing** of personal information.
- **Request the transfer** of personal information to another party.

If a Trustee wishes to make a request on any of the above grounds, they should contact Caroline Burrell (Manager) at contact@morayrapecrisis.scot . Please note that, depending on the nature of the request, MRC may have good grounds for refusing to comply. If that is the case, the Trustee will be given an explanation by MRC.

7.3 Data subject access requests

Trustees will not normally have to pay a fee to access personal information (or to exercise any of the other rights). However, MRC may charge a reasonable fee if the request for access is clearly unfounded or excessive. Alternatively, MRC may refuse to comply with the request in such circumstances.

MRC may need to request specific information from the Trustee to help confirm their identity and ensure the right to access the information (or to exercise any of the other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

8. COMPLIANCE WITH THIS POLICY

8.1 MRC's responsibility for compliance

MRC's Manager is tasked with overseeing compliance with this policy.

If Trustees have any questions about this policy or how MRC handles personal information, they should contact Caroline Burrell (Manager) at contact@morayrapecrisis.scot

Trustees have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

8.2 Data security breaches

MRC has put in place procedures to deal with any data security breach and will notify Trustees and any applicable regulator of a suspected breach where legally required to do so. Details of these measures are outlined in MRC's Data Breach Policy, available on the MRC Sharepoint file system.

In certain circumstances, MRC will be required to notify regulators of a data security breach within 72 hours of the breach. Therefore, if a Trustee becomes aware of a data security breach it is imperative that they report it to Caroline Burrell (Manager).

8.3 Privacy by design

MRC will have regard to the principles of this policy and relevant legislation when designing or implementing new systems or processes (known as "privacy by design").

8.4 Trustees' responsibility for compliance

All Trustees, particularly those tasked with handling personal data of colleagues, staff members, volunteers or service users, have responsibility for ensuring that processing meets the standards set out in this policy. Trustees should observe, as a minimum, the following rules:

- Trustees must observe to the letter any instruction or guidelines issued by MRC in relation to data protection.
- Trustees should not disclose personal data about MRC colleagues or third parties unless that disclosure is fair and lawful, in line with this policy;
- Trustees must take confidentiality and security seriously, whether the Trustee considers the information to be sensitive or not.
- Any personal data collected or recorded manually which is to be inputted to an electronic system should be inputted accurately and without delay.
- Trustees must not make any oral or written reference to personal data held by MRC about any individual except to Trustees or staff members of MRC who need the information for their work or an authorised recipient.
- Great care should be taken to establish the identity of any person asking for personal information and to make sure that the person is entitled to receive the information.
- If a Trustee is asked by an unauthorised individual to provide details of personal information held by MRC the Trustee should ask the individual to put their request in writing and send it to Caroline Burrell (Manager) at contact@morayrapecrisis.scot If the request is in writing the volunteer should pass it immediately to Caroline Burrell (Manager).
- Trustees must not use personal information for any purpose other than their work for MRC.
- If a Trustee is in doubt about any matter to do with data protection they must refer the matter to Caroline Burrell (Manager) or the Chair of MRC's Board of Trustees immediately.
- Passwords should not be disclosed and should be changed regularly;
- Trustee, volunteer, staff member or third party personal data should not be left unsecured or unattended, e.g. on public transport;
- Trustees must follow the MRC's "clear desk" policy and ensure that all confidential information, whether containing trustee, staff member, volunteer or third party personal data or not, is secured when it is not in use or when the Trustee is not at MRC;
- Trustees may only use MRC's company email to send and receive emails;
- As far as possible, trustee, volunteer, staff member or third party personal data contained in emails and attachments should be anonymised before it is sent by email; and
- Documents containing sensitive information should be password protected and, if the document requires to be transmitted, the document and password should be transmitted separately.

Any breach of the above rules will be taken seriously and, depending on the severity of the matter, may lead to the termination of appointment as Trustee of MRC, in accordance with MRC's constitution.

9. DECLARATION

I confirm that I have received a copy of this policy and that I have read and understood it.

Name: _____

Signature: _____

Date: _____

TRUSTEE DATA

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Name	No	Administering appointment and service of Trustee To comply with statutory requirements to maintain a Register of Trustees	OSCR Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland Members of the public	Legal obligation Legitimate interests	N/A	Six years from the date the person ceased to be a charity trustee
Address	No	Administering appointment and service of Trustee To comply with statutory requirements to maintain a Register of Trustees	Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland	Legal obligation Legitimate interests	N/A	Six years from the date the person ceased to be a charity trustee.

Moray Rape Crisis is a registered Scottish Charitable Incorporated Organisation No: SC050532

Registered office: 28 Institution Road, Elgin, IV30 1QT

01343 550 407

contact@morayrapecrisis.scot

www.morayrapecrisis.scot

TRUSTEE DATA						
Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Date appointed to position of Trustee	No	Administering appointment of Trustee To comply with statutory requirements to maintain a Register of Trustees	Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland Members of the public OSCR	Legal obligation Legitimate interests	N/A	Six years from the date the person ceased to be a charity trustee.
Date appointment as Trustee ceased	No	Administering appointment of Trustee To comply with statutory requirements to maintain a Register of Trustees	Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland Members of the public OSCR	Legal obligation Legitimate interests	N/A	Six years from the date the person ceased to be a charity trustee.

TRUSTEE DATA (continued)

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Record of minutes of General Meetings and Board meetings	No	To main records of company business	Professional advisors OSCR	Legal obligation Legitimate interests	N/A	6 years
Contact details (email address and phone number)	No	Recruitment Administering service of Trustee	Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Gender	No	Making recruitment decisions	Professional advisors Volunteer Scotland Disclosure Services and Disclosure Scotland	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Next of kin / emergency contact	No	Safety and security	N/A	Legal obligation Legitimate interests	N/A	During appointment as Trustee

TRUSTEE DATA (continued)

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
NI number	No	To process Disclosure Scotland checks where required	Volunteer Scotland Disclosure Services and Disclosure Scotland	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Bank details	No	To reimburse expenses where required	N/A	Legitimate interests	N/A	6 months' post-termination of appointment as Trustee
CV/Application form	No	Making recruitment decisions Ascertaining ability to perform the role of Trustee	N/A	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Qualifications	No	Making recruitment decisions Ascertaining ability to perform the role of Trustee	N/A	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee

TRUSTEE DATA (continued)

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Employment history	No	Making recruitment decisions Ascertaining ability to work	N/A	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Information about disability	Yes	Health and safety requirements To make reasonable adjustments	Professional advisors	Legal obligation Legitimate interests	Legitimate activities Conduct of legal claims	3 years post-termination of appointment as Trustee
Training records	No	Training and development with regards to role of Trustee	Professional advisors	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee
Information about use of IT systems	No	Ensuring network and data security	Professional advisors	Legal obligation Legitimate interests	N/A	3 years post-termination of appointment as Trustee

TRUSTEE DATA (continued)

Type of personal data	Sensitive data?	Purpose of processing	Potential transfer to third parties	Lawful basis for processing	Grounds for processing sensitive personal data	Retention period
Photographs	No	MRC communications (for display on MRCwebsite)	Members of the public	Legitimate interests	N/A	During the period in which a Trustee is appointed
Health information	Yes	Making reasonable adjustments	Professional advisors	Legal obligation Legitimate interests	Legitimate Activities Conduct of legal claims	3 years post-termination of appointment as Trustee
Disclosure Scotland Certificates (including details of criminal convictions and offences)	Yes	Making decisions about recruitment/re-appointment	Disclosure Scotland Professional advisors	Legal obligation Legitimate interests	Legitimate activities Conduct of legal claims	6 months from date of certificate
Result of criminal record checks (not including details of criminal convictions or offences)	Yes	Making decisions about recruitment/re-appointment	Disclosure Scotland Professional advisors	Legal obligation Legitimate interests	Legitimate activities Conduct of legal claims	3 years post-termination of appointment as Trustee

Moray Rape Crisis is a registered Scottish Charitable Incorporated Organisation No: SC050532

Registered office: 28 Institution Road, Elgin, IV30 1QT
01343 550 407

contact@morayrapecrisis.scot
www.morayrapecrisis.scot