



## Privacy Notice – Investigations

### Introduction

- This privacy policy is a sub-section to our main privacy policy to explain how the Charity, Naturewatch Foundation, collects and processes its data as part of our investigation and intelligence work.
- In order to support our charitable aims and objectives Naturewatch Foundation collects and processes certain information about individuals. Naturewatch Foundation collects data from a variety of sources supplied through our Named Individual initiative in relation to Badger Baiting and Puppy Farming campaigns and through wider research.
- Naturewatch Foundation is committed to ensuring the secure and safe management of personal data held by the charity in relation to individuals that we investigate for animal crime in relation to our Badger Baiting and Puppy Farming campaigns. Naturewatch Foundation experienced professional investigative team have a responsibility to ensure compliance with the terms of this policy, and to manage individuals' data in accordance with the procedures outlined in this policy.
- This Policy sets out Naturewatch Foundation obligations in processing that data, and the purpose of this policy is to set out the procedures for the management of such data as part of our investigation process.
- Reporting of suspected wildlife crime regarding the illegal persecution of badgers, and animal crime in relation to the illegal breeding of dogs and breaches of animal welfare relevant to our charitable objectives are investigated in line with the expectations of the UK judicial processes. In addition to GDPR we have obligations to other competing legislation which can only be achieved using a lawful purpose of legitimate interest.

### Who are we as a charitable organisation?

Naturewatch Foundation is a Non-Government Organisation [NGO] animal welfare charity fully committed towards its purpose of working to improve the lives of animals. The charities mission is to end animal cruelty and advance animal welfare standards around the world. In support of this Naturewatch Foundation has an intelligence and investigations function which includes a Named Individual initiative, which is a function available for anyone to report animal crime and matters relating to our campaigns. Those people providing information to Naturewatch Foundations Animal Crime Manger are invited to provide their names and contact details.



### Legislation

It is a legal requirement that our charity processes data correctly; we must collect, handle and store personal data in accordance with the relevant legislation. The relevant legislation in relation to the processing of data is:

- The General Data Protection Regulation (EU) 2016/679 (“the GDPR”).
- The Privacy and Electronic Communications (EC Directive) Regulations 2003 and
- Any legislation that, in respect of the United Kingdom, replaces, or enacts into United Kingdom domestic law, the General Data Protection Regulation (EU) 2016/679, the proposed Regulation on Privacy and Electronic Communications or any other law relating to data protection, the processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union

### Data

The Charity holds a variety of data relating to individuals (herein also referred to as data subjects) who have been brought to our attention, which is known as ‘personal data’. The personal data held and processed by the Charity is detailed within this privacy notice under Privacy and Data Policy. “Personal Data” is that from which a living individual can be identified either by that data alone, or in conjunction with other data held by the Charity.

In exceptional circumstances the information we gather during our investigations and intelligence collection may hold some that is sensitive in nature (i.e. relates to or reveals a data subject’s racial or ethnic origin, religious beliefs, political opinions, relates to health or sexual orientation). This “Special Category Personal Data” or “Sensitive Personal Data” is handled in line with GDPR requirements

### Processing of personal data

The Charity is permitted to process personal data provided it is doing so for one of the following grounds:

- Processing with the consent of the data subject.
- Processing is necessary for the performance of a contract between the Charity and the data subject or for entering into a contract with the data subject.
- Processing is necessary for the Charities compliance with a legal obligation.
- Processing is necessary to protect the vital interests of the data subject or another person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of the Charities official authority; or
- Processing is necessary for the purposes of legitimate interests.

Naturewatch Foundation has a charitable purpose to campaign towards ending animal cruelty and advancing animal welfare standards around the world. Naturewatch Foundation has an intelligence and investigation function to support the charities objective by systematically collecting information,



for the purpose of supporting the investigation team, developing intelligence, and sharing with law enforcement and other suitable NGO's, details of persons suspected of committing animal related crimes or in support of Naturewatch Foundation campaigns. Naturewatch Foundation, therefore, actively collects information on individuals who are suspected of being involved with or participating in the illegal persecution of badgers, illegal dog breeding or the breach of those animal welfare standards.

### **Privacy and data policy**

Naturewatch Foundation makes a commitment to protecting your privacy at all times and promises only to use information collected in accordance with our Privacy Policy.

- Naturewatch Foundation is a registered Charity and is also registered with the Information Commissioner in accordance with Data Protection legislation.
- Naturewatch Foundation recognises that information security is a key element of data protection according to article 32 of the GDPR and takes appropriate measures to secure personal data (both electronic and manual) and protect it from loss or unauthorised disclosure or damage.
- Naturewatch Foundation is the data controller of the personal data we process and therefore is responsible for ensuring our systems, processes, suppliers, and staff comply with data protection laws in relation to the information we handle.

Naturewatch Foundation adheres to the following data protection laws, but the main relevant laws are:

The General Data Protection Regulation 2016/679 ("GDPR").

The Data Protection Act 2018 (the "DPA")

Personal data will be stored securely and will not be stored outside the EEA.

### **Your rights**

The Data Protection legislation gives you the right to access information held about you.

Your right of access can be exercised in accordance with the legislation. You also have the following rights which can be exercised in accordance with the legislation:

- Right to be informed.
- Right to access your data.
- Right to rectify any information you believe is incorrect.
- Right to erase your data.
- Right to restrict processing of your data.
- Right to object to processing.
- Right to withdraw your consent if that is the basis of processing.



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These rights may only be exercised in so far as the application of the rights is not likely to prejudice the prevention or detection of crime and/or the apprehension or prosecution of offenders.

You also have the right to complain to the Information Commissioners Office Further information on these rights is available from the [Information Commissioners website](#).

## **How we protect your information**

When contacting our Animal Crime Manger by either email or telephone, for the purpose of informing us of suspected animal crimes linked to badger baiting or puppy farming, any personal data or contact information provided and held by Naturewatch Foundation will be held securely.

When reports are received by our Animal Crime Manager, we will collect personal data. For example:

- We will ask for your details and contact information using our lawful purpose of legitimate interest.
- Location of the reported crime.
- Information about the animal crime and those involved or campaign related information
- How this information is known
- We may also receive personal data from third parties when sharing information through information sharing agreements or other legal sharing processes

If the information provided does not fall within our campaigns or charitable purpose, we will not record that information, but we may contact you to signpost you to a more suitable organisation.

Your personal data / contact details will only be passed onto relevant investigation authorities (e.g., Police, Local Authority) as part of a judicial process directly relevant to the information provided.

As a safeguard our Animal Crime Manger will contact you prior to any disclosure to assess any risk or wish for your personal contact details to be withheld by Naturewatch Foundation.

We collect and process personal data in relation to subjects under investigation or suspected of animal illegal persecution of badgers, related wildlife crime and those involved in illegal dog breeding and/or the breach of welfare standards as part of our wider campaigns.



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## **What information do we collect?**

Our investigations team will lawfully and ethically collect, process and where legally justified, share personal data in support of our campaigns for the following purposes:

- Prevention and detection of wildlife and animal crime
- Develop information on those suspected of wildlife and animal crime
- In support of our campaigns

Whilst undertaking investigations for suspected animal crimes, and as part of our campaign related investigations, Naturewatch Foundation will collect a variety of personal data from a number of different sources.

## **Who do we process data about?**

We collect personal data using the lawful purpose of Legitimate Interest on:

1. Personal data (name and contact details of those contacting us)
2. Personal data relating to those reported to us
3. Personal data to support our charitable objectives.

## **How do we use information?**

The personal data collected will be used to assist our campaign objectives of ending animal cruelty and advancing animal welfare standards around the world through developing and pursuing criminal investigations, or through media expose.

## **Who we share information with:**

As we have no regulatory powers, there are occasions when we need to work collaboratively with those who can enforce the law when we present evidence of animal crimes. In these cases, we may share personal data we have collected to fulfil legal obligations and/or in order to prevent and detect crime.



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**When required, personal data collected in our investigations may on occasions be shared with:**

- Law enforcement (Police / HMRC/ National Wildlife Crime Unit)
- Other NGO's (Animal Welfare Charities)
- Other public authorities (e.g. Local Authorities (Licensing, Trading Standards & Environmental Health)
- When required to comply with legal obligations.

Where possible, we also enter in Information Sharing Agreements (ISA) and memorandum of Understandings (MOU's). These are designed to outline the purposes and justifications for sharing information (personal data) on a more formal level. These agreements are subject to annual review.

#### **Other processing, we may need to carry out**

Additional processing of data may be necessary as part of our investigations into reports received of animal crimes. In this case, we may be requested or obliged by law enforcement, other NGOs, public authorities, or a regulatory body, to provide details of the individuals and people who are being investigated.

#### **How long we keep Investigation Data for?**

Personal data collected through our investigations and intelligence process will be reviewed after six years and either deleted or retained for a further five years (if assessed as being still relevant)

**This policy is dated: 19/12/2020 and is subject to updates from time to time.**