

Data protection for non profit organisations

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Complying with data protection law is just as important for a non profit organisation as any other organisation. The key purpose of data protection law is to empower and protect people much like what your organisation does. Your organisation, like many other organisations out there, uses personal data in various ways to achieve its goals. Data protection law simply steps in and requires yours, and other organisations, to take the necessary actions to ensure the protection of that personal data. In order to comply with these obligations, you need to raise your awareness and learn how to kickstart your organisation's compliance effectively.

Our aim with this webinar is to set you on the right path and raise some important considerations that you need to be aware of. We won't answer all the questions you may have about applicable data protection law but will give you the tools to start finding the right answers.

To help you take steps in your compliance journey, we have also developed a [Data Protection for non profits programme](#). We help you determine the impact of data protection laws on your organisation and identify your next steps. We want you to understand what to focus on because out of the many actions to take for data protection compliance, not all of them will be relevant to non profit organisations. You need to understand what some of the actions to take first are, and what quick wins you can achieve to help your non profit organisation in the long run.

Introduction

Do you have to comply?

Yes, your organisation has to comply. That's the short answer. As long as your organisation processes personal data, it needs to comply with data protection law.

Some small non profits who don't process lots of personal data may be exempt

Processing of personal data takes many forms, such as you collecting or storing it, or you sharing it with another organisation that you're collaborating with. Even if you use another organisation to process the personal data on your behalf, the responsibility to protect that data will rest with you (or you may contractually agree to share that responsibility). Because you determine the reason for processing the data, you'd be what data protection law considers a responsible party or controller, while the other organisation would be your processor or operator. The people whose personal data you process would be your data subjects.

What laws do I have to comply with?

Different data protection laws will apply to your organisation depending on where the data subjects are from or where your organisation is based. It may, for example, be possible for you to be based in South Africa, and need to comply with the [Protection of Personal Information Act \(POPIA\)](#), but also be processing the data of data subjects in the European Union (EU) and need to comply with the GDPR. You may also just be based only in South Africa and have no links to other countries, especially those in the EU, in which case your only focus would be POPIA.

80% of global data protection laws are the same.

Because some of your donors may be from the EU, the [GDPR](#) can apply to your organisation. The GDPR is very similar to POPIA, with there probably being a 20% difference between the two laws. There are, therefore, various extra compliance requirements that you have to consider if both laws apply to you. Apart from these various kinds of differences or extra compliance requirements that you may have to consider, we believe that you should view data protection laws as being similar across most parts of the world. This will ensure that if either the GDPR or POPIA applies to your organisation or another one does in the future, your organisation will readily comply.



Is it too late to comply?

In short, no. For GDPR, the commencement date has already passed and the date to comply was 25 May 2018. This doesn't mean that you've missed the ship. Data protection compliance is a journey rather than a destination. It's very hard for an organisation to be fully compliant. It's a work in progress.

As for POPIA, the commencement date hasn't yet been announced by the [Information Regulator](#). This doesn't mean that you should push the pause button and wait for that date. As we said, complying with data protection law is a journey and it's better to start working towards it now rather than finding yourselves in a mad rush when the day does come.

The different activities of non profit organisations

Your non profit organisation's activities set it apart from other organisations when it comes to data protection. Your organisation's activities are different enough to make it necessary for you to approach data protection compliance differently. This webinar and our programme are focussed on how the different activities of your organisation can result in the processing of personal data, and what the impact of data protection laws is, as a result.

Like most, if not all, non profit organisations, your organisation likely does the following data processing activities:

- You source funding from donors.
- You have a group of beneficiaries that you interact with.
- You employ people.
- You collaborate with other organisations.
- You sell goods and provide services to customers.
- You receive goods and services from suppliers.

What do all these activities have in common with each other? You collect, analyse, sort, amend, store, and delete **personal data** while getting these activities done. You process personal data in order to protect people, to enrich their lives, and maybe even to repair the harm that those people have already suffered. When you take time to understand what your data processing activities are, you are taking a very important step towards data compliance – you're **mapping activities**.

The kinds of personal data you collect often varies quite a lot. You may collect the personal data of your donors, for example, when you want to seek funding from them, or when you actually get the funding and keep a register of the donors and their donations. Often, you'll seek this funding from new donors using **direct marketing** to reach them. You also collect financial data, such as the bank details of your employees, collaborators or suppliers. Depending on what your organisation does, it might even be that you collect financial data from your beneficiaries as well in order to pay them (bursaries, for example). The common thread running through all this collection is that the data is often of a very sensitive nature, and includes what data protection law calls special personal information or special categories of personal data.

The impact of data protection law on your organisation

The reason you map activities is to establish the impact of data protection on your organisation. Based on the data processing activities that your organisation engages in, the impact of data protection law on your organisation can range from low, medium, to high. The more sensitive the nature of the personal data is that you use during your activities, the more risk it can potentially attract to your organisation. This means that



there's a difference between a non profit organisation that provides warm soup to random members of the public without collecting their personal data and a non-profit organisation that collects, for example, the health data of its beneficiaries. The non profit organisation collecting personal data naturally carries more risk because of its activity that requires the collection of personal data.

Actions to take first

With data protection compliance, it's often very hard to take all the necessary actions all at once. You, therefore, need to prioritise the actions that data protection law requires you to take immediately. These are the kinds of actions that may take time to fully implement and cost a lot of money but are still a must for you to take. We'll identify a few [actions to take first for non profits](#) in the webinar.

Quick wins

You also need to figure out what other actions are relatively quick and easy to take and take those as well to give your organisation [quick wins](#). Complying with data protection law takes time and money, and you may probably not have both at once, so quick wins are quite important. There are a variety of website who have provided a list of quick wins for non profits, like the [ICO](#), [Forbes](#), [William Joseph](#) and [NCVO Knowhow Nonprofit](#). The following are the steps we think non profits can take relatively quickly – the quick wins.

1. Have a good [privacy policy](#) to tell people outside your organisation how and why you intend to process their personal data. You can use our [free template](#) or White Fuse's template [Privacy Policy](#) for charities.
2. Use appropriate tools (like mass mailers and CRMs) for sending communications like your newsletter, for example [MailChimp](#), [Infusionsoft](#), [Clickatell](#) or [Everlytic](#) are some of the possible options you can try.
3. Make sure you have a lawful purpose for processing personal data.
4. Use a shredder for all the papers containing personal data that you aren't using for a lawful purpose.
5. Secure all the paper-based personal data you hold in locked storage cabinets and rooms, and control the access to those facilities.
6. Use strong passwords and store them safely. ([LastPass](#) is quite useful for not only generating new passwords but helping you store them safely as well.)
7. Put up effective firewalls around your digitally-stored personal data, install the latest anti-virus software, and encrypt your drives (laptops and USBs, for example), tabs and phones as well.

Key insights

We'll talk about [key insights for non profits](#) in the webinar.

Next steps

In this webinar, we try to help you identify your next steps. What further action is required of you?

- If you're a small non profit and you don't process much personal data, do the quick wins.
- If you process a lot of personal data (especially special personal data) of beneficiaries, do the quick wins and plan to take further action over a period of time. And if you need help achieving this, our [Data Protection for non profits programme](#) is the most suitable option for you.



Useful links and resources

1. The ICO's guide to [data protection for charities](#). (A fantastic resource)
2. FAQs for charities wanting to comply with the GDPR compiled by the ICO [General Data Protection Regulation \(GDPR\) FAQs for charities](#).
3. Useful article by Forbes from the perspective of a company situated outside of the European Union, as well as best practice tips for mitigating risk in light of GDPR, called [What Does GDPR Mean For U.S.-Based Nonprofits?](#) (Good list of top nine best practice tips)
4. NCVO Knowhow Nonprofit article on [How to comply with GDPR](#) (good list of quick wins) and [Data Protection and Fundraising](#).
5. [GDPR for non-profits](#) by William Joseph (includes good quick wins).
6. White Fuse's template [Data Protection Policy](#) and [Privacy Policy](#) for charities. (Very good)
7. Article by NonProfit Quarterly providing the changes the GDPR has made to the way data is handled entitled [General Data Protection Regulation: What Your Nonprofit Needs to Know](#).
8. Article by Board Effect providing insight on how the GDPR applies to non profits despite them not being companies using data for profit called [GDPR Compliance: Will GDPR Affect Your Nonprofit?](#)
9. Article by Fundraising Regulator giving useful guidelines on how fundraising will function under the GDPR called [Useful guidance, summaries of our investigations, and publications for donors and fundraisers](#).
10. Article by Brookings on [Why non profit organizations should prepare for the General Data Protection Regulation](#).
11. [Guidelines on encryption](#) by the [European Data Protection Board](#) (was the Article 29 Data Protection Working Party).

Actions

1. Comply with data protection laws by joining our [Data Protection for non profits programme](#).
2. Prioritise data protection implementation actions by identifying what your organisation's actions to take first are and taking them.
3. Score [quick wins](#) for your organisation by identifying and doing them.

Video for this module

Non profit organisations need to comply with data protection laws. If you're responsible for a non profit organisation you need to learn about data protection for non profit organisations and the laws that apply to you.



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- > ICT Weekly Update
- > Using special personal data to make automated decisions
- > Is a Witness Signature required on a Contract or Agreement?

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Remember that you are currently in the members area. You can always visit the **public area** of the Michalsons website.

NEED HELP?

If you need support using the members area, please **email** our Support Desk or contact 0860 111 245.

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