

Goodrich Village Hall Trust (GVHT)

Data Protection Policy and Procedures

Introduction

We are committed to a policy of protecting the rights and privacy of individuals. We need to collect and use certain types of data in order to carry on our work of managing Goodrich Village Hall (GVH). This personal information must be collected and handled securely.

The Data Protection Act 1998 (DPA) and General Data Protection Regulations (GDPR) govern the use of information about people (personal data). Personal data can be held on computers, laptops and mobile devices, or in a manual file, and includes email, minutes of meetings and photographs.

The charity will remain the Data Controller for the information held. The trustees, staff and volunteers are personally responsible for processing and using personal information in accordance with the Data Protection Act and GDPR. Trustees, staff and volunteers who have access to personal information will therefore be expected to read and comply with this policy.

Purpose

The purpose of this policy is to set out the GVH commitment and procedures for protecting personal data. Trustees regard the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal. We recognise the risks to individuals of identity theft and financial loss if personal data is lost or stolen.

The following are definitions of the terms used:

Data Controller - the trustees who collectively decide what personal information GVH will hold and how it will be held or used.

Act means the Data Protection Act 1998 and General Data Protection Regulations - the legislation that requires responsible behaviour by those using personal information.

Data Protection Officer – the person responsible for ensuring that the data protection policy is followed and complies with the Act. **[GVHT is not required to appoint a DPO].**

Data Subject – the individual whose personal information is being held or processed by GVHT for example a donor or hirer.

‘Explicit’ consent – is a freely given, specific agreement by a Data Subject to the processing of personal information about her/him.

Explicit consent is needed for processing “sensitive data”, which includes:

- (a) Racial or ethnic origin of the data subject
- (b) Political opinions
- (c) Religious beliefs or other beliefs of a similar nature
- (d) Trade union membership
- (e) Physical or mental health or condition
- (f) Sexual orientation
- (g) Criminal record
- (h) Proceedings for any offence committed or alleged to have been committed

Information Commissioner’s Office (ICO) - the ICO is responsible for implementing and overseeing the Data Protection Act 1998.

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Processing – means collecting, amending, handling, storing or disclosing personal information.

Personal Information – information about living individuals that enables them to be identified – e.g. names, addresses, telephone numbers and email addresses. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers.

The Data Protection Act

This contains 8 principles for processing personal data with which we must comply.

Personal data: Data Protection Principles

1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
2. Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes.
3. Shall be adequate, relevant and not excessive in relation to those purpose(s).
4. Shall be accurate and, where necessary, kept up to date.
5. Shall not be kept for longer than is necessary.
6. Shall be processed in accordance with the rights of data subjects under the Act,
7. Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information,
8. Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information.

Applying the Data Protection Act within the charity

We will let people know why we are collecting their data, which is for the purpose of managing the hall, its hiring and finances, and community events and matters. It is our responsibility to ensure the data is only used for this purpose. Access to personal information will be limited to trustees, staff and volunteers.

Correcting Data

Individuals have a right to make a Subject Access Request (SAR) to find out whether the charity holds their personal data, where, what it is used for and to have data corrected if it is wrong, to prevent use which is causing them damage or distress, or to stop marketing information being sent to them. Any SAR must be dealt with within 30 days. Steps must first be taken to confirm the identity of the individual before providing information, requiring both photo identification e.g. passport and confirmation of address e.g. recent utility bill, bank or credit card statement.

Responsibilities

GVHT is the Data Controller under the Act, and is legally responsible for complying with Act, which means that it determines what purposes personal information held will be used for.

The Trustees will take into account legal requirements and ensure that it is properly implemented, and will through appropriate management, strict application of criteria and controls:

- a) Collect and use information fairly.
- b) Specify the purposes for which information is used.
- c) Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements.
- d) Ensure the quality of information used.
- e) Ensure the rights of people, about whom information is held, can be exercised under the Act.

These include:

- i) The right to be informed that processing is undertaken.
 - ii) The right of access to one's personal information.
 - iii) The right to prevent processing in certain circumstances, and
 - iv) The right to correct, rectify, block or erase information which is regarded as wrong information.
- f) Take appropriate technical and organisational security measures to safeguard personal information,
 - g) Ensure that personal information is not transferred abroad without suitable safeguards,
 - h) Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information,
 - i) Set out clear procedures for responding to requests for information.

All trustees, staff and volunteers are aware that a breach of the rules and procedures identified in this policy may lead to action being taken against them.

GVHT will be responsible for ensuring that the policy is implemented and will have overall responsibility for ensuring:

- a) Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- b) Everyone processing personal information is appropriately trained to do so
- c) Everyone processing personal information is appropriately supervised
- d) Anybody wanting to make enquiries about handling personal information knows what to do
- e) Any enquiries about handling personal information are dealt with promptly and courteously
- f) That GVHT describes clearly how it handles personal information
- g) Regular reviews and audits of the ways it holds, manages and uses personal information are undertaken

h) Regular assessments and evaluation of its methods and performance in relation to handling personal information are undertaken

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

In case of any queries or questions in relation to this policy please contact the Chair of the GVHT, kgort@btinternet.com or 01600 890106.

Procedures for Handling Data & Data Security

GVHT has a duty to ensure that appropriate technical and organisational measures and training are taken to prevent:

- Unauthorised or unlawful processing of personal data
- Unauthorised disclosure of personal data
- Accidental loss of personal data

All trustees, staff and volunteers must therefore ensure that personal data is dealt with properly no matter how it is collected, recorded or used. This applies whether or not the information is held on paper, in a computer or recorded by some other means e.g. tablet or mobile phone.

Personal data relates to data of living individuals who can be identified from that data and where use of that data could cause an individual damage or distress. This does not mean that mentioning someone's name in a document comprises personal data; however, combining various data elements such as a person's name and salary or religious beliefs etc. would be classed as personal data, and falls within the scope of the DPA. It is therefore important that all trustees, staff and volunteers consider any information (which is not otherwise in the public domain) that can be used to identify an individual as personal data and observe the operational guidance (Appendix A).

A personal data breach leading to the destruction, loss alteration, unauthorised disclosure of or access to personal data where it is likely to result in risk to individuals, will be reported to the ICO within 72 hours (three days) of becoming aware that an incident is reportable. (*Ring ICO's helpline 0303 123 1113 for clarification as to whether something represents a significant breach*).

Privacy Notice and Consent Form (Appendices B and C)

The privacy notice will be available to anyone whose personal data is held by GVHT.

Consent forms will be stored by the Secretary in a securely held electronic or paper file.

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on 3rd May 2022

Appendix A

Operational Guidance

Email:

All trustees, staff and volunteers should consider whether an email (both incoming and outgoing) will need to be kept as an official record. If the email needs to be retained it should be saved into the appropriate folder or printed and stored securely.

REMEMBER: Emails that contain personal information no longer required for operational use, should be deleted from the personal mailbox and from any “deleted items” box.

Phone Calls:

Phone calls can lead to unauthorised use or disclosure of personal information and the following precautions should be taken:

- Personal information should not be given out over the telephone unless you have no doubts as to the caller’s identity and the information requested is innocuous.
- If you have any doubts, ask the caller to put their enquiry in writing.
- If you receive a phone call asking for personal information to be checked or confirmed be aware that the call may come from someone impersonating someone with a right of access.

Laptops and Portable Devices:

All laptops and portable devices that hold data containing personal information must be protected with a suitable encryption program (password).

Ensure your laptop is locked (password protected) when left unattended, even for short periods of time.

When travelling in a car, make sure the laptop is out of sight, preferably in the boot.

If you have to leave your laptop in an unattended vehicle at any time, put it in the boot and ensure all doors are locked and any alarm set.

Never leave laptops or portable devices in your vehicle overnight. Do not leave laptops or portable devices unattended in restaurants or bars, or any other venue.

When travelling on public transport, keep it with you at all times, do not leave it in luggage racks or even on the floor alongside you.

Data Security and Storage (including data breach):

Store as little personal data as possible on your computer or laptop; only keep those files that are essential. Personal data received on disk or memory stick should be saved to the relevant file on the server or laptop. The disk or memory stick should then be securely returned (if applicable), safely stored or wiped and securely disposed of.

Always lock (password protect) your computer or laptop when left unattended.

A personal data breach leading to the destruction, loss alteration, unauthorised disclosure of or access to personal data where it is likely to result in risk to individuals, will be reported to the ICO within 72 hours (three days) of becoming aware that an incident is reportable. *(Ring ICO’s helpline 0303 123 1113 for clarification as to whether something represents a significant breach).*

Passwords:

Do not use passwords that are easy to guess. All your passwords should contain both upper and lower-case letters and preferably contain some numbers. Ideally passwords should be 6 characters or more in length.

Protect Your Password:

Common sense rules for passwords are:

- Do not give out your password
- Do not write your password somewhere on your laptop
- Do not keep it written on something stored in the laptop case.

Data Storage:

Personal data must be stored securely and only be accessible to authorised volunteers or staff.

Information must be stored for only as long as it is needed or required by statute and must be disposed of appropriately. For financial records this will be up to seven years. For employee records (if ever applicable) see below. Archival material such as minutes and legal documents will be stored indefinitely. Other correspondence and emails will be disposed of when no longer required or when trustees, staff or volunteers retire.

We ensure our data is held securely in accordance with ISO 27001 and is SSL encrypted.

All personal data held for the organisation must be non-recoverable from any computer which has been passed on/sold to a third party.

Information Regarding Employees or Former Employees:

Information regarding an employee or a former employee, will be kept indefinitely. If something occurs years later it might be necessary to refer back to a job application or other document to check what was disclosed earlier, in order that trustees comply with their obligations e.g. regarding employment law, taxation, pensions or insurance.

Accident Book:

This will be checked regularly. Any page which has been completed will be removed, appropriate action taken and the page filed securely.

Data Subject Access Requests:

We may occasionally need to share data with other agencies such as the local authority, funding bodies and other voluntary agencies in circumstances which are not in furtherance of the management of the charity. The circumstances where the law allows the charity to disclose data (including sensitive data) without the data subject's consent are:

- a) Carrying out a legal duty or as authorised by the Secretary of State protecting vital interests of a Data Subject or other person e.g. child protection
- b) The Data Subject has already made the information public
- c) Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- d) Monitoring for equal opportunities purposes – i.e. race, disability or religion

We regard the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal.

We intend to ensure that personal information is treated lawfully and correctly.

Risk Management:

The consequences of breaching Data Protection can cause harm or distress to service users if their information is released to inappropriate people, or they could be denied a service to which they are entitled. Trustees, staff and volunteers should be aware that they can be personally liable if they use customers' personal data inappropriately. This policy is designed to minimise the risks and to ensure that the reputation of the charity is not damaged through inappropriate or unauthorised access and sharing.

Appendix B

DATA PRIVACY NOTICE

1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or along with any other information in or likely to come into the data controller's possession. The processing of personal data is governed by the General Data Protection Regulation (GDPR).

2. Who are we?

Goodrich Village Hall Trust (GVHT) is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

3. How do we process your personal data?

GVHT complies with its obligations under the GDPR by keeping personal data up to date, by storing and destroying it securely, by neither collecting nor retaining excessive amounts of data, by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

- To enable us to manage Goodrich Village Hall, its events, hiring and finance.
- To fundraise and promote the interests of the charity.
- To manage our trustees and volunteers.
- To maintain our own accounts and records (including the processing of gift aid applications).
- To inform you of news, events, activities and services running at Goodrich Village Hall and within the local community.

4. What is the legal basis for processing your personal data?

The lawful basis for GVHT to process your personal data is **consent** i.e. clear consent has been given for processing your personal data for a specific purpose. The specific purpose for processing your personal data is so that we can keep you informed about news, events, activities and services and process your gift aid donations.

Processing is also necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement;

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared for purposes connected with Goodrich Village Hall. We will only share your data with third parties with your consent.

6. How long do we keep your personal data¹?

We keep data for as long as it is needed or required by statute, and then dispose of it appropriately.

Specifically, we retain financial records for up to seven years. Archival material such as minutes and legal documents are stored indefinitely. Other correspondence and emails will be disposed of when no longer required or when trustees, staff or volunteers retire.

7. Your rights and your personal data

Unless subject to an exemption under the GDPR, the Data Subject (you) has the following rights with respect to your personal data: -

- The right to request a copy of your personal data which the GVHT holds about you
- The right to request that the GVHT corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the GVHT to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that the Data Controller provide the Data Subject with his/her personal data and where possible, to transmit that data directly to another Data Controller, (known as the right to data portability)
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable)
- The right to lodge a complaint with the Information Commissioners Office.

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining the new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

9. Contact Details

To exercise all relevant rights, queries or complaints please, in the first instance, contact the Chair of GVHT, kgort@goodrichvillagehall.co.uk or 01600 890106.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.
