

Wilmslow Guild
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Report Author: Paul Riordan,
Principal
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Charity No. 1151387
Company No. 8331345

Data Protection

Policy and Procedures

1. Overview

- 1.1 Wilmslow Guild collects and uses personal information about staff, students, members and other individuals who come into contact with the charity. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that Wilmslow Guild complies with its statutory obligations.
- 1.2 Wilmslow Guild is exempt from registering with the Information Commissioner's Office (ICO).

2. Purpose

- 2.1 This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the General Data Protection Regulation (EU 2016/679), and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files, electronically or any other format.
- 2.2 All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to this policy and procedures.

3. What is Personal Information?

- 3.1 Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

4. Data Protection Principles

- 4.1 The General Data Protection Regulation establishes six data protection principles. All personal data must be:
 1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
 2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
 3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
 4. Accurate and, where necessary, kept up to date.
 5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.

6. Processed in a way that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

5 General Statement

5.1 Wilmslow Guild is committed to maintaining the above principles at all times. Therefore Wilmslow Guild will:

1. Appoint a data protection officer (DPO) who will also act as the data controller.
2. Maintain records of what data is held, where it came from and who it has been shared with.
3. Communicate privacy notices with all whose data has been collected explaining the lawful basis for processing the data, the retention period and that complaints may be made to the ICO.
4. Communicate to all individuals that they have the following rights regarding the data that is held:
 - a) The right to be informed;
 - b) The right of access;
 - c) The right to rectification;
 - d) The right to erasure;
 - e) The right to restrict processing;
 - f) The right to data portability;
 - g) The right to object; and
 - h) The right to not be subject to automated decision-making including profiling
5. Respond to all Subject Access Requests promptly and in accordance with the GDPR.
6. Record the lawful basis for processing of data.
7. Inform the ICO of any breaches of the GDPR.

6 Storage of Data

6.1 There are three categories of people about whom personal data will be held: participants in activities, staff (employed, self-employed and volunteers), and trustees.

6.2 Participants

- a) Participants' data is stored electronically on the secure web-based database. Data may not be stored electronically in another location except for email mailing lists that may be transferred to third party websites to enable legitimate mass emails by the official organisers of activities if the website is compliant with GDPR. All email mailing lists stored electronically on third party systems must be deleted from those systems if the intended recipient of the email has not participated in a Wilmslow Guild activity within the previous 12 months or has not granted specific consent

to remain on the mailing list. Data may not be stored electronically in any other location.

- b) Data may be printed for activity registers; all printed registers must be destroyed by shredding at the end of the activity.
- c) Participants may be asked to complete Health Forms and In Case of Emergency forms for certain activities. The original forms are held by the person-in-charge of the activity and stored securely. The original forms may not be scanned or copied. All forms must be returned to the participant or destroyed by shredding at the end of the activity.

6.3 Staff

- a) All staff data: names, contact details, next of kin details, contracts and other relevant correspondence is stored as paper copies only in a secure location at Wilmslow Guild. The paper records may not be scanned or copied.
- b) Staff data that is necessary for the payment of remuneration is stored electronically using secure software. Staff bank account details are stored electronically on the secure banking website. Staff data may not be stored electronically in any other location.
- c) Staff data will only be shared with third parties if it is necessary to comply with statutory obligations.
- d) Staff data will be destroyed immediately after they cease working for Wilmslow Guild unless there is a statutory requirement to retain the data.

6.4 Trustees

- a) All trustee data: names, contact details and other relevant correspondence is only stored as paper copies in a secure location at Wilmslow Guild. The paper records may not be scanned or copied.
- b) Trustee data is shared electronically with Companies House and the Charity Commission in accordance with relevant legislation.
- c) Trustee data will only be shared with third parties if it is necessary to comply with statutory obligations.
- d) Trustee data will be destroyed immediately after they cease being a trustee unless there is a statutory requirement to retain the data.

7. **Subject Access Requests**

- 7.1 Please contact the Principal, who is also the data protection officer, if you want to make a Subject Access Request. See appendix 1.

8. **Complaints**

- 8.1 Complaints will be dealt with in accordance with Wilmslow Guild's complaints policy.

9 **Review**

- 9.1 This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Principal and Board of Trustees.

Appendix 1

Wilmslow Guild Procedures for responding to Subject Access Requests made under the General Data Protection Regulation (EU 2016/679)

1. Rights of access to information

- 1.1 There is a distinct right of access to information held by Wilmslow Guild about its staff, students, members and participants. Under the General Data Protection Regulation any individual has the right to make a request to access the personal information held about them.
- 1.2 These procedures relate to Subject Access Requests made under the General Data Protection Regulation.

2. Actioning a subject access request

- 2.1 Requests for information must be made in writing; which includes email, and be addressed to the Principal, (data protection officer). If the initial request does not clearly identify the information required, then further enquiries will be made.
- 2.2 The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of identity. Evidence of identity can be established by requesting production of:
 - passport
 - driving licence
 - utility bills with the current address
 - Birth / Marriage certificate*This list is not exhaustive.*
- 2.3 Any individual has the right of access to information held about them.

3. Responses

- 3.1 The response time for Subject Access Requests, once officially received, is one month (**not working or term days but calendar days, irrespective of holiday periods**).
- 3.2 General Data Protection Regulation allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**
- 3.3 Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another agency. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the one month statutory timescale.
- 3.4 Any information which may cause serious harm to the physical or mental health or emotional condition of the individual or another should not be disclosed, nor should information that would reveal that the individual is at risk of abuse, or information relating to court proceedings.
- 3.5 If there are concerns over the disclosure of information then additional advice must be sought.

- 3.6 Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
- 3.7 Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
- 3.8 Information can be provided at Wilmslow Guild with the Principal on hand to help and explain matters if requested.
- 3.9 The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered / recorded mail must be used.

4 Complaints

- 4.1 Complaints about the above procedures should be made to the Principal who will decide whether it is appropriate for the complaint to be dealt with in accordance with Wilmslow Guild's complaint procedure.
- 4.2 Complaints which are not appropriate to be dealt with through Wilmslow Guild's complaint procedure will be dealt with by the Board of Trustees.

5 Contacts

- 5.1 If you have any queries or concerns regarding these procedures then please contact the Principal.