



Colne Valley Help Data Protection GDPR Policy

January 2021

Reviewed 17 March 2023

Colne Valley Help – Data protection policy

Outline

This document is a statement of the aims and principles of CVH, for ensuring the confidentiality of sensitive information relating to trustees, volunteers, users and staff in accordance with the requirements of the Data Protection Act 2018 which is the implementation of the EU General Data Protection Regulation (GDPR).

CVH complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or 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

Introduction

Colne Valley Help (afterwards referred to as CVH) needs to keep certain information about its employees, trustees, volunteers, staff¹ (when relevant), and other users to allow it to monitor demand and take up of the service and health and safety, for example, and for use in relation to the everyday running of CVH.

In time it may also be necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, CVH must comply with the Data protection principles which are set out in the Data Protection Act 2018 (the 2018 Act).

In summary these state that personal data shall be:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

CVH trustees, volunteers and all staff or others who process or use personal information must ensure that they follow these principles at all times.

There is stronger legal protection for more sensitive information, such as:

- race
- ethnic background
- political opinions
- religious beliefs

¹ This document includes references to staff – at the time of writing this policy CVH is not able to employ staff. Staff are included here so that policy is relevant if CVH does come to employ staff.

- trade union membership
- genetics
- biometrics (where used for identification)
- health
- sex life or orientation

Use and disclosure of Personal Information

CVH will never pass on Personal Information for marketing purposes to anyone. We are currently not using email or websites for personal information. However, we do use encrypted messages such as WhatsApp with limited information.

If you decide to instruct us to cease using your Personal Information as contemplated in this Policy, and notify us either in writing or by email, we shall destroy any retained personal information, unless it legally required to be held on file (e.g. Gift Aid details).

If you contact CVH, we reserve the right to keep a record of that correspondence and incorporate the information it contains into our database.

If we are required by law to provide information to a third party concerning your activities whilst using the service we shall do so.

Status of this Policy

This policy does not form part of the contract of employment for staff, or membership of the Trust, but it is a condition of employment that employees / charity members / volunteers / trustees will abide by the rules and policies made by CVH from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

The Data Controller and the Designated Data Controllers

CVH as a body is the Data Controller under the 2018 Act, and the Trustees are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with day-to-day matters.

CVH has three Designated Data Controllers: They are Trustee Richard Izzard, the Chair, Matthew Mcloughlin and the Advisor, Lisa Scully

Any individual who considers that the Policy has not been followed in respect of personal data about himself or herself should raise the matter with one of the Designated Data Controllers.

Data Security

All staff / volunteers and trustees handling data must ensure that:

- Any personal data is kept securely.
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Personal information should:

- Be kept in a locked filing cabinet, drawer, or safe; or

- If it is computerised, be coded, encrypted or password protected both on a local hard drive that is regularly backed up and on cloud storage; and
- If a copy is kept on a diskette or other removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

All data breaches are reported to the monthly meeting of the CVH Board.

Rights to Access Information

All individuals are entitled to:

- be informed about how their data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of their data
- data portability (allowing subjects to get and reuse data for different services)
- object to how their data is processed in certain circumstances

Individuals also have rights when an organisation is using their personal data for:

- automated decision-making processes (without human involvement)
- profiling, for example to predict your behaviour or interests

CVH will, upon request, provide all relevant users with a statement regarding the personal data held about them. This will state all the types of data the CVH holds and processes about them, and the reasons for which they are processed.

All relevant users have a right under the 2018 Act to access certain personal data being kept about them either on computer or in certain files. Any person who wishes to exercise this right should contact the Designated Data Controller.

CVH aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 1 month, as required by the 2018 Act.

These rights are set out in our Privacy Notice (appendix 1)

Subject Consent

In many cases, CVH can only process personal data with the consent of the individual. In some cases, if the data is sensitive, as defined in the 2018 Act, express consent must be obtained. Agreement to CVH processing some specified classes of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions.

Processing Sensitive Information

Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to operate other CVH policies, such as the Equal Opportunities Policy. Because this information is considered sensitive under the 2018 Act, such persons will be asked to give their express consent for the CVH to process this data.

Retention of Data

CVH has a duty to retain some personal data for a period of time following their departure from the Trust, mainly for legal reasons, but also for other purposes. Different categories of data will be retained for different periods of time.

Conclusion

Compliance with the 2018 Act is the responsibility of all members of the Trust.

Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or even to a criminal prosecution.

This policy was formally agreed and adopted by the Board of Trustees of CVH and will be reviewed within 2 years by the board of trustees.

Approved at board meeting of 25th January 2021

Reviewed at the Board meeting 17 March 2023



DATA PROTECTION Privacy Policy / Data Protection Notice

Updated 17 March 2023

Introduction

This notice sets out your rights under the Data Protection Act 2018 regarding data held about you by Colne Valley Help (CVH)

CVH complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or 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.

What is Personal Data?

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

Why we need it

For users of the service we need to know personal data, including information where you live and about your dietary needs and the make up of your household to provide you with a service that is relevant to your and your household needs.

If you support the work of CVH financially we need your data to thank you and to process Gift Aid applications or equivalent tax notifications if you are outside of the UK.

We need to communicate with you if you have a particular partnership relationship with CVH, for example in funding projects, referring clients to our services or receiving referrals from us. We will not collect any personal data from you that we do not need in order to provide and oversee this service to you.

The legal basis for processing your personal data

Your data is processed under the conditions of the Data Protection Act 2018.

What we do with your data

Your personal data will be treated as strictly confidential and no third parties have access to your personal data unless the law allows them to do so. Aside from these circumstances we will only share your data with third parties with your consent.

How long we keep it

CVH has a duty to retain some personal data for a period of time following their departure from the Trust, mainly for legal reasons, but also for other purposes. Different categories of data will be retained for different periods of time.

What are your rights?

You are entitled to:

- be informed about how your data is being used

- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of your data
- data portability (allowing subjects to get and reuse data for different services)
- object to how your data is processed in certain circumstances
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Individuals also have rights when an organisation is using their personal data for:

- automated decision-making processes (without human involvement)
- profiling, for example to predict your behaviour or interests

CVH will, upon request, provide all relevant users with a statement regarding the personal data held about them. This will state all the types of data the CVH holds and processes about them, and the reasons for which they are processed.

All relevant users have a right under the 2018 Act to access certain personal data being kept about them either on computer or in certain files. Any person who wishes to exercise this right should contact the Designated Data Controller by email to colnevalleyhelp@outlook.com

CVH aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 1 month, as required by the 2018 Act.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law you can complain to the Information Commissioner's Office (ICO). You can contact the Information Commissioners Office on +44 (0)303 123 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.

Further

processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this 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.

Our contact details :

Email: colnevalleyhelp@outlook.com

Website: www.colnevalleyhelp.org.uk