

Aghalee Village Hall Data Protection Policy

This policy applies to all staff, volunteers and clients of Aghalee Village Hall.

Introduction

The purpose of this policy is to enable Aghalee Village Hall to:

- comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect Aghalee Village Hall's clients, staff, volunteers and other individuals
- protect the organisation from the consequences of a breach of its responsibilities.

Brief introduction to Data Protection Act 1998

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

The Act works in two ways. Firstly, it states that anyone who processes personal information must comply with eight principles, which make sure that personal information is:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with the rights of Data Subjects
- Secure
- Not transferred to other countries without adequate protection

The second area covered by the Act provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.

Policy statement

Aghalee Village Hall will:

- comply with both the law and good practice
- respect individuals' rights
- be open and honest with individuals whose data is held
- provide training and support for staff and volunteers who handle personal data, so that they can act confidently and consistently

Aghalee Village Hall recognises that its first priority under the Data Protection Act is to avoid causing harm to individuals. Information about staff, volunteers and clients will be used fairly, securely and not disclosed to any person unlawfully.

Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, Aghalee Village Hall will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

Aghalee Village Hall is the Data Controller as under the Data Protection Act 1998. All processing of personal data will be undertaken in accordance with the data protection principles.

Definitions

The Data Subject is the individual whose personal data is being processed. Examples include:

- employees – current and past
- volunteers
- job applicants
- donors
- users
- suppliers.

Processing means the use made of personal data including:

- obtaining and retrieving
- holding and storing
- making available within or outside the organisation
- printing, sorting, matching, comparing, destroying.

The Data Controller is the legal 'person', or organisation, that decides why and how personal data is to be processed. The data controller is responsible for complying with the Data Protection Act.

The Data Processor - the data controller may get another organisation to be their data processor, in other words to process the data on their behalf. Data processors are not subject to the Data Protection Act. The responsibility of what is processed and how remains with the data controller. There should be a written contract with the data processor who must have appropriate security.

The Data Protection Officer is the name given to the person in organisations who is the central point of contact for all data compliance issues.

Responsibilities

The Holding Trustees recognises its overall responsibility for ensuring that Aghalee Village Hall complies with its legal obligations.

The Data Protection Officer for Aghalee Village Hall is currently Alan McKeown, who has the following responsibilities:

- Briefing the Management Committee on Data Protection responsibilities
- Reviewing Data Protection and related policies
- Advising other staff on Data Protection issues
- Ensuring that Data Protection induction and training takes place
- Handling subject access requests
- Approving unusual or controversial disclosures of personal data
- Ensuring contracts with Data Processors have appropriate data protection clauses
- Electronic security
- Approving data protection-related statements on publicity materials and letters

Each member of staff and volunteers at Aghalee Village Hall who handle personal data will comply with the organisation's operational procedures for handling personal data (including induction and training) to ensure that good Data Protection practice is established and followed.

All staff and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.

Significant breaches of this policy will be handled under Aghalee Village Hall's disciplinary procedures.

Confidentiality

Because confidentiality applies to a much wider range of information than Data Protection, Aghalee Village Hall has a separate Confidentiality Policy. This Data Protection Policy should be read in conjunction with Aghalee Village Hall's Confidentiality Policy.

Aghalee Village Hall has a privacy statement for clients, setting out how their information will be used. This is available on request, and a version of this statement will also be used on the Aghalee Village Hall web site. (See Appendix)

Staff, volunteers and sessional workers will be required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities. (See Confidentiality Policy and Statement.)

In order to provide some services, Aghalee Village Hall will need to share client's personal data with other agencies (Third Parties). Verbal or written agreement will always be sought from the client before data is shared.

Where anyone within Aghalee Village Hall feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done after discussions with a manager or the Data Protection Officer. All such disclosures will be documented.

Security

This section of the policy only addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.

Any recorded information on clients, volunteers and staff will be:

- Kept in locked cabinets
- Protected by the use of passwords if kept on computer
- Destroyed confidentially if it is no longer needed

Access to information on the main database is controlled by a password and only those needing access are given the password. Staff and volunteers should be careful about information that is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is on display.

Notes regarding personal data of clients should be shredded or destroyed and a note made recording this.

Data Recording and storage

Aghalee Village Hall has several databases holding basic information about all clients and volunteers. Any back-up discs of data are kept in a locked filing cabinet in the office.

Aghalee Village Hall will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- The database system is reviewed and re-designed, where necessary, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets.

- Effective procedures are in place so that all relevant systems are updated when information about any individual changes.
- Staff and volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.
- Data will be corrected if shown to be inaccurate

Aghalee Village Hall stores archived paper records of clients and volunteers securely in the office.

Access to data

All staff, volunteers, clients and customers have the right to request access to all information stored about them. Any subject access requests will be handled by the Data Protection Officer within the required time limit.

Subject access requests must be in writing. All staff and volunteers are required to pass on anything which might be a subject access request to the Data Protection Officer without delay.

All those making a subject access request will be asked to identify any other individuals who may also hold information about them, so that this data can be retrieved.

Where the individual making a subject access request is not personally known to the Data Protection Officer their identity will be verified before handing over any information.

The required information will be provided in permanent form unless the applicant makes a specific request to be given supervised access in person.

Aghalee Village Hall will provide details of information to service users who request it unless the information may cause harm to another person.

Staff have the right to access their file to ensure that information is being used fairly. If information held is inaccurate, the individual must notify the Chairman so that this can be recorded on file.

Transparency

Aghalee Village Hall is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and
- how to exercise their rights in relation to the data.

Data Subjects will generally be informed in the following ways:

- Staff: in the staff terms and conditions
- Volunteers: in the volunteer welcome/support pack
- Clients: when they request (on paper, on line or by phone) services

Standard statements will be provided to staff for use on forms where data is collected.

Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.

Consent

For the purposes of this Policy Consent can be given either verbally or in writing.

Consent will be sought for processing of information about volunteers. Information about volunteers will be made public according to their role, and consent will be sought for (a) the means of contact they prefer to be made public, and (b) any publication of information which is not essential for their role.

Staff details will only be disclosed for purposes unrelated to their work for Aghalee Village Hall (e.g. financial references) with their consent. This can be verbal consent.

Information about clients/consumers will only be made public with their verbal consent. (This includes photographs.)

'Sensitive' data about clients (including health information) will be held in secure conditions and disclosed to required personnel only with the knowledge and consent of the individual.

Consent should be given in writing, although for some services it is not always practicable to do so. In these cases verbal consent will always be sought to the storing and processing of data. In all cases it will be documented on the database that consent has been given.

All Data Subjects will be given the opportunity to opt out of their data being used in particular ways, such as the right to opt out of direct marketing (see below).

Aghalee Village Hall acknowledges that, once given, consent can be withdrawn, but not retrospectively. There may be occasions where Aghalee Village Hall has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.

Direct marketing

Aghalee Village Hall will treat the following unsolicited direct communication with individuals as marketing:

- seeking donations and other financial support;
- promoting any Aghalee Village Hall services;
- promoting Aghalee Village Hall events;
- promoting membership to supporters;
- promoting sponsored events and other fundraising exercises;
- marketing the products of Aghalee Village Hall;
- marketing on behalf of any other external company or voluntary organisation.

Whenever data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opt out. If it is not possible to give a range of options, any opt-out which is exercised will apply to all Aghalee Village Hall marketing. Aghalee Village Hall does not have a policy of sharing lists, obtaining external lists or carrying out joint or reciprocal mailings.

Aghalee Village Hall will only carry out telephone marketing where consent has been given in advance, or the number being called has been checked against the Telephone Preference Service.

Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

The organisation will adhere to the obligation set out in both the Data Protection Act 1998 (DPA) and the Privacy and Electronic Communications Regulations 2003 (PECR) when contacting individuals for the purpose of marketing.

Staff training and acceptance of responsibilities

All staff who will have access to any kind of personal data will be given copies of all relevant policies and procedures during their induction process, including the Data Protection policy, Confidentiality policy and the operational procedures for handling personal data. All staff will be expected to adhere to all these policies and procedures.

Data Protection will be included in the induction training for all volunteers.

Aghalee Village Hall will provide opportunities for staff to explore Data Protection issues through training, team meetings, and supervisions.

Policy review

The policy will be reviewed by the Data Protection Officer and approved by the Management Committee. It will also be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.

Privacy statement

When you request information from Aghalee Village Hall, sign up to any of our services or buy things from us, Aghalee Village Hall obtains information about you. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act 1998 (DPA) to prevent your information falling into the wrong hands. We must also ensure that the data we hold is accurate, adequate, relevant and not excessive.

Normally the only information we hold comes directly from you. Whenever we collect information from you, we will make it clear which information is required in order to provide you with the information, service or goods you need. You do not have to provide us with any additional information unless you choose to. We store your information securely on our computer system, or on paper in locked filing cabinets. We restrict access to those who have a need to know, and we train our staff in handling the information securely.

If you have signed up to a class or other service we will also pass your details to the professional worker providing that service. That worker may hold additional information about your participation in these activities.

We would also like to in future contact you by leaflet, email or other methods to tell you about other services we provide, to keep you informed of what we are doing and ways in which you might like to support Aghalee Village Hall. This is called Marketing. You have the right to ask us not to contact you in this way. You can contact us directly at any time to tell us not to send you any future marketing material.

Aghalee.vhall@btinternet.com or by telephone 02892 651825 (Secretary)

You have the right to a copy of all the information we hold about you (apart from a very few things which we may be obliged to withhold because they concern other people as well as you). To obtain a copy, either ask for an application form to be sent to you, or write to the Data Protection Officer at Aghalee Village Hall, 6 Lurgan Road, Aghalee, Craigavon, BT67 0DD

There is a charge of £10 for a copy of your data (as permitted by law). We aim to reply as promptly as we can and, in any case, within the legal maximum of 40 days.

RETAINING INFORMATION GUIDANCE

Type of Record	Minimum Retention Period	Reason for Length of Period
Personnel Files	6 years from end of employment	Provision of references and potential litigation
Income Tax and NI returns	6 years after end of financial year to which records relate	Income Tax (Employment) Regulations 1993
Statutory Sick Pay records/calculations	6 years (as Income Tax)	Statutory Sick Pay (General) Regulations 1982
Statutory Maternity Pay records/calculations	6 years (as Income Tax)	Statutory Maternity Pay (General) Regulations 1986
Wages and Salary records	6 years	Taxes Management Act 1970
Annual Leave records	2 years	Good Practice
Appraisal/assessment records	5 years	Good Practice
Summary of record of service	10 years from end of service	Provisions of references and requests for confirmation of employment
Records relating to accident or injury at work	3 years after the date of the last record	Social Security (Claims and Payments) Regulations 1979; RIDDOR 1985
Documentation relating to a grievance	2 years	Allows appropriate appeal mechanism and monitoring future grievances
Documentation relating to a disciplinary process	1 year for a verbal warning 1 year for first written warning 2 years for final written warning	In accordance with XXX policy and procedure
Application forms	Successful – duration of employment Unsuccessful- 6 months	Feedback to applicants and time limit on litigation
Interview notes	6 months	Feedback to applicants and time limit on litigation