

## **Data Protection Policy**

### **1. Introduction**

- 1.1. Sacriston Youth Project (“Charity”, “We”) is required to inform employees, service users, trustees, volunteers and contractors about the personal data that we collect and what we do with that information, including how we use, store, secure and transfer such data.
- 1.2. Personal information relating to employees, service users, trustees, volunteers and contractors will be processed in accordance with the General Data Protection Regulation (GDPR). Information may be retained for processing by the Charity and its advisers in secure filing systems, a protected HR software system or stored in encrypted or password protected electronic files and used for purposes connected with your employment including payroll, attendance, staff assessment and training.

### **2. Data Controller**

- 2.1. Heather Liddle, Business Manager of Sacriston Youth Project is the Data Controller under the Data Protection Act, which means that she determines what purposes personal information is held and will be used for. The Data Controller is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

### **3. Disclosure**

- 3.1. The Charity may share data with other agencies such as the local authority, funding bodies and other voluntary agencies. Employees, service users, trustees, volunteers and contractors will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows the Charity to disclose data (including sensitive data) without the data subject’s consent.
- 3.2. These are:
  - a) Carrying out a legal duty or as authorised by a Government agency
  - b) Protecting vital interests of an employee or other person
  - c) The employee, service user, trustee, volunteer or contractor has already made the information public
  - d) Conducting any legal proceedings, obtaining legal advice or defending any legal rights
  - e) Monitoring for equal opportunities purposes - i.e. race, disability or religion

- f) Providing a confidential service where their consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill employees to provide consent signatures.
- 3.3. The Charity regards 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.
- 3.4. The Charity intends to ensure that personal information is treated lawfully and correctly.
- 3.5. To this end, the Charity will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.
- 3.6. Specifically, the Principles require that personal information:
  - a) Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
  - b) 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,
  - c) Shall be adequate, relevant and not excessive in relation to those purpose(s)
  - d) Shall be accurate and, where necessary, kept up to date,
  - e) Shall not be kept for longer than is necessary
  - f) Shall be processed in accordance with the rights of data subjects under the Act,
  - g) 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,
  - h) 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 employees in relation to the processing of personal information.
- 3.7. The Charity will, through appropriate management and strict application of criteria and controls:
  - a) Observe fully conditions regarding the fair collection and use of information
  - b) Meet its legal obligations to 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 that the rights of people about whom information is held, can be fully exercised under the Act. These include:
  - f) The right to be informed that processing is being undertaken,
  - g) The right of access to one's personal information
  - h) The right to prevent processing in certain circumstances and

- i) The right to correct, rectify, block or erase information which is regarded as wrong information)
- j) Take appropriate technical and organizational security measures to safeguard personal information
- k) Ensure that personal information is not transferred abroad without suitable safeguards
- l) Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information
- m) Set out clear procedures for responding to requests for information.

#### **4. Data Collection**

4.1. Informed consent is when:

- a) An employee, service user, trustee, volunteer or contractor clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
- b) And then gives their consent.

4.2. The Charity will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

4.3. When collecting data, the Charity will ensure that employees, trustees, volunteers and contractors:

- a) Clearly understands why the information is needed
- b) Understands what it will be used for and what the consequences are should the employee, service user, trustee, volunteer or contractor decide not to give consent to processing
- c) As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- d) Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- e) Has received sufficient information on why their data is needed and how it will be used.

#### **5. Data Storage**

5.1. Information and records relating to employees, service users, trustees, volunteers and contractors will be stored securely and will only be accessible to authorised staff.

5.2. Information will be stored for only as long as it is needed or required statute and will be disposed of appropriately.

5.3. It is the Charity's responsibility to ensure all personal and Charity data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

## **6. Data Access and Accuracy**

6.1. All employees, trustees, volunteers and contractors have the right to access the information the Charity holds about them. The Charity will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

6.2. In addition, the Charity will ensure that:

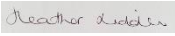
- a) It has a Data Protection Officer with specific responsibility for ensuring compliance with Data Protection
- b) Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- c) Everyone processing personal information is appropriately trained to do so
- d) Everyone processing personal information is appropriately supervised
- e) Anybody wanting to make enquiries about handling personal information knows what to do
- f) It deals promptly and courteously with any enquiries about handling personal information
- g) It describes clearly how it handles personal information
- h) It will regularly review and audit the ways it hold, manage and use personal information
- i) It regularly assesses and evaluates its methods and performance in relation to handling personal information
- j) All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

6.3. 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.

6.4. *In case of any queries or questions in relation to this policy please contact the Charity Data Protection Officer: Heather Liddle*

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**This policy has been approved & authorised by:**

**Name:** Heather Liddle  
**Position:** Trustee – Sacriston Youth Project  
**Date:** April 2021  
**Signature:** 

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Date of Review	Reviewed By	Changes Made	Date of Next Review
April 2021	Jo Cameron - Trustee		April 2022