

DATA PROTECTION POLICY



Date: MAY 2023

Next review: MAY 2024

Rationale

We acknowledge that to function properly we need to collect and use certain types of information about staff and other individuals who we come into contact with. We deal with all information properly in whatever way it is collected, recorded and used – on paper, on a computer, or recorded on other material. We regard the lawful and correct treatment of personal information as very important to successful operations and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly. To this end we fully endorse and adhere to the principles of data protection, as detailed in the Data Protection Act 1998.

Data protection principles

All members of staff are required to adhere to the eight data protection principles set out in the 1998 Data Protection Act:

- 1 data shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- 2 personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
- 3 personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed.
- 4 personal data shall be accurate and, where necessary, kept up to date.
- 5 personal data shall not be kept for longer than is necessary for that purpose or those purposes.
- 6 personal data shall be processed in accordance with the rights of data subjects under the Act.
- 7 appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- 8 personal data 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 data.

Company practice

We will, through appropriate management, strict application of criteria and controls:

- observe fully the conditions regarding the fair collection and use of information.
- meet our legal obligations to specify the purposes for which information is used.
- collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements.
- ensure the quality of information used.
- apply strict checks to determine the length of time information is held.
- ensure that the rights of people about whom information is held, can be fully exercised under the Act (these include the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information);
- take appropriate technical and organisational security measures to safeguard personal information.
- ensure that personal information is not transferred abroad without suitable safeguards.

- treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.
- set out clear procedures for responding to requests for information.

We will also ensure that:

- there is someone with specific responsibility for Data Protection within the company.
- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice.
- everyone managing and handling personal information is appropriately trained to do so.
- everyone managing and handling personal information is appropriately supervised.
- anybody wanting to make enquiries about handling personal information knows what to do.
- queries about handling personal information are promptly and courteously dealt with.
- methods of handling personal information are clearly described.
- a regular review and audit are made of the way personal information is held, managed and used.
- methods of handling personal information are regularly assessed and evaluated.
- performance with handling personal information is regularly assessed and evaluated.
- a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against the members of staff concerned.
- when information is authorised for disposal, it is done appropriately.

Dealing with a Data Protection request

- A request under the Data Protection Act must be made in writing.
- A director must be confident of the identity of the individual making the request. This could be evidenced by checking signatures against verified signatures on file or by asking the applicant to produce valid identification, such as a passport or photo-driving licence. These checks should be done in addition to establishing proof of relationship with the child.
- An individual only has the automatic right to access information about themselves; requests from family members, carers or parents of a minor will have to be considered. Normally the requester will have to prove both their relationship with to the individual and that disclosure is in the interests of the individual.
- The company will make use of exemptions under the Act as appropriate. All files must be reviewed before any disclosure takes place. Under no circumstance will access be granted immediately or before this review process has taken place.
- Where all the data in a document cannot be disclosed a permanent copy should be made and the data obscured, or parts of the data can be retyped if this is more sensible. In any event a copy of the full document (before obscuring) and the altered document should be retained together with the reason why the document was altered. This is so that, in the event of a complaint, there is an audit trail of what was done and why.
- Information can be provided by post (registered mail) or on deposit with a director available to help the applicant. Any codes, technical terms or abbreviations should be explained. Any data which is difficult to read or illegible should be retyped.
- The Act applies only to living individuals.

Complaints

Complaints about the operation of these procedures should be made to a director, who will decide if it is appropriate for the complaint to be dealt with under the published complaints procedure.

Contacts

Anyone with concerns or questions in relation to this policy should contact a director who will also act as the contact point for any requests under the Data Protection Act.