

LDCVS Policy: Data Protection

Date adopted: 11/08/21

Purpose of the policy/policy statement

- 1.1 LDCVS collects and stores data to meet regulatory and record-keeping requirements, and as the first step in our use of data to carry out activities, provide services, and meet obligations to service users.
- 1.2 LDCVS is committed to processing data in accordance with its responsibilities in law. We will protect personal data and respect the rights of people whose data we collect and use. We value the information entrusted to us and we respect that trust by adopting good practice.
- 1.3 We process personal data for a variety of reasons, including but not limited to:
 - maintaining membership records
 - providing information, advice and support to people and organisations
 - safeguarding people at risk
 - recruiting, supporting and managing staff and volunteers
 - undertaking research
 - maintaining accounts and financial records
 - promoting our services
 - maintaining the security of our property and premises
 - meeting obligations to funders, such as producing reports and evaluations
 - responding effectively to enquiries and handling complaints

Detailed policy statement

- 2.1 Article 5 of the General Data Protection Regulation (GDPR) requires that personal data shall be:
 - processed lawfully, fairly and in a transparent manner;
 - processed for specified, explicit and legitimate purposes and not in a manner that is incompatible with those purposes;
 - adequate, relevant and limited to what is necessary for the purposes for which it is being processed;
 - accurate and, where necessary, up to date;
 - not kept longer than necessary for the purposes for which it is being processed;
 - processed in a secure manner, by using appropriate technical and organisational means;
 - processed in keeping with the rights of data subjects regarding their personal data.

Lawful, fair and transparent processing

- 2.2 All personal data processed by LDCVS falls within the scope of this policy.
- 2.3 The Chief Officer is responsible for ongoing compliance with this policy and shall ensure that LDCVS is appropriately registered with the Information Commissioners Office.

- 2.4 To monitor the ways in which we store and process data, LDCVS will maintain a register of all systems or contexts in which personal data is processed (a Register of Systems) and review it regularly.
- 2.5 Individuals have the right to access their personal data by making a request by email or letter, and any such request will be dealt with within 20 working days. We will request that the individual provides information to prove their identity before producing data.
- 2.6 Individuals can withdraw their consent to our processing their data at any time, by contacting us by telephone (01524 555900) or email (hello@lancastercvs.org.uk). If consent is withdrawn, data processing will stop. Consent cannot be withdrawn retrospectively, and there may be situations where LDCVS must retain data even when consent has been withdrawn, although it will no longer be processed.

Lawful purposes

- 2.6 All data processed by LDCVS will be done under one or more of the lawful bases provided for by the GDPR (Article 6):
- **Consent:** we have received permission to process an individual's personal data for a specific purpose
 - **Contract:** processing data is necessary in order to perform or enter into a contract we have with an individual
 - **Legal obligation:** we need to process the data in order to comply with the law
 - **Vital interests:** we need to process the data in order to protect someone's life or wellbeing
 - **Public task:** we need to process the data in order to act in the public interest or to perform an official function with a clear basis in law
 - **Legitimate interest:** processing the data is necessary to secure our legitimate interests or the legitimate interests of the third party, unless there is an overriding reason to protect an individual's data
- 2.7 LDCVS will record the appropriate lawful basis in the Register of Systems and create Privacy Notices which explain, for each situation where we process personal data,
- what information we are processing,
 - how we collect it,
 - why we need it,
 - how we store it and what we will do with it,
 - who we are going to share it with, and
 - what people's rights over their information are.
- 2.8 We will also post a general privacy statement on our website, summarising this policy (see appendix).

Data minimization and accuracy

- 2.8 LDCVS will ensure that personal data collected are adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
- 2.9 We shall take reasonable steps to ensure personal data are accurate and up-to-date.
- 2.10 To ensure that personal data are kept for no longer than necessary, LDCVS shall regularly consider what data should or must be retained, for how long, and why.

Security

- 2.11 LDCVS shall ensure that personal data is stored using modern software that is kept up-to-date.
- 2.12 Access to personal data shall be limited to personnel who need access and with appropriate security to avoid unauthorized sharing of information.
- 2.13 When personal data is deleted it will be done in such a way that the data is irrecoverable.
- 2.14 Appropriate back-up and recovery systems shall be in place.
- 2.16 We will provide training and support to our staff and volunteers, so that they can act confidently, lawfully, and consistently when handling personal data.
- 2.17 We may appoint contractors to process personal data on our behalf. We will only appoint contractors on the basis of a written contract which requires the processor to comply with all relevant legal requirements.
- 2.18 We will only share personal data with other organisations or people when we have a legal basis to do so, and if this possibility is included in our relevant privacy notice, unless otherwise required by law.

Breach

- 2.19 In the event of a breach of security leading to the accidental or unlawful loss, alteration, disclosure or access to personal data, LDCVS will promptly assess the risk to people's rights and freedoms and, if appropriate, report this breach to the Information Commissioners Office as well as the data subjects concerned.

Applicability

- 3.1 This policy applies to all employees, volunteers, consultants, and contractors

Getting Help

- 4.1 The Chief Officer or the Senior Administration Officer should be contacted for advice on interpretation, resolution of problems, and special situations.

Related policies / references for more information

- 5.1 Policies:
 - Confidentiality Policy
 - Conduct Policy
- 5.2 Legislation:
 - Data Protection Act (2018)
 - UK General Data Protection Regulation

Implementation procedures

- 6.1 Overall responsibility for policy implementation and review rests with the Chief Officer. However, all staff and volunteers must adhere to and support the implementation of this policy.

Next review date

7.1 August 2022