



# Data Protection Policy 2022

## 1. Policy statement

### DATA PROTECTION POLICY

1.1. Everyone has rights with regard to how their personal information is handled. During the course of our activities it may be necessary for Forest Read Easy Deal (FRED) to collect, store and process personal information about Volunteers and Employees. We recognise the need to treat this Data in an appropriate and lawful manner.

1.2 The types of information that we may be required to handle include details of any current, past and prospective Trustees, Management Committee members, Coordinators, Reading Coaches, Volunteers and Employees. We will also handle information supplied to us by those who use our services (“Learners”). The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the Data Protection Act 1998 (the “Act”) and other regulations. The Act imposes restrictions on how we may use that information.

## 2. Definitions

2.1. **Data** is information that is stored electronically, on a computer, or in certain paper- based filing systems.

2.2. **Data Subjects**, for the purpose of this policy, includes all Volunteers and Employees, Learners and any other individual for whom FRED holds Personal Data. A Data Subject need not be a UK national or resident. All Data Subjects have legal rights in relation to their Personal Data.

2.3. **Data Controllers** are the people within FRED who determine the purposes for which, and the manner in which, any Personal Data is processed. In the context of FRED the Data Controllers are the Management Committee Members.

2.4. **Data Processors** include any third party that processes Personal Data on behalf of FRED. This could be an IT services company, a fund raiser or a data shredding company.

2.5. **Data Users** include specific persons within the Organisations whose work involves using Personal Data. Data Users have a duty to protect the information they handle by following our Data Protection Policy at all times.

2.6. **The Data Protection Officer** is the day-to-day contact who deals with data protection queries. The Data Protection Officer for FRED is **Chris Warren**.

2.7. **ICO** means the Information Commissioners Office, the UK regulator of the Data Protection Act.

2.8. **Notification and Notify** means the registration of a Data Controller with the ICO.

2.9. **Personal Data** means Data relating to a Volunteer, an Employee, or a Learner who can be identified from that Data (or from that Data and other information in our possession). For the purpose of this Policy, Personal Data includes, but is not limited to a person's name; address; email address telephone number; references obtained through the recruitment process etc. Personal Data may be facts and/or opinions formed on an individual.

2.10. **Processing** is any activity that involves use of the Data. It includes obtaining, recording or holding the Data, or carrying out any operation or set of operations on the Data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing may also include transferring Personal Data to third parties.

2.11. **Sensitive Personal Data** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive Personal Data can only be processed under strict conditions, and will usually require the express consent of the person concerned.

### 3. Status of the Policy

3.1. This Policy has been approved by FRED. It sets out rules on Data Protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and destruction of Personal Information.

3.2. The Committee Members of FRED are responsible for ensuring compliance with the Act and with this Policy. Any questions or concerns about the operation of this Policy should be referred, in the first instance, to your Data Protection Officer by email(Chris Warren) [chris.g.warren1879@gmail.com](mailto:chris.g.warren1879@gmail.com)

3.3. If you consider that this Policy has not been followed in respect to Personal Data about yourself or others you should raise the matter with your Data Protection Officer.

### 4. Data Protection principles

Anyone processing Personal Data must comply with the eight enforceable principles of good practice. These provide that Personal Data must be:

- a) Processed fairly and lawfully.
- b) Processed for limited purposes and in an appropriate way.
- c) Adequate, relevant and not excessive for the purpose.
- d) Accurate.
- e) Not kept longer than necessary for the purpose.
- f) Processed in line with Data Subjects' rights.
- g) Secure.

- h) Not transferred to people or organisations situated in countries without adequate protection.

## **5. Fair and lawful processing**

5.1. The Act is intended not to prevent the processing of Personal Data, but to ensure that it is done fairly and without adversely affecting the rights of the Data Subject. The Data Subject must be told who the Data Controller is, who the Data Controller's representative is (in this case the Data Protection Officer), the purpose for which the Data is to be processed by FRED, and the identities of anyone to whom the Data may be disclosed or transferred. Volunteers and Employees should be informed of the existence of this Policy during the recruitment process. New Volunteers and Employees will also be told that this Policy along with further information relating to data protection is available from the Data Protection Officer.

5.2. For Personal Data to be processed lawfully, certain conditions have to be met. These may include, among other things, requirements that the Data Subject has consented to the processing, or that the processing is necessary for the legitimate interest of the Data Controller or the party to whom the Data is disclosed. When Sensitive Personal Data is being processed, more than one condition must be met. In most cases the Data Subject's explicit consent to the processing of such Data will be required. FRED will ask for a Data Subject's consent before Processing any Sensitive Personal Data.

## **6. Processing for limited purposes**

Personal Data may only be processed for the specific purposes notified to the Data Subject when the Data was first collected or for any other purposes specifically permitted by the Act. This means that Personal Data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the Data is processed, the Data Subject must be informed of the new purpose before any processing occurs.

## **7. Adequate, relevant and non-excessive processing**

Personal Data should only be collected to the extent that it is required for the specific purpose notified to the Data Subject. Any Data which is not necessary for that purpose should not be collected in the first place.

## **8. Accurate Data**

8.1. The following procedures should be followed to ensure that all personal Data kept is accurate and up-to-date:

- a) Any inaccuracy in Personal Data should be brought to the attention of DPO or Management Committee as soon as possible. It will then be the responsibility of the DPO to correct the inaccuracy.
- b) All Volunteers, Employees and Learners should notify their Coordinator as soon as possible of any change of their personal details. The Organisation concerned will then be able to contact them in future or, in the case of an emergency, contact another designated person.
- c) The DPO will be responsible for ensuring that a yearly audit is carried out of all Personal Data held in manual records or on computerised record systems to ensure the Data held is accurate.

## 9. Timely processing

9.1. Personal Data should not be kept longer than is necessary for the purpose. This means that Data should be destroyed or erased from our systems when it is no longer required.

9.2. Certain Data is required to be kept for three years after it is no longer needed for practical purposes. This is in case it might be needed by the Committee of an Affiliated Group as evidence in an insurance claim, specifically:

- a) Personal Data of all Learners and Coaches
- b) Reading Record Sheets of these Learners and Coaches with dates of reading sessions
- c) Contact details of all Committee Members
- d) Any emails or other documentation that is considered might be of particular importance or relevance in the future
- e) All Safeguarding Records

## 10. Processing in line with Data Subject's rights

Data must be processed in line with Data Subjects' rights. Data Subjects have a right to:

- a) Request access to any Data held about them by FRED.
- b) Prevent the processing of their Data for direct-marketing purposes.
- c) Ask to have inaccurate Data amended.
- d) Prevent processing that is likely to cause damage or distress to themselves or anyone else.

## 11. Data security

11.1. FRED aims to ensure that appropriate security measures are taken against unlawful or unauthorised processing of Personal Data, and against the accidental loss of, or damage to, Personal Data. Data Subjects may apply to the courts for compensation if they have suffered damage from such a loss.

11.2. The Act requires FRED to put in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction. Personal Data may only be transferred to a third-party Data Processor if that person agrees to comply with those procedures and policies, or if they put in place adequate measures themselves.

11.3. Maintaining Data security means guaranteeing the confidentiality, integrity and availability of the Personal Data, defined as follows:

- a) **Confidentiality** means that only people who are authorised to use the Data can access it.
- b) **Integrity** means that Personal Data should be accurate and suitable for the purpose for which it is processed.
- c) **Availability** means that authorised users should be able to access the Data if they need it for authorised purposes. Where volunteers store Personal Data on home computers, it should be

stored with the knowledge that authorised users may need to access it. If necessary, this could be done by transferring the Data onto a password protected memory stick or hard drive.

#### 11.4. Security procedures include:

- a) **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- b) **Methods of disposal.** Paper documents should be shredded. Memory sticks should have data erased or should be physically destroyed when they are no longer required. If computers that contain Personal Data are to be disposed of, personal data must be deleted beforehand. Where applicable, a Volunteer or Employee who ceases work with FRED will be asked to hand over any Personal Data that they hold to FRED and to destroy anything that is not required.
- c) **Equipment.** Data users should ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended. Computers or other devices, such as laptops, memory sticks, CDs etc. that hold Personal Data should be password protected.

## 12. Dealing with Subject Access Requests

12.1. All Volunteers, Employees and Learners have the right to access Personal Data held about them by FRED. All requests should be forwarded to the Data Protection Officer - [chris.g.warren1879@gmail.com](mailto:chris.g.warren1879@gmail.com)

- a) Only written requests will be complied with.
- b) Information will be gathered from all relevant filing systems and computerised records and supplied in hard copy to the individual.
- c) The information supplied should also include an explanation of any codes or terms used.

## 13. Disclosure of Information to third parties

13.1. FRED aims to keep Personal Data within their control. It will only provide Personal Data that is strictly necessary to ensure the health and safety of Volunteers, Employees and Learners.

## 14. Providing information over the telephone

Any volunteer or member of staff dealing with telephone or email enquiries should be careful not to disclose any personal information about others without their express consent. In particular, they should:

- a) Check the caller's identity to make sure that information is only given to a person who is entitled to it.
- b) Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity cannot be checked.
- c) Refer to the Coordinator or the Data Protection Officer for assistance in difficult situations. No-one should be bullied into disclosing personal information.

## 15. Notification with the ICO

The Act requires Data Controllers to notify (or register with) the ICO that they are processing Personal Data. The process of registration is a simple one completed on-line with an annual fee of £35.

There is an express exemption from Notification for not for profit volunteer groups. This Data Protection Policy exempts FRED from the legal requirement to Notify the ICO.

A key requirement of the exemption is that information is only processed where it is necessary to administer activities by the committee of FRED or who have regular contact with it, namely Learners and coaches.

Importantly this means ensuring data is not kept longer than is necessary.

## 16. Monitoring and review of the Policy

16.1. This policy is reviewed annually by FRED. Recommendations for any amendments should be reported to the Data Protection Officer.

16.2. FRED will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

16.3. Any breach of this policy will be taken seriously and may result in Fred read Easy Deal taking further action.

16.4. If you require further information on this policy please speak to the Data Protection Officer. For more information on the data that the Organisations may request or process, please see the relevant Data Protection Notices.

## Note about Data Protection Notices and Appendices

Please note that this policy requires Volunteers and Employees of FRED to be notified about their rights with regard to Data Protection.

All new committee members and volunteers be directed to read the FRED Data Protection Policy available on the website and provide written acknowledgement that they have done so. Coach Coordinator will read a statement about data protection and learner rights as part of the enrolment process.

Please ensure that all involved in FRED are provided with the necessary information.

## 3. Further Information

Other FRED policies, procedures and practice support our commitment to good practice and are therefore relevant to this policy. For further information see: [www.forestreadeasydeal.org.uk](http://www.forestreadeasydeal.org.uk) or contact: