**Barrow upon Soar Community Association (BUSCA)**

**GDPR 2018 Data Protection Policy and Procedures**

**Introduction**

Barrow upon Soar Community Association (now referred to as BUSCA) is committed to a policy of protecting the rights and privacy of individuals and aims to be fully compliant with the GDPR regulations of May 2018. BUSCA needs to collect and use certain types of Personal Data in order to carry on our work. This personal information must be collected and dealt with appropriately.

The GDPR Regulations govern the use of information about people (personal data). Personal data can be held on computer or in a manual file, and includes email addresses, addresses, minutes of meetings, and photographs. BUSCA is the data controller for the information held. BUSCA and volunteers including trustees will be personally responsible for processing and using personal information in accordance with the GDPR Regulations.

Trustees, sub-group committee members and volunteers running BUSCA activities who have access to personal information, will be expected to have read and comply with this policy.

**Purpose**

The purpose of this policy is to set out BUSCA's commitment and procedures for protecting personal data. BUSCA 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.

**The GDPR Regulations**

This contains principles for processing personal data with which BUSCA will comply. Personal data:

**1.** Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met

**2.** Shall be obtained only for one or more of the purposes specified in GDPR, and shall not be processed in any manner incompatible with that purpose or those purposes

**3**. Shall be adequate, relevant and not excessive in relation to those purpose(s)

**4**. Shall be accurate and, where necessary, kept up to date

**5**. Shall not be kept for longer than is necessary

**6.** Shall be processed in accordance with the rights of data subjects under the Act

**7.** 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 data,

**8.** A person may at any time request that their data be updated, corrected or removed if inaccurate or no longer required for use in BUSCA's activities.

***The following list below gives definitions of the technical terms we have used and is intended to aid understanding of this policy.***

**Data Manager** – The person who (either alone or with others) decides what personal information BUSCA will hold and how it will be held or used.

**GDPR May 2018** – The UK legislation that provides a framework for responsible behaviour by those using personal data information.

**Data Protection Officer** – The person(s) on the Trustee's or sub-group committee who is responsible for ensuring that it follows its data protection policy and complies with GDPR

**Data Subject/Service User** – The individual whose personal information is being held or processed by BUSCA (for example: a service user or a supporter)

**'Explicit' consent** – is a freely given, specific and informed agreement by a Data Subject (see definition) to the processing* of personal information* about her/him.

Explicit consent is needed for processing personal data; this includes the following:

(a) racial or ethnic origin of the data subject,
(b) political opinions,
(c) religious beliefs or other beliefs of a similar nature,
(d) trade union membership,
(e) physical or mental health or condition,
(f) sexual life,
(g) criminal record,
(h) proceedings for any offence committed or alleged to have been committed,

**Notification** – Notifying the Information Commissioners Office (IOC) about the data processing activities of BUSCA but as a not-for-profit organisation are exempt from notification.

**Information Commissioner** – The UK Information Commissioner responsible for implementing and overseeing the GDPR Personal Data.

**Processing –** means collecting, amending, handling, storing or disclosing personal information

**Personal Information** – Information about living individuals that enables them to be identified – e.g. names, address, telephone numbers and email addresses. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers of BUSCA. This Data may be stored on the secretary's computer or the database 3 Rings (for the library)

**Applying the GDPR Regulations within BUSCA**

Volunteers joining BUSCA or participating in BUSCA activities are giving their data voluntarily.

Their data will only be used for BUSCA and by BUSCA.

They have the right to be forgotten. Their data will be removed permanently on request.

Whilst access to personal information is limited to BUSCA volunteers, in the case of Barrow Library, volunteers at the Library may undertake additional tasks, which involve the collection of personal details from members of the public. Examples could include a housebound service or the Summer Reading Challenge.

In such circumstances we will let people know why we are collecting their personal data and it is our responsibility to ensure the data is only used for this purpose after explicit consent has been given.

Correcting data. Individuals have a right to have data corrected if it is wrong, to prevent use which is causing them damage or distress or to stop marketing information being sent to them. They also have the right to be forgotten, this means their personal data is fully erased in compliance with GDPR and any pertaining UK legislation.

**Responsibilities**

BUSCA is the Data Controller under the Act, and is legally responsible for complying with GDPR, which means that it determines what purposes personal information held will be used for.

The trustees or sub-group management committees will take into account legal requirements and ensure that it is properly implemented, and will, through appropriate management, strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information,
- Meet its 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 its operational needs or to comply with any legal requirements,
- Ensure the quality of information used,
- 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

The data protection officer on the management committee is:

Name

Contact Details

The Data Protection Officer will be responsible for ensuring that the policy is implemented and will have overall responsibility for:

- Everyone processing personal information understands that they are contractually responsible for following good data protection practice,
- Everyone processing personal information is appropriately trained to do so,
- Everyone processing personal information is appropriately supervised,

- Anybody wanting to make enquiries about handling personal information knows what to do,
- It deals promptly and courteously with any enquiries about handling personal information,
- It describes clearly how it handles personal information,
- It will regularly review and audit the ways it holds, manages and uses personal information
- It regularly assesses and evaluates its methods and performance in relation to handling personal information
- All volunteers are aware that a breach of the rules and procedures identified in this policy may lead to action being taken against them

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 GDPR Regulations May 2018

In case of any queries or questions in relation to this policy please contact the BUSCA Data Protection Officer:

**Data collection**

**Informed consent**

Informed consent is when

- A Data Subject 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
- and then gives their consent.

BUSCA 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.

When collecting data, BUSCA will ensure that the Data Subject:

- Clearly understands why the information is needed
- Understands what it will be used for and what the consequences are should the Data Subject decide not to give consent to processing
- As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
- Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
- Has received sufficient information on why their data is needed and how it will be used

**Data Storage**

Information and records relating to service users will be stored securely and will only be accessible to authorised volunteers.

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

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

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 GDPR Regulations May 2018.

**Subject Access Requests.**

Members of the public may request certain information from the Local Authority under the **Freedom of Information Act 2000**. The Act does not apply to BUSCA. However, given that we undertake the delivery of library services under contracts with the Local Authority we may be required to assist them to meet the Freedom of Information Act request where we hold information on their behalf.

**Disclosure**

BUSCA may need to share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

The Data Subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows BUSCA to disclose data (including sensitive data) without the data subject's consent.

These are:

1. Carrying out a legal duty or as authorised by the Secretary of State
2. Protecting vital interests of a Data Subject or other person
3. The Data Subject has already made the information public
4. Conducting any legal proceedings, obtaining legal advice or defending any legal rights
5. Monitoring for equal opportunities purposes – i.e. race, disability or religion
6. Providing a confidential service where the Data Subject's 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 Data Subjects to provide consent signatures.

BUSCA 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.

BUSCA intends to ensure that personal information is treated lawfully and correctly.

**Risk Management**

The consequences of breaching Data Protection can cause harm or distress to service users if their information is released to inappropriate people, or they could be denied a service to which they are entitled. Volunteers should be aware that they can be personally liable if they use customers' personal data inappropriately. This policy is designed to minimise the risks and to ensure that the reputation of BUSCA is not damaged through inappropriate or unauthorised access and sharing.

**Destroying personal data.**

Personal data should only be kept for as long as it is needed. Examples include: A library customer joins the Summer Reading Challenge – only keep that data for the duration of administering the campaign and securely dispose of it once the promotion and monitoring period is complete. A customer is housebound and receives regular visits from a volunteer – ensure the list is securely stored and remove customer details when they change or

the customer no longer receives the service. Review the list annually. We will ensure that this information is confidentially destroyed at the end of the relevant retention period.

**Further information**

If members of the public/or stakeholders have specific questions about information security and data protection in relation to BUSCA please contact the Data Protection Officer:

The Information Commissioner's website (www.ico.gov.uk) is another source of useful information.

*Checklist for data processor*

https://ico.org.uk/for-organisations/sme-web-hub/checklists/data-protection-self-assessment/processors-checklist/

*Checklist for data controller*

https://ico.org.uk/for-organisations/sme-web-hub/checklists/data-protection-self-assessment/controllers-checklist/

Review Date: Nov 25th 2025

Date for new review: Sept 27

Signed: Dated: