



Data Protection Policy

Version History

Date	Created by / Amended by	Comments	Owner
Nov 2023	Rory Massey	Adopted	CEO and Operations and Compliance Manager
May 2025	Rory Massey	Reformat, contents table added, updated to include service user and volunteer data	CEO and Operations and Compliance Manager

Contents

1.	Introduction.....	4
2.	Scope	4
3.	Definitions.....	5
4.	Data Protection Principles	6
5.	Basis for Processing Personal Information.....	6
6.	Sensitive Personal Information	8
7.	Criminal Records information	10
8.	Data Protection Impact Assessments (DPIA)	10
9.	Documentation and Records	11
10.	Privacy Notice(s)	12
11.	Individual Rights	13
12.	Individual Obligations	14
13.	Information Security.....	16
14.	Storage and Retention of Personal Information.....	17
15.	Data Breaches.....	18
16.	International Transfers.....	19
17.	Training.....	19
18.	Consequences of Failing to Comply	19
19.	Acceptance.....	20

1. Introduction

- 1.1 The Company obtains, keeps and uses personal information (also referred to as data) about current employees, former employees, service users their next of kin and volunteers for several specific lawful purposes, as set out in the Company's Data Protection Privacy Notices.
- 1.2 This policy sets out how we comply with our data protection obligations and seek to protect personal information relating to our workforce and service users. Its purpose is also to ensure that staff understand and comply with the rules governing the collection, use and deletion of personal information to which they may have access in the course of their work.
- 1.3 We are committed to complying with our data protection obligations, and to being concise, clear and transparent about how we obtain and use personal information relating to our workforce and service users, and how (and when) we delete that information once it is no longer required.
- 1.4 The Company's Data Protection Officer (DPO), Maureen Chaffe of Processmatters2, is external to the Company. They are responsible for informing and advising the Company and its staff on its data protection obligations, and for monitoring compliance with those obligations and with the Company's policies. The Company also has an internal Data Protection Officer, the Chief Executive Officer, who is the first point of contact within the Company for any Data Protection matters. If you have any questions or comments about the content of this policy or if you need further information, you should contact the internal DPO by email or telephone.

2. Scope

- 2.1. This policy applies to the personal information of current employees, /former employees service users, and volunteers.
- 2.2. Staff should refer to the Company's Data Protection Privacy Notices and, where appropriate, to its Employee Handbook and other relevant policies such as internet, email and communications, monitoring, social media, information security, document retention, CCTV and criminal record information, this is not an exhaustive list.

2.3. We will review and update this policy in accordance with our data protection obligations. It does not form part of any employee's contract of employment, and we may amend, update or supplement it from time to time. We will publish any new or modified policy when it is adopted.

3. Definitions

Criminal Records Information	means personal information relating to criminal convictions and offences, allegations, proceedings, and related security measures.
Data Breach	means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal information.
Data Subject	means the individual to whom the personal information relates.
Personal Information	(sometimes known as personal data) means information relating to an individual who can be identified (directly or indirectly) from that information.
Processing Information	means obtaining, recording, organising, storing, amending, retrieving, disclosing and/or destroying information, or using or doing anything with it.
Pseudonymised	means the process by which personal information is processed in such a way that it cannot be used to identify an individual without the use of additional information, which is kept separately and subject to technical and organisational measures to ensure that the personal information cannot be attributed to an identifiable individual.
Sensitive Personal Information	(sometimes known as 'special categories of personal data' or 'sensitive personal data') means personal information about an individual such as their health as an example.

4. Data Protection Principles

The Company will comply with the following data protection principles when processing personal information:

- we will process personal information lawfully, fairly and in a transparent manner.
- we will collect personal information for specified, explicit and legitimate purposes only, and will not process it in a way that is incompatible with those legitimate purposes.
- we will only process the personal information that is adequate, relevant and necessary for the relevant purposes.
- we will keep accurate and up to date personal information and take reasonable steps to ensure that inaccurate personal information is deleted or corrected without delay.
- we will keep personal information in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the information is processed; and
- we will take appropriate technical and organisational measures to ensure that personal information is kept secure and protected against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

5. Basis for Processing Personal Information

5.1. In relation to any processing activity, we will, before the processing starts for the first time, and then regularly while it continues:

5.1.1. review the purposes of the particular processing activity and select the most appropriate lawful basis (or bases) for that processing, i.e.:

- a) that the data subject has consented to the processing the data and are aware of what data of theirs is being processed.
- b) that the processing is necessary for the performance of a contract and to deliver a service to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract or receiving a service.
- c) that the processing is necessary for compliance with a legal obligation to which the Company is subject.

- d) that the processing is necessary for the protection of the vital interests of the data subject or another natural person.
- e) that the processing is necessary for the purposes of legitimate interests of the Company or a third party, except where those interests are overridden by the interests of fundamental rights and freedoms of the data subject—see clause 5.2 below.

5.1.2. except where the processing is based on consent, satisfies us that the processing is necessary for the purpose of the relevant lawful basis (i.e. that there is no other reasonable way to achieve that purpose).

5.1.3. document our decision as to which lawful basis applies, to help demonstrate our compliance with the data protection principles.

5.1.4. include information about both the purposes of the processing and the lawful basis for it in our relevant Privacy Notice(s).

5.1.5. where sensitive personal information is processed, also identify a lawful special condition for processing that information (see paragraph 6.2.2 below), and document it.

5.1.6. where criminal offence information is processed, also identify a lawful condition for processing that information, and document it.

5.2. When determining whether the Company's legitimate interests are the most appropriate basis for lawful processing, we will:

5.2.1. conduct a Legitimate Interests Assessment (LIA) and keep a record of it, to ensure that we can justify our decision.

5.2.2. if the LIA identifies a significant privacy impact, consider whether we also need to conduct a data protection impact assessment (DPIA).

5.2.3. keep the LIA under review and repeat it if circumstances change.

5.2.4. include information about our legitimate interests in our relevant Privacy Notice(s).

6. Sensitive Personal Information

6.1. Sensitive Personal Information is sometimes referred to as 'special categories of personal data' or 'sensitive personal data'.

6.2. The Company may from time to time need to process sensitive personal information. We will only process sensitive personal information if:

6.2.1. we have a lawful basis for doing so as set out in paragraph 5.1 above, e.g. it is necessary for the performance of the employment contract, to comply with the Company's legal obligations or for the purposes of the Company's legitimate interests.

6.2.2. one of the special conditions for processing sensitive personal information applies, e.g.:

- a) the data subject has given explicit consent the processing is necessary for the purposes of exercising the employment law rights or obligations of the Company or the data subject.
- b) the processing is necessary to protect the data subject's vital interests, and the data subject is physically incapable of giving consent.
- c) processing relates to personal data which are manifestly made public by the data subject.
- d) the processing is necessary for the establishment, exercise or defence of legal claims.
- e) the processing is necessary for reasons of substantial public interest.

6.3. Before processing any new sensitive personal information, staff must notify the DPO of the proposed processing, in order that the DPO may assess whether the processing complies with the criteria noted above.

6.4. Sensitive Personal Information will not be processed until:

6.4.1. the assessment referred to in paragraph 6.3 has taken place.

6.4.2. the individual has been properly informed (by way of a Privacy Notice or otherwise) of the nature of the processing, the purposes for which it is being carried out and the legal basis for it.

6.5. The Company will not carry out automated decision-making (including profiling) based on any individual's sensitive personal information.

6.6. The Company's Data Protection Privacy Notice(s) sets out the types of sensitive personal information that the Company processes, what it is used for and the lawful basis for the processing.

6.7. In relation to sensitive personal information, the Company will comply with the procedures set out in paragraphs 6.8 and 6.9 below to make sure that it complies with the data protection principles set out in paragraph **Error! Reference source not found.** above.

6.8. During the recruitment process the recruiting manager, with guidance from the DPO, will ensure that (except where the law permits otherwise):

6.8.1. during the short-listing, interview and decision-making stages, no questions are asked relating to sensitive personal information, e.g. race or ethnic origin, trade union membership or health.

6.8.2. if sensitive personal information is received, e.g. the applicant provides it without being asked for it within his or her CV or during the interview, no record is kept of it and any reference to it is immediately deleted or redacted.

6.8.3. any completed equal opportunities monitoring form is kept separate from the individual's application form, and not be seen by the person shortlisting, interviewing or making the recruitment decision.

6.8.4. Right to Work Checks are carried out before an offer of employment is made unconditional, and not during the earlier short-listing, interview or decision-making stages.

6.8.5. we will only ask health questions once an offer of employment has been made.

6.9. During employment the HR function, with guidance from the DPO, will process health information for the purposes of administering sick pay, keeping sickness absence records, monitoring staff attendance and facilitating employment-related health and sickness benefits.

7. Criminal Records information

Criminal records information will be processed in accordance with the Company's Criminal Records Information Policy.

8. Data Protection Impact Assessments (DPIA)

8.1. Where processing is likely to result in a high risk to an individual's data protection rights (e.g. where the Company is planning to use a new form of technology), we will, before commencing the processing, carry out a DPIA to assess:

8.1.1. whether the processing is necessary and proportionate in relation to its purpose.

8.1.2. the risks to individuals.

8.1.3. what measures can be put in place to address those risks and protect personal information.

8.2. Before any new form of technology is introduced, the manager responsible should therefore contact the DPO in order that a DPIA can be carried out.

8.3. During any DPIA, the employer will seek the advice of the DPO and the views of employees and any other relevant stakeholders.

9. Documentation and Records

9.1. For staff and volunteers, we will keep written records of processing activities which are high risk, i.e. which may result in a risk to individuals' rights and freedoms or involve sensitive personal information or criminal records information, including:

9.1.1. the name and details of the employer's organisation (and where applicable, of other controllers, the employer's representative and DPO).

9.1.2. the purposes of the processing.

9.1.3. a description of the categories of individuals and categories of personal data.

9.1.4. categories of recipients of personal data.

9.1.5. where possible, retention schedules.

9.1.6. where possible, a description of technical and organisational security measures.

9.2. As part of our record of processing activities we document, or link to documentation, on:

9.2.1. information required for Privacy Notice(s).

9.2.2. records of consent.

9.2.3. controller-processor contracts.

9.2.4. the location of personal information.

9.2.5. DPIAs

9.2.6. records of data breaches.

9.3. If we process sensitive personal information or criminal records information, we will keep written records of:

9.3.1. the relevant purpose(s) for which the processing takes place, including (where required) why it is necessary for that purpose.

9.3.2. the lawful basis for our processing.

9.3.3. whether we retain and erase the personal information in accordance with our policy document and, if not, the reasons for not following our policy.

9.4. We will conduct regular reviews of the personal information we process and update our documentation accordingly. This may include:

9.4.1. carrying out information audits to find out what personal information the Company holds.

9.4.2. distributing questionnaires and talking to staff across the Company to get a more complete picture of our processing activities.

9.4.3. reviewing our policies, procedures, contracts and agreements to address areas such as retention, security and data sharing.

9.5. We document our processing activities in electronic form so we can add, remove and amend information easily.

10. Privacy Notice(s)

10.1. The Company will issue Privacy Notices from time to time, informing you about the personal information that we collect and hold relating to the employee,

volunteer and those we support, how they can expect that personal information to be used and for what purposes.

10.2. We will take appropriate measures to provide information in Privacy Notice(s) in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

11. Individual Rights

11.1. Staff and service users (in common with other data subjects) have the following rights in relation to their personal information:

11.1.1. to be informed about how, why and on what basis that information is processed—see the Company’s Data Protection Privacy Notice(s).

11.1.2. to obtain confirmation that information is being processed and to obtain access to it and certain other information, by making a subject access request—see the Company’s Subject Access Request Policy.

11.1.3. to have data corrected if it is inaccurate or incomplete.

11.1.4. to have data erased if it is no longer necessary for the purpose for which it was originally collected/processed, or if there are no overriding legitimate grounds for the processing (this is sometimes known as ‘the right to be forgotten’).

11.1.5. to restrict the processing of personal information where the accuracy of the information is contested, or the processing is unlawful (but the data subject does not want the data to be erased), or, for staff and volunteers where the employer no longer needs the personal information, but they require the data to establish, exercise or defend a legal claim.

11.1.6. to restrict the processing of personal information temporarily where it is not thought accurate (and, for staff and volunteers, the employer is verifying whether it is accurate), or where staff have objected

to the processing (and the employer is considering whether the organisation's legitimate grounds override their interests).

11.2. If the data subject wishes to exercise any of their rights in paragraphs 11.1.3 to 11.1.6, they should contact the DPO.

12. Individual Obligations

12.1. Staff and volunteers are responsible for helping the Company keep their personal information up to date. Staff and volunteers should let the HR function know if the information they have provided to the Company changes, for example if they move house or change details of the bank or building society account to which they are paid.

12.2. Staff and volunteers may have access to the personal information of other members of staff, volunteers, suppliers and customers OR service users of the Company in the course of their employment or engagement. If so, the Company expects them to help meet its data protection obligations to those individuals. For example, they should be aware that they may also enjoy the rights set out in paragraph 0 above.

12.3. If staff or volunteers have access to personal information, they must:

12.3.1. only access the personal information that they have authority to access, and only for authorised purposes.

12.3.2. only allow other Company staff or volunteers to access personal information if they have appropriate authorisation.

12.3.3. only allow individuals who are not Company staff to access personal information if they have specific authority to do so from the DPO.

12.3.4. keep personal information secure (e.g. by complying with rules on access to premises, computer access, password protection and secure file storage and destruction and other precautions set out in the Company's Information Security Policy).

12.3.5. not remove personal information, or devices containing personal information (or which can be used to access it), from the Company's premises unless appropriate security measures are in place (such as pseudonymisation, encryption or password protection) to secure the information and the device.

12.3.6. not store personal information on local drives or on personal devices that are used for work purposes and comply with the Company's Portable Device Policy.

12.4. Staff and volunteers should contact the DPO if they are concerned or suspect that one of the following has taken place (or is taking place or likely to take place):

12.4.1. processing of personal data without a lawful basis for its processing or, in the case of sensitive personal information, without one of the conditions in paragraph 6.2.2 being met.

12.4.2. any data breach as set out in paragraph 0 below.

12.4.3. access to personal information without the proper authorisation.

12.4.4. personal information not kept or deleted securely.

12.4.5. removal of personal information, or devices containing personal information (or which can be used to access it), from the Company's premises without appropriate security measures being in place.

12.4.6. any other breach of this Policy or of any of the data protection principles set out in paragraph 0 above.

13. Information Security

13.1. The Company will use appropriate technical and organisational measures in accordance with the Company's Information Security policy to keep personal information secure, and to protect against unauthorised or unlawful processing and against accidental loss, destruction or damage. These may include:

- 13.1.1. making sure that, where possible, personal information is encrypted.
- 13.1.2. ensuring the ongoing confidentiality, integrity, availability and resilience of processing systems and services.
- 13.1.3. ensuring that, in the event of a physical or technical incident, availability and access to personal information can be restored in a timely manner.
- 13.1.4. a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

13.2. Where the Company uses external organisations to process personal information on its behalf, additional security arrangements need to be implemented in contracts with those organisations to safeguard the security of personal information. Contracts with external organisations must provide that:

- 13.2.1. the organisation may act only on the written instructions of the Company.
- 13.2.2. those processing the data are subject to a duty of confidence.
- 13.2.3. appropriate measures are taken to ensure the security of processing.
- 13.2.4. sub-contractors are only engaged with the prior consent of the Company and under a written contract.

13.2.5. the organisation will assist the Company in providing subject access and allowing individuals to exercise their rights under the GDPR.

13.2.6. the organisation will assist the Company in meeting its GDPR obligations in relation to the security of processing, the notification of data breaches and DPIAs

13.2.7. the organisation will delete or return all personal information to the Company as requested at the end of the contract.

13.2.8. the organisation will submit to audits and inspections, provide the Company with whatever information it needs to ensure that they are both meeting their data protection obligations, and tell the Company immediately if it is asked to do something infringing data protection law.

13.3. Before any new agreement involving the processing of personal information by an external organisation is entered into, or an existing agreement is altered, the relevant staff must seek approval of its terms by the DPO.

14. Storage and Retention of Personal Information

14.1. Personal information (and sensitive personal information) will be kept securely in accordance with the Company's Information Security Policy.

14.2. Personal information (and sensitive personal information) should not be retained for any longer than necessary. The length of time over which data should be retained will depend upon the circumstances, including the reasons why the personal information was obtained. Staff should follow the Company's Document Retention Policy which sets out the relevant retention period, or the criteria that should be used to determine the retention period. Where there is any uncertainty, staff should consult the DPO.

14.3. Personal information (and sensitive personal information) that is no longer required will be deleted permanently from our information systems and any hard copies will be destroyed securely.

15. Data Breaches

15.1. A data breach may take many different forms, for example:

- 15.1.1. loss or theft of data or equipment on which personal information is stored.
- 15.1.2. unauthorised access to or use of personal information either by a member of staff or third party.
- 15.1.3. loss of data resulting from an equipment or systems (including hardware and software) failure.
- 15.1.4. human error, such as accidental deletion or alteration of data.
- 15.1.5. unforeseen circumstances, such as a fire or flood.
- 15.1.6. deliberate attacks on IT systems, such as hacking, viruses or phishing scams.
- 15.1.7. 'blagging' offences, where information is obtained by deceiving the organisation which holds it.

15.2. The Company will:

- 15.2.1. make the required report of a data breach to the Information Commissioner's Office without undue delay and, where possible within 72 hours of becoming aware of it, if it is likely to result in a risk to the rights and freedoms of individuals.
- 15.2.2. notify the affected individuals, if a data breach is likely to result in a high risk to their rights and freedoms and notification is required by law.

16. International Transfers

The Company may transfer personal information outside the European Economic Area (EEA) where we use cloud based hosted services, but only on the basis that the receiving organisation is designated as having an adequate level of protection and compliance with GDPR.

17. Training

The Company will ensure that staff and volunteers are adequately trained regarding their data protection responsibilities. Individuals whose roles require regular access to personal information, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.

18. Consequences of Failing to Comply

18.1. The Company takes compliance with this policy very seriously. Failure to comply with the policy:

18.1.1. puts at risk the individuals whose personal information is being processed; and

18.1.2. carries the risk of significant civil and criminal sanctions for the individual and the Company.

18.1.3. may, in some circumstances, amount to a criminal offence by the individual.

18.2. Because of the importance of this policy, an employee's failure to comply with any requirement of it may lead to disciplinary action under our procedures, and this action may result in dismissal for gross misconduct. If a non-employee breaches this policy, they may have their contract terminated with immediate effect.

18.3. If any staff member or volunteer has any questions or concerns about anything in this policy, they should not hesitate to contact the DPO.

19. Acceptance

I have read and understood the Data Protection Policy 2025 and agree to abide by its terms.

Name.....

Signed.....

Date.....