



Breedon Parish Hall
Registered Charity 1203242

Data Protection Policy

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3. Introduction

The Management Committee are committed to a policy of protecting the rights and privacy of individuals. To manage the work and activities of The Breedon Parish Hall, the management committee will be required to collect and use certain types of personal information. This data must be collected and handled securely in accordance with the Data Protection Act (DPA) and General Data Protection Regulations (GDPR).

[The Data Protection Act 1998 \(DPA\)](#) and the [General Data Protection Regulations \(GDPR\)](#) govern the use of information about people (personal data). Personal data can be held on computers, laptops, and mobile devices, or in a manual file, and includes emails, minutes of meetings and photographs.

The charity will remain the data controller for the information held. The trustees, staff and volunteers are personally responsible for processing and using personal information in accordance with the [Data Protection Act and GDPR](#). Trustee's, staff, and volunteers who have access to personal information will therefore be expected to read and comply with this policy.

This document aims to help you understand the complaints procedure managed by Breedon Parish Hall Management Committee.

4. Purpose

The purpose of this policy is to set out the Breedon Parish Hall commitment and procedures for protecting personal data. Trustees regard 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. We recognise the risks to individuals of identity theft and financial loss if personal data is lost or stolen.

Definitions of Terms Used

Data Controller – the trustees who collectively decide what personal information Breedon Parish Village Hall will hold and how it will be held or used.

Act – means the [Data Protection Act 1998](#) and [General Data Protection Regulations](#) – the legislation that requires responsible behaviour by those using personal information.

Data Subject – the individual whose personal information is being held or processed by Breedon Parish Hall, for example a hirer.

'Explicit' consent – is a freely given, specific agreement by a Data Subject to the processing of personal information about her/him.

Explicit consent is needed for processing “sensitive data” which includes:

- Racial or ethnic origin of the data subject
- Political opinions
- Religious beliefs or other beliefs or a similar nature
- Trade union membership
- Physical or mental health or condition
- Sexual orientation
- Criminal record
- Proceedings for any offence committed or alleged to have been committed.

[Information Commissioner's Office \(ICO\)](#) – the ICO is responsible for implementing and overseeing the [Data Protection Act 1998](#).

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, addresses, 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.

5. Data Protection Act

5.1 All complaints should be sent to the Secretary, Breedon Parish Hall Committee, who will address the issue and respond in writing. If you are not happy with the response, then you will be invited to address your complaint to the whole committee, via the Chairman, who will look at your concerns, consider the issues and what actions were offered by the Secretary. The committee will then decide on any further actions necessary.

We will take every complaint seriously and we will treat everyone who complains with respect and courtesy.

This contains 8 principles for the processing of personal data (PD) with which we must 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 the Act, 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 the 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 information.
8. 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 information.

5.2 Applying the Data Protection Act within the charity

The Management Committee will let people know why we are collecting their data, which is for the lawful purpose of managing Breedon Parish Hall, its hiring, marketing, publicity for events, fundraising and finances. It is our responsibility to ensure PD is only used for this purpose unless specific consent is given, or the PD is already in the public domain. Access to personal information will be limited to trustees, staff, and volunteers.

Where individuals need to be identified in public documents e.g., minutes and harm may result, initials rather than full names will normally be used.

Correcting data

Individuals have a right to make a [Subject Access Request \(SAR\)](#) to find out whether the charity holds their personal data, where, what it is used for and to have data corrected if it is wrong, to prevent use which is causing damage or distress, or to stop marketing information being sent to them. Any SAR must be dealt with within 30 days. Steps must be first taken to confirm the identity of the individual before providing information, requiring both photo identification e.g., passport and confirmation of address e.g., recent utility bill, bank or credit card statement.

Any concerns about complying with a SAR need to be discussed promptly with Breedon Parish Hall Management Committee or with the [ICO](#), e.g., if it is manifestly unfactual or excessive.

Responsibilities

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

The management committee will take into account legal requirements and ensure that it is properly implemented, and will, through appropriate management and strict application of criteria and controls:

- a) Collect and use information fairly.
- b) Specify the purposes for which information is used.
- c) 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.
- d) Ensure the quality of information used.
- e) Ensure the rights of people about whom information is held, can be exercised under the Act.

These include:

- The right to be informed that processing is 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.

All trustees, staff and volunteers are aware that a breach of the rules and procedures identified in this policy may lead to action being taken against them.

The Management Committee will ensure that:

- a) Everyone processing personal information understands that they are contractually responsible for following good data protection practice.
- b) Everyone processing personal information is appropriately trained to do so.
- c) Any enquires about handling personal data are dealt with promptly and courteously.
- d) The way personal data is held, managed, and used is reviewed and audited on a regular basis.
- e) This policy is updated as necessary to reflect best practise in data management, security, and control and to ensure compliance with any changes or amendments made to the [Data Protection Act 1998](#).

Procedures for Handling Data & Data Security

The Breedon Parish Hall Management Committee has a duty to ensure that appropriate technical and organisational measures and training are taken to prevent:

- Unauthorised or unlawful processing of personal data.
- Unauthorised disclosure of personal data.
- Accidental loss or personal data.

All trustees, staff and volunteers must therefore ensure that personal data is dealt with properly no matter how it is collected, recorded, or used. This applies whether or not the information is held on paper, in a computer or recorded by some other means e.g., tablet or mobile phone.

Personal data relates to data of living individuals who can be identified from that data and use of that data could cause an individual damage or distress. This does not mean that mentioning someone's name in a document

compromises personal data; however, combining various data elements such as a person's name and salary or religious beliefs etc. would be classed as personal data, and falls within the scope of the DPA. It is therefore important that all staff consider any information (which is not otherwise in the public domain) that can be used to identify an individual as personal data.

Operational Guidance

Email:

All trustees, staff and volunteers should consider whether an email (both incoming and outgoing) will need to be kept as an official record. If the email needs to be retained, it should be saved into the appropriate folder or printed and stored securely.

Emails that contain personal information no longer required for operational use, should be deleted from the personal mailbox and any "deleted items" box.

Where someone not a trustee, employee or contractor needs to be copied into an email e.g., a wider circulation list for an upcoming event, we encourage the use of bcc instead of cc, so as to avoid their personal information being shared through forwarding.

Telephone Calls:

Telephone calls can lead to unauthorised use or disclosure of personal information and the following precautions should be taken:

- Personal information should not be given out over the telephone unless you have no doubts as to the caller's identity and the information requested is innocuous.
- If you have any doubts, ask the caller to put their enquiry in writing.
- If you receive a phone call asking for personal information to be checked or confirmed be aware that the call may come from someone impersonating someone with a right of access.

Laptops and Portable devices:

All laptops and portable devices that hold data containing personal information must be protected with a suitable password which is changed regularly. Where sensitive data or financial information is held an encryption programme should be used.

Ensure the laptop is locked (password protected) when not in use, left unattended and not left in clear view within a vehicle or unattended in any public venue such as a restaurant or bar.

Data Security and Storage:

Store as little personal information as possible relating to The Breedon Parish Hall on your computer or laptop; only keep those files that are essential. Personal data received on disk or memory stick should be saved to the relevant file on the server or laptop. The disk or memory stick should be securely returned (if applicable), safely stored or wiped and securely disposed of.

Passwords:

Do not use passwords that are easy to guess. Passwords should contain both upper and lower-case letters and preferably contain some numbers. Ideally passwords should be 6 characters or more in length.

- Do not give out your password.

- Do not write your password somewhere on your laptop.
- Do not keep it written on something stored in the laptop case.

Data Storage:

Personal data will be stored securely and will only be accessible to authorised volunteers or staff.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately. For financial records this will be up to 7 years. For employee records see below. Archival material such as minutes and legal documents will be stored indefinitely. Other correspondence and emails will be disposed of when no longer required or when trustees, staff or volunteers retire.

All personal data held for the organisation must be non-recoverable from any computer which has been passed on/sold to a third party.

Information regarding employees or former employees:

Information regarding an employee or a former employee, will be kept indefinitely. If something occurs years later it might be necessary to refer back to a job application or other document to check what was discovered earlier, in order that trustees comply with their obligations e.g., regarding employment law, taxation, pensions or insurance.

Photographs:

The Breedon Parish Hall may use general photographs of events with groups of adults at the hall for publicity purposes in accordance with its lawful basis for using personal information/data. Photos of children must not be used without written consent of the parent or guardian. However, The Breedon Parish Hall is aware that for some individuals publicising their location could place them or their families at risk. Consequently at large events at which publicity photos may be taken a notice should be posted at the entrance, or an announcement made, providing opportunity for people to refuse taking part in publicity photographs. At small events the consent of individuals (verbal) should be obtained if their image will be clearly identifiable. Hirers are encouraged to comply with this policy.

Data Subject Access Requests:

We may occasionally need to share data with other agencies such as the local authority, funding bodies and other voluntary agencies in circumstances which are not in furtherance of the management of the charity. The circumstances where the law allows the charity to disclose data (including sensitive data) without the data subject's consent are:

- a) Carrying out a legal duty or as authorised by the Secretary of State Protecting vital interests of a Data Subject or other person e.g., child protection.
- b) The Data Subject has already made the information public.
- c) Conducting any legal proceedings, obtaining legal advice, or defending any legal rights.
- d) Monitoring for equal opportunities purposes – i.e., race, disability or religion.

We regard 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. If an agency asks for personal data not in compliance with one of the above e.g., to obtain information about improving a service a consent form will need to be issued to the data subjects asking for their consent to pass on their personal data.

We intend to ensure that personal information is treated lawfully and correctly.

5.3. Closed Circuit Television (CCTV):

The Breedon Parish Hall Management Committee has installed a CCTV surveillance system for the prevention, identification and reduction of crime and to monitor the building in order to provide a safe and secure environment for Parish hall users and to prevent the loss of or damage to contents and property.

The CCTV system is owned by the Breedon Parish Hall Management Committee who are the system operator, and data controller, for the images produced by the CCTV system, and are registered with the Information Commissioner's Office.

The CCTV system is capable of being monitored 24 hours a day, every day of the year with images retained, unless for evidentiary purposes, for 20 days on a digital recorder securely stored in the Audio Visual storage area where images can be viewed.

- There is no Cloud-based storage.
- There is no covert surveillance.
- Facial recognition software is not used.
- CCTV is not suitable or used for the live streaming of services.

There are 3 cameras, appropriate warning signs situated near each camera.

Applications for disclosure of images:

- Requests by individual data subjects for images relating to themselves via a Subject Access Request should be submitted to the Breedon Parish Hall Management Committee together with proof of identification.
- In order to locate the images on the system sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.
- Where the Breedon Parish Hall Committee is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.
- A request for images made by a third party should be made to the Breedon Parish Hall Management Committee.
- In limited circumstances it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption applies under relevant legislation.
- Where information is disclosed, the disclosing officer must ensure information is transferred securely
- Images may be released to the media for purposes of identification. Any such decision to disclose will be taken in conjunction with the Police and/or other relevant law enforcement agencies.

5.4 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. Trustees, staff, and 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 the charity is not damaged through inappropriate or unauthorised access and sharing.

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Appendix

Resources

[Data Protection Act 1998 \(legislation.gov.uk\)](https://legislation.gov.uk)

[Data protection: The Data Protection Act - GOV.UK \(www.gov.uk\)](https://www.gov.uk): GDPR

[Information Commissioner's Office \(ICO\)](https://ico.org.uk)

[Subject Access Request \(SAR\)](https://ico.org.uk)