

Pudsey Community Project Data Policy

January 2024

Data security and confidentiality are key priorities for any organisation working with vulnerable people and valuing people's privacy and autonomy. As a charity we aim to act responsibly and according to the law in all aspects of handling data within and external to our organisation.

Part 1 includes our standard practice for working with data and confidentiality.

Part 2 is our PCP Confidentiality Policy for staff and volunteers.

Part 3 is the PCP Data Protection Policy (Privacy Statement) which clarifies the legal basis on which we process and hold data according to GDPR.

Part 4 is the PCP Retention of Records Policy.

Pudsey Community Project Data Policy Part 1

Recommendations for Standard Practice for working with data and confidentiality:

- **All computers to use antivirus software set on auto-update.**
- **Auto-updates to be operating for all browsers and operating systems.**
- **Strong passwords to be used for all accounts where possible.**
- **Strong passwords to be used on private wifi.**
- **Separate public network wifi to be available for guests.**
- **Use password managers where possible and do not reuse passwords.**
- **Refer to disposal policy for data – paper or electronic.**
- **Use encrypted laptop hard drives.**
- **Encrypt USB drives and do not use random drives.**
- **Offer staff training on information security and data protection.**

Pudsey Community Project Data Policy Part 2

PCP Confidentiality Policy

The confidentiality policy sets out the charity's practices and procedures on the disclosure of information. The policy must be observed by all who work or volunteer at Pudsey Community Project and have access to person-identifiable information or other confidential information. It must be read in conjunction with our Safeguarding Policy, especially in regard to the disclosure of information with regard to people in danger or potentially being abused, and in conjunction with the Data Protection (Privacy) Policy.

Introduction

This policy applies to all staff, trustees and volunteers of Pudsey Community Project. The data covered by the confidentiality policy includes:

- Information about the charity, e.g. its plans or finances.
- Information about individuals, e.g. clients, volunteers and staff whether recorded electronically or in paper form.
- Information about other organisations.

Reasons for this Policy:

- To protect the interests of our clients, staff, volunteers and other stakeholders.
- To ensure all clients have trust and confidence in the charity and that their dignity is respected.
- To protect the charity, its trustees, staff and volunteers.
- To comply with data protection law.

Meaning of confidentiality:

- All personal information about staff, volunteers, clients, their carers and families should be treated as confidential.
- All information about the activities and business of the charity and other stakeholders should be treated as confidential.
- Under no circumstances should staff and volunteers share personal or other confidential information with their own partners, family or friends.

Information about individuals

Pudsey Community Project is committed to ensuring confidential services to all clients and will seek to ensure that:

- All personal information will be treated as confidential. Information will only be collected that is necessary and relevant to the work in hand. It will be stored securely, accessible only on a need to know basis to those members of staff and volunteers duly authorised. The retention periods of personal information is covered in the retention section of the Data Protection Policy which should be read in conjunction with this policy.

We share information with other agencies only under the following circumstances:

- to ensure the safety and welfare of the service user.
- where such information is relevant to the arrangements and specific requirements of the service user including verification of need or circumstances.
- where such information is required to ensure the safety and welfare of the persons concerned in the care of the service user.
- To protect the safety and welfare of a child or other adult who may be at risk within the household.

Where consent is not given for the charity to record and store basic information about the service user it is possible that a service will not be able to be provided.

Where consent is not given for the charity to share information externally a service will be provided and information shared only where there are immediate concerns about potential abuse or physical harm or where an indictable offence may have been committed. In such cases agreement will be sought from the CEO or in their absence the project manager to share information with relevant agencies.

All information stored in our database will be kept secure and treated as confidential.

Paper records will be kept in a locked cabinet with restricted access

Signed consent forms will be stored on the client's record.

All clients are made aware of their right of access to their records.

Every effort will be made to ensure the physical environment in which face to face discussions and telephone conversations take place does not compromise user confidentiality.

Clients will be made aware of their right to complain if they feel confidentiality has been breached.

Other Information

In the course of their work with Pudsey Community Project, staff, trustees and volunteers may be privy to information about the business and other activities of the charity or of other organisations or stakeholders which should remain confidential and not be shared with others, including colleagues.

Situations in which confidentiality will need to be broken:

It is the responsibility of all staff and volunteers to ensure that any concerns arising from situations they observe, allegations (reports from third parties) or disclosures (reports from someone about themselves) relating to potential abuse or where an indictable offence may have been committed, are reported to their line manager even if they are unsure whether the concern is justified. It is not a breach of confidentiality to pass this concern on to an appropriate member of staff.

Please refer to the Safeguarding Policy.

Breach of Confidentiality

Breaches of confidentiality will be dealt with through the Charity's staff and volunteer disciplinary procedures as appropriate. Staff or volunteers should notify any potential breach, or risk of breach, to their line manager or a senior manager without delay; so that steps can be taken to remedy the situation.

5 Glossary

Personal Information: By personal information we mean both:

- (a) The data protection definition which is any information which enables a living person to be identified (eg name, address, phone number, email address, nhs number etc or **Special Categories of Personal Data** which requires the individual's explicit consent for it to be held by the charity, eg ethnicity, sexual life, political interests, religious beliefs, trade union affiliations etc. And
- (b) Information, written or verbal, about a client that relates to their health, circumstances, family or experiences that is either provided to you for context so that you can provide a personalised service and/or information you glean directly as a result of your contact with the client.

This Confidentiality Policy is the version reviewed in January 2024.

Pudsey Community Project Data Policy Part 3 PCP GDPR Data Protection (Privacy) Policy

DATA PRIVACY NOTICE

Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

Who are we?

The Board of Trustees of Pudsey Community Project is the data controller. This means it decides how your personal data is processed and for what purposes.

How do we process your personal data?

The Board of Trustees of Pudsey Community Project complies with its obligations under the GDPR by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

To enable us to provide a charitable voluntary service for the benefit of the public in a particular geographical area as specified in our governing documents;
To administer membership records;
To fundraise and promote the interests of the charity;
To manage our employees and volunteers;
To maintain our own accounts and records (including the processing of gift aid applications);
To inform you of news, events, activities and services running at Pudsey Community Project.

What is the legal basis for processing your personal data?

Explicit consent of the data subject so that we can keep you informed about news, events, activities and services and keep you informed about diocesan events.

Processing is necessary for carrying out legal obligations in relation to Gift Aid or under employment, social security or social protection law, or a collective agreement;

Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided: -

- o the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and
- o there is no disclosure to a third party without consent.

Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared with staff and necessary volunteers of the Project in order to carry out our services for purposes connected with the Project. We will only share your data with third parties outside of the Project with your consent.

How long do we keep your personal data?

We keep data in accordance with the guidance set out in GDPR best practice. We retain data while it is still at all current to a maximum of 6 years after last usage; gift aid declarations and associated paperwork for up to 6 years after the calendar year to which they relate; legal/safeguarding records permanently.

Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

The right to request a copy of your personal data which the Board of Trustees of Pudsey Community Project holds about you;

The right to request that the Board of Trustees of Pudsey Community Project corrects any personal data if it is found to be inaccurate or out of date;

The right to request your personal data is erased where it is no longer necessary for the Board of Trustees of Pudsey Community Project to retain such data;

The right to withdraw your consent to the processing at any time

The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable) [Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means].

The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;

The right to object to the processing of personal data, (where applicable) [Only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics]

The right to lodge a complaint with the Information Commissioners Office.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Contact Details

To exercise all relevant rights, queries of complaints please in the first instance contact the Project at office@pudseycommunity.org.uk.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/or> at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

This Data Privacy Notice is the version reviewed in January 2024.

Pudsey Community Project Data Policy Part 4

PCP Retention of Records Policy

1 Introduction

1.1 This Retention of Records Policy has been approved by the Board of Trustees (the Trustees) of Pudsey Community Project.

1.2 The Retention of Records Policy will enable the charity to comply with the requirements of data protection legislation. Furthermore, this policy will enable the charity to manage and track documents and assist in providing openness and transparency to the public.

1.3 The Retention of Records Policy is required to support the organised creation, retrieval, appropriate storage and preservation of the charity's operational records. In addition, it is essential to support the appropriate disposal of documents with no continuing business, legal or historical significance.

1.4 As a charity, the actual period for records to be kept will depend on a number of factors, including but not necessarily limited to:

- legal requirements;
- storage costs;
- the charity's need to access the document;
- historical value;
- industry standards or best practice;
- archival needs (permanent preservation);
- decision by senior management (in the absence of guidance on the above).

2 Scope of the Policy

2.1 This policy encompasses:

- records created by or on behalf of the charity and staff in their duties for the charity;
- records received by any member of staff in the charity;
- hard copy and electronic records including but not necessarily limited to internet and intranet sites, databases, emails and videos.

3 Data Protection

3.1 This policy will ensure that the charity is complying with applicable data protection legislation, which requires that we do not retain personal data for longer than is necessary

3.2 To comply with the principles of data protection legislation, the charity must:

- only keep information for as long as there is a business need;
- keep records secure, whether electronic or paper;
- ensure records are retrievable and easily traced;
- allow a person access to information held about them, should they request it.

3.3 It follows that the charity must:

- destroy papers and electronic data for which there is no continuing business need and send papers that cannot be destroyed to archive for as short a time as possible;
- keep data secure while it remains in any office;
- keep track of where information is stored;
- continue to apply these good practices to avoid stockpiling papers in the future.

4 Policy

4.1 All records created by or on behalf of the charity belong to the charity. This includes any rights or copyright in the context, except where specifically provided under copyright legislation.

4.2 All records received on behalf of the charity as part of its business will be its property, which may be disposed of or released as the charity sees fit or as required by law. Originators' and owners' rights will be fully respected in accordance with legislation.

4.3 Responsibility for depositing and disposing of archive records lies with the Trustees and Staff as the information asset owner. It is their responsibility to ensure that complete and accurate records are retained in line with legislative requirements and agreed best practice.

Responsibility for managing and tracking records lies with the relevant staff member who:

- Will determine if a file is no longer required for current business usage, which can then be added to the archive.
- May choose to retain records for longer than the indicative periods given in the retention schedule, for example, if they consider records to be of significant historical value or if the issue they are concerned remains 'live'.

5. Record Keeping

Records will be reviewed against the record retention schedule on an annual basis. Records that have passed their retention period and have no current ad-hoc requirement to retain the information (e.g. current or pending legal action or complaint) will be presented to their information asset owner for confirmation that disposal should be undertaken. A record will be maintained documenting, as a minimum, the record type, name of the record, any further metadata that will enable subsequent identification of the record being disposed (e.g. date range); date of disposal, authorising officer name and role.

6. Secure Disposal

All deleted records will be disposed of in a secure manner. In the case of paper records, these will be shredded and all information passed through confidential waste, which is then disposed of in a confidential manner. No shredded paper records will be passed through the general paper disposal process. In relation to electronic records these will be irretrievably deleted.

RETENTION SCHEDULE

| Type of Information | Retention Period |
|---|---|
| Information connected to donations not including those who have expressed interest in leaving a gift to PCP | Retained for 10 years from the donor's last gift |
| Supporter Personal Information | Retained for 10 years from the donor's last gift |
| Name and address of people who have asked not to be contacted again | Retained for 6 years |
| Records of Donors expressed interest in leaving a gift in their Will to PCP | Retained until they expressly state they will not be leaving such a gift and are also not actively giving/engaging with the charity in other ways, OR until 7 full financial years have elapsed from our notification of their death. |
| Information required for purpose of legacy gift administration | Retained for 7 years after the date the file was closed and 12 years after the date the file was closed for any disputed legacies. Will Trust files remain open until all of the income distributions have been received, and then will be deleted 7 years after closing of the file. |
| Grants Casework and Beneficiary | Data reviewed after 3 years. Information connected to beneficiaries retained for a maximum of 5 years after the end of service delivery relationship. |
| Gift Aid records | Retained for 6 years from donor's last gift |

This Retention of Records Policy is the version reviewed in January 2024.