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| Your group name/logo.  Data Protection Policy  Registration number/charity number |
| This policy and guidance will be reviewed annually or if there are any changes in the related legislation or when an incident dictates.  This will ensure that this document is current and fit for purpose.   1. ***These documents, templates and policies are for advice and support purposes only.*** 2. ***You may edit and amend the documents to render them suitable for your group purposes.*** 3. ***You must not sell or re-distribute any documents or derivatives thereof.*** |
| This Policy was approved by (named person within your organisation) |
| Date of implementation |

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**DATA PROTECTION**

It should be noted that any group working one to one with guests/service users should ONLY keep documents or information in written format IF the group can comply with current government regulations including the use of lockable file systems and data encryption are in place.

1. **Introduction, legal responsibilities and policies.**
   1. **The Data Protection Act 1998** regulates the processing of information relating to individuals.  This includes the obtaining, holding, using or disclosing of such information (see confidentiality policy template also) and covers computerised records as well as manual filing systems and card indexes.

1.2.   If your group name needs to collect and use certain types of information about people with whom it deals in order to operate.  These include current and past information.  In addition it **MUST** comply with the requirements of Government departments/agencies.

1.3.  This personal information must be dealt with appropriately, however it is collected, recorded and used – whether on paper, computer, or recorded on other material – and there are safeguards to ensure this in the Data Protection Act 1998.

1.4.   Your group name regards the lawful and correct treatment of personal information as very important to the success of the group/charity and to maintaining confidence between those with whom we deal and ourselves.  We will ensure your group name treats personal information lawfully and correctly.

1.5.   Your group name fully endorses and adheres to the Principles of Data Protection as laid down in the Data Protection Act 1998.

1.6.   The Principles require that personal information:

* Shall be processed fairly and lawfully and in particular shall not be processed unless specific conditions are met;
* Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
* Shall be accurate and, where necessary, kept up to date;
* Shall not be kept for longer than is necessary for that purpose or those  purposes;
* Shall be processed in accordance with the rights of data subjects under the Act;
* Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
* 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 data.

1.7.   Therefore your group name will, through appropriate management, ensure strict application of criteria and controls:

* Observe fully the conditions regarding to the fair collection and use of information;
* Obtain signed declaration and permission from each individual that any volunteer is working with on a one to one basis of support before collating any information or data;
* Meet our 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 operational needs or to comply with any legal requirements;
* Ensure the quality of information used;
* Apply strict checks to determine the length of time information is held.

1.8.   Your group name will ensure that the rights of individuals about whom information is held are able to be fully exercised under the Act – the right to:

* be informed that processing is being undertaken;
* access their personal information;
* prevent processing in certain circumstances;
* correct, rectify, block or erase information which is regarded as wrong information;
* Take appropriate technical and organisational security measures to safeguard personal information.
  1. Your group name may process sensitive information about a person’s health, disabilities, criminal convictions, race or ethnic origin, in pursuit of the legitimate interests of the business and to protect the health and safety of the individual, as appropriate.

1.10.   In addition, your group name will ensure that:

·        There is an identified person with specific responsibility for data protection in the organisation

    Name………………………………………. Role………………………………………

* Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
* Everyone managing and handling personal information is appropriately trained to do so;
* Queries about handling personal information are promptly and courteously dealt with;
* Methods of handling personal information are clearly described.

1. **Responsibilities**

2.1.The responsibility to apply the provisions of the Data Protection Act rests with the individual collectors, keepers and users of personal data. Any breach of the Data Protection Policy, whether deliberate or through negligence, may lead to disciplinary action being taken or criminal prosecution.

2.2.Employees/volunteers’ should ensure that:

* + - All personal information is kept securely;
    - Personal information is not disclosed either **verbally or in writing**, accidentally or otherwise, to any unauthorised third party and this includes the use of any social networking sites;
    - Personal information provided to the business is accurate and up-to-date.

1. **Procedures**

3.1.   **Subject Consent**

3.1.1.The consent of the data subject will always be sought prior to the collection of any sensitive data as defined by the Act.

3.1.2.In some cases, such as the handling of sensitive information or the processing of research data. Your group name is entitled to process sensitive personal data **only** with the consent of the individual in writing and signed.

3.2.   **Retention of data**

3.2.1.Your group name will keep different types of information for differing lengths of time, depending on legal and operational requirements. This must be legally adhered too.

3.3.   **Compliance**

3.3.1.Compliance with the Act is the responsibility of all employees/volunteers. Any questions or concerns about the interpretation or operation of this policy should be taken up with the line manager/group leader.

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| Name | Signed | Date |
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