



Title	GDPR
pages	4
Date ratified by trust	11/4/2019
Date to be reviewed	March 2020

GDPR Policy and Code of Behaviour

All members of staff, trust members, volunteers or associates will be made aware that this policy exists, what it aims to achieve and the steps that will be taken to achieve those aims.

This policy will also be drawn to the attention of funding agencies, stakeholders, customers, learners, and job applicants.

We acknowledge that all adults have the right to privacy and will abide by the current laws

The General Data Protection Regulation (GDPR) legislation came into force in the UK on 25 May 2018. It is known as the Data Protection Act 2018.

Key Terms

Data controller

- This is the owner and user of the gathered personal data. This is anybody gathering and retaining personal data. **In this case it is Par Bay Community Trust**

Data processor

- This is a company or individual who processes the information on behalf of the data controller.

They should ensure that they:

- Keep updated on data privacy legislation and any changes
- Inform the organisation and staff of updates to data privacy legislation
- Assess risk for any significant projects/changes that may require Data Privacy Impact Assessments (DPIA)

Data subject

This is an individual, these could be trust members, young people, adult volunteers, and any staff employed locally.

Personal data

- Any information that can be used to identify an individual. This information could be names, addresses, telephone numbers or more sensitive information such as religion, ethnicity and disabilities
- Data subjects have the right to object to how you process their personal information.
- They also have the right to access, correct, sometimes delete and restrict the personal information you use. In addition,
- They have a right to complain to you and to the [Information Commissioner's Office \(ICO\)](#).

Why do we need information?

Before collecting any data on an individual, we need to remember the 6 principles of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA)

- **Lawfulness, fairness and transparency** – Explain to the data subject why you ask for the information and show what you intend to do with for a lawful reason.
- **Purpose limitation** – Ensure the data collected for the reason you need it is only used for that purpose.
- **Data minimisation** – Only collect the information you actually need for your lawful purpose.
- **Accuracy** – Make sure the data you collect can be kept up to date and accurate.
- **Storage Limitation** – Do only keep the data for the length of time you actually need it.
- **Integrity and confidentiality** – Keep the data you collect safe and secure.

Lawful processing

- The justified reason for holding and processing personal data, such as it being necessary to contact people.

Subject Access Request (SAR)

- This is a request from an individual to **Par Bay Community Trust** to find out what information you hold on them.
- In the event that a member asks for their data to be deleted, updated or disclosed, the data controller has 30 days to complete the request if it is not deemed excessive.

Data breach

- It may occur that personal data is disclosed externally accidentally or removed from Par Bay Community Trust via malicious means.
- Everybody may exercise the rights they have over their data.

What does this mean for GDPR?

In the event of a breach, via malicious means or through accidental disclosure, the data controller is obligated to do the following:

- remediate the breach
- report the breach to the data subject if deemed severe enough
- report the breach to the ICO if deemed serious enough and within 72 hours of becoming aware of the breach

A breach response template is attached

Review

Par Bay Community Trust will review the operation of the policy, with adequate consultation of staff on a regular basis and report the outcomes of the review to the Board of Trustees.

These examples are scenarios that may exist, and have been used to demonstrate some of the key terms in action:

Marketing

Advertising for new members could include: events, email campaigns, canvassing.

What does this mean for GDPR?

It needs to be clear who you are marketing to and the lawful processing you are using as grounds to contact them. This needs to be evidenced as either:

consent – they opted-in

non-digital – physical event/canvassing

legitimate interest – your use of the data is necessary and is not overridden by their interests or fundamental rights. On balance, it's more positive for them than negative.

Information Forms [if used]

We capture information about a person, this could be via:

email

web form

paper form

What does this mean for GDPR?

Their data will be stored in a filing system such as excel sheets on local laptops, online record keeping systems and/or paper based records.

The form must state:

The purpose - What you are going to do with the form and the data.

Timeframe - How long you will hold onto the data (delete or securely destroy when no longer required).

During this period you need to consider:

Third party processors that are holding data on your behalf, such as online record keeping systems or cloud storage systems.

Accuracy of date. Is it kept up-to-date?

Data flows i.e. where, how and who is the data passed to.

It only includes what you need

Special care taken in storing

Communications

What does this mean for GDPR?

Communication is essential for the effective operation of Par Bay Community Trust

The GDPR recognizes these types of communications and categorises them as necessary to fulfil your role.

However, this communication should only be for the purposes of the Par Bay Community Trust and not for further advertising.

Leaving

What does this mean for GDPR?

If at any time a person wishes to leave Par Bay Community Trust, their data should be deleted fully if not required for further purposes.

All personal data should have a defined and appropriate retention period.

Breach response template

NAME & ADDRESS	
Executive Committee details	

Notice of personal data breach

Date of breach	
Breach description	
Breach effect	
Number of data subjects affected	
Personal data affected	
Number of personal data records affected	
Likely consequences of the breach	
Remedial action taken	
Date of remediation	

SIGNED	
NAME AND TITLE	