



Registered Charity Number 1148252

MOOR POOL HERITAGE TRUST DATA PROTECTION POLICY

Key Details

- Policy prepared by: Barbara Nomikos
- Approved by MPHT Trustees: / /
- Policy became operational on: / /
- Next review date: / /

Introduction

Moor Pool Heritage Trust is committed to a policy of protecting the rights and privacy of individuals. We need to collect and use certain types of personal data in order to carry on our work of managing Moor Pool Hall & Assets. This personal information must be collected and handled securely.

The Data Protection Act 1998 (DPA) and 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 email, 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. Trustees, staff, volunteers and affiliated committees who have access to personal information will therefore be expected to read and comply with this policy.

Why this policy exists

The purpose of this policy is to set out the Moor Pool Heritage Trust's commitment and procedures for protecting personal data. 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. We recognise the risks to individuals of identity theft and financial loss if personal data is lost or stolen.

This data protection policy ensures MPHT:

- Complies with data protection law and follows good practice
- Protects the rights of staff, customers, hirers, hall users, volunteers and anyone whose personal data we process
- Is open about how it stores and processes individuals' data
- Protects itself from the risk of data breach

The following are definitions of the terms used:

Data Controller - the MPHT manager and Trustees who collectively decide what personal information Moor Pool Heritage Trust will hold and how it will be held or used.

Act means the Data Protection Act 1998 and General Data Protection Regulation 2018 - the legislation that requires responsible behaviour by those using personal information.

Data Protection Officer (DPO) - the person responsible for ensuring that Moor Pool Heritage Trust follows its data protection policy and complies with the Act.

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 volunteer

Data Subject - the individual whose personal information is being held or processed by Moor Pool Heritage Trust. For example, this includes members, hirers, volunteers, supporters, allotment/ garage holders.

'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:

- a. Racial or ethnic origin of the data subject
- b. Political opinions
- c. Religious beliefs or other beliefs of a similar nature
- d. Trade union membership e. Physical or mental health or condition
- f. Sexual orientation
- g. Criminal record
- h. 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

Data Protection Law

The Data Protection Act and GDPR 2018 describes how organisations – including MPHT – must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by six important principles. These say that personal data must:

1. *Be processed lawfully, fairly and in a transparent manner* in relation to individuals
2. *Be collected for specified, explicit and legitimate purposes* and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public

interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes

3. *Be adequate, relevant and limited to what is necessary* in relation to the purpose for which they are processed
4. *Be accurate and where necessary, kept up to date*; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
5. *Be kept in a form which permits identification of data subjects for no longer than is necessary* for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals
6. *Processed in a manner that ensures appropriate security* of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The controller shall be responsible for, and able to demonstrate, compliance with the principles.

People, risks and responsibilities

Policy Scope

This policy applies to:

- MPHT
- All staff, trustees and volunteers
- All contractors, suppliers and other people working on behalf of MPHT
- All hirers and users of the community facilities and assets

It applies to all data that MPHT holds relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act / GDPR 2018. This can include

- Names of individuals
- Postal addresses
- Email addresses
- Telephone numbers
- Any other information relating to individuals

Applying The Data Protection Act within the charity

We will let people know why we are collecting their data, which is for the purpose of Moor Pool Heritage Trust, its hires and finances. It is our responsibility to ensure the data is only used for this purpose. Access to personal information will be limited to trustees, staff and volunteers.

Data protection risks

This policy helps protect MPHT from some very real security risks, including:

- Breaches of confidentiality. For instance, information being given out inappropriately.
- Failing to offer choice. For instance, all individuals should be free to choose how MPHT uses data relating to them.
- Reputational damage. For instance, MPHT could suffer if hackers successfully gained access to sensitive data.

We are committed to ensuring that we comply with the eight data protection principles outlined in the Data Protection Policy 1998 and GDPR 2018. Its purpose is to protect the rights of individuals and ensure that personal data is not processed or shared without their knowledge or consent.

Responsibilities

Everyone who works for or with MPHT has some responsibility for ensuring data is collected, stored and handled appropriately.

These people have key areas of responsibility:

-The Board of Trustees is ultimately responsible for ensuring MPHT meets its legal obligations.

-The Hall & Assets Manager is responsible for

- Keeping the board updated about data protection responsibilities, risks and issues
- Reviewing all data protection procedures and related policies
- Arranging data protection advice for the people covered by this policy
- Handling data protection queries from staff and anyone else covered by the policy
- Dealing with requests from individuals to see the data MPHT holds about them

Data Protection Principles

1. ***Be processed lawfully, fairly and in a transparent manner in relation to individuals***

- MPHT will ensure that all data processed must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests.
- All data subjects will be sent a privacy notice informing how their data is used, who it is shared with and for how long.
- Consent will be required for those signing up to the mailing list or newsletter, and a record of the opt in consent shall be kept.
- Where consent is required the option to revoke consent and opt out should be made clear and an easy
- MPHT will always put the logo on all paperwork, with the registered charity number.
- MPHT will not sell personal information to third party organisations, and we do not share personal information with third parties for their benefit.
- Mailings from MPHT will ordinarily be blind copied.

2. ***Be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes***

- MPHT will collect data for specified purposes from an individual, and a privacy notice will be sent to the data subject informing why their data is collected, for how long, and who it is shared with. Personal information is collected directly from individuals when they interact with MPHT (e.g. signing up for the regular event, clubs, or volunteering) or when information is provided to our Hall Manager when booking an event or hiring facilities. The data will only be used for the initial purpose in which the individual signed up for. E.g. If an individual hires the hall the data and communication will only be in relation to this.

Personal data is held for the following purposes:

- Venue and facilities hire (including community hall, garages and allotments.)
- Signing up to events or regular clubs
- Communication with members, users and volunteers
- Fundraising
- Volunteering
- Education

(3) *Be adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed*

- MPHT will only collect and process information to the extent that it is needed to fulfil its operational needs or comply with legal requirements.
- MPHT will always specify the purpose for which the information is used

(4) *Be accurate and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.*

- MPHT will maintain accurate information and ensure that personal information is kept up to date.
- Data will be held in as few places as necessary and staff will not create any unnecessary additional data sets.
- Every opportunity will be taken to ensure data is updated. Individuals should notify us or any changes to ensure that information is kept up to date and it is then the responsibility of MPHT to immediately act upon any notification of changes.
- Individuals have the right to be forgotten and request that any information held by MPHT is removed immediately on request.
- 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 them damage or distress, or to stop marketing information being sent to them.

(5) *Be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals*

- Data no longer required will be deleted or destroyed. For example, if an individual can no longer be reached the details will be removed from the database.
- MPHT will only hold personal data for individuals as long as is required in order to deliver the specified service. This will vary according to the service provided and the data subjects will be informed in the form of a privacy notice, informing them the legitimate reason for holding data, the data retention period, and who the data will be shared with. Where consent is required the same information will be provided.

The amount of time data is kept will vary depending on what it is collected for:

- Venue Hire: (5 years)
- Garage hire (5 years)
- Allotment hire (as long as the lease is in place or interest expressed in waiting list)

- Signing up to events or regular clubs (as long as consent is required)
- Communication with members, users and volunteers (for 1 year after they are no longer members)
- Donors (6 years for gift aid)
- Education

(6) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

- Appropriate technical and organisational measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data. MPHT will ensure that data is protected and secured, and that paper records containing confidential personal data are disposed of securely.
- All data processors will be informed and trained on their responsibilities regarding data protection.
- Personal data on printed material will be kept in a secure location only accessible by staff members and where unauthorised people cannot see it.
- Data printouts should be securely disposed of or destroyed when no longer required and where data is deleted it will be done safely such that the data is not recoverable.
- 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 are made aware that they can be personally liable if they use customers' personal data inappropriately.
- In the event of a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data, MPHT will assess the risk to people's rights and if appropriate report this breach to the ICO
- 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.

(7) The controller shall be responsible for, and able to demonstrate, compliance with the principles.

Individuals may opt out of receiving specific information and types of messages from MPHT by notifying us through the contact point listed below, or by following the opt-out instructions on any email you might receive from us.

- You may contact us to correct inaccuracies you find in the data which we hold about you, or if you wish to receive no further information from us, at any point in time. This can be done via:

Email: manager@moorpoolhall.com

Telephone: 0121 426 2908

Address: Moor Pool Hall, 37 the Circle, B17 9DY