

# Friends of Stockham School: Privacy and Data Protection Policy

(Charity Registration Number: 1036710)

**Date: May 2018**

## **i. Aim and Scope**

The Friends of Stockham is required to ensure that all personal data collected about volunteers, donors and other associates are collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#). This policy applies to all personal data, regardless of whether it is in paper or electronic format.

## **ii. Guidance**

This policy is based on guidance published by the Information Commissioner's Office (ICO) on the [GDPR](#).

## **iii. Definitions**

The Charity	The Friends of Stockham. The charity is governed by its constitution that further defines the Trustees that are responsible for the society in line with its charitable status.
Personal data	Any information relating to an identified, or identifiable, individual. This may include the individual's: <ul style="list-style-type: none"><li>• Name (including initials)</li><li>• Location data (address)</li><li>• Government identifiers (NI number)</li><li>• Online identifier, such as usernames</li></ul> It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.
Special categories of personal data	Personal data which is more sensitive and so needs more protection, including information about an individual's: <ul style="list-style-type: none"><li>• Racial or ethnic origin</li><li>• Political opinions</li><li>• Religious or philosophical beliefs</li><li>• Trade union membership</li><li>• Genetics</li><li>• Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes</li><li>• Health – physical or mental</li><li>• Sex life or sexual orientation</li></ul>
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.

Data subject	The identified or identifiable individual whose personal data is held or processed
Data controller	A person or organisation that determines the purposes and the means of processing of personal data
Data processor	A person or other body, other than a member of the data controller, who processes personal data on behalf of the data controller
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data.

## 2. The Data Controller

Friends of Stockham possesses data relating to volunteers and donors, and therefore is a data controller. The Officers and Trustees of the Charity shall be jointly responsible for decisions and actions taken as the Data Controller.

### 2.1 Data processors

The Charity may use third parties to process or collect data on its behalf for the purpose of collecting online donations. Friends of Stockham receives any information provided to these organisations. The information will only be used to make gift aid applications where the donor has provided consent to do so.

### 2.2 Data Protection Officer (DPO)

Under the GDPR, the [ICO guidelines](#) states the Charity is **not** required to appoint a Data Protection Officer. The Trustees of the society are sufficiently able to discharge our responsibilities and ensure our compliance.

### 2.3 Data Audit

To ensure compliance with the GDPR, the Charity will audit the types and nature of the data held in order to put in place systems for the safe collection, storage, processing, and destruction of personal data. The audit will be updated and evaluated every two years with recommendations for change acted upon promptly.

In order to facilitate this and maintain accurate records, the Charity will log data processing activities at each committee meeting:

- Name of person
- Nature of activity
- Reason for processing
- Location of storage

## 3. Personal data

Each of the Officers of the Charity is responsible for collecting, storing and processing any personal data of members and patrons in accordance with this policy.

### 3.1 Communications

Friends of Stockham does not maintain any mailing lists for the purposes of marketing. Communications on school events are distributed through the school's communication channels. The data privacy policy for Stockham School can be accessed via the school website, or by contacting to the office.

### **3.2 Lawful basis**

The lawful basis for collecting and processing personal data is deemed to be in line with our legitimate interest, such that we are fulfilling our core purpose as a charity, communicating with volunteers in line with their expectations. This includes processing personal data related to projects they are involved in and good communication volunteers.

### **4. Personal data on children**

Any data relating to children needs special consideration and particular protection. Friends of Stockham does not keep or process any personal information for children.

### **5. Special categories of personal data**

Friends of Stockham does not collect or store data classified under the special categories of data – see definitions. It is not within the Charity's remit to collect this data. In any such time that this is subject to change, the committee will revisit this policy.

### **6. Sharing of Personal Data**

We will not normally share personal data with anyone else, but may do so where:

- A donor has provided consent to claim gift aid on their donation
- There is an issue with a volunteer or donor that puts the safety of others at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations

We may also share personal data with emergency services and local authorities to help them respond to an emergency situation that affects any of our volunteers or associates.

### **7. Subject access requests**

Individuals have a right to make a "subject access request" to gain access to personal information that the Charity holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- Who the data have been, or may be shared with
- How long the data will be stored for, or if this is not possible, the criteria used to determine the period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual.

Subject access requests must be submitted in writing, either by letter or email [friendsofstockham@gmail.com](mailto:friendsofstockham@gmail.com). Any requests received by other persons shall be immediately forwarded to the Chairperson and Secretary.

## **7.1 Responding to subject access requests**

When responding to requests, the Society:

- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of another individual

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs. A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information. When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

## **7.2 Other data protection rights of the individual**

In addition to the right to make a subject access request, and to receive information when we are collecting their data about how we use and process it, individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing (e.g. radio interviews, newspaper articles and reviews, social media posts)
- Challenge processing which has been justified on the basis of public interest
- Object to decisions based solely on automated decision making or profiling – although this activity is not carried out by the Charity
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third part in a structured, commonly used and machine-readable format

Individuals should submit any request to exercise these rights to the [friendsofstockham@gmail.com](mailto:friendsofstockham@gmail.com).

## **8. Photographs and videos**

As part of our events, we may take photographs and record images of individuals for publicity and archiving purposes. We will obtain written consent from all persons for communication, marketing, promotional and archiving purpose. In the case of children aged 16 or under this will be parental consent. Consent can be withdrawn at any time. If the consent is withdrawn, we will take all reasonable actions to delete the photograph or video and not distribute it further.

## **9. Data protection by design and default**

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including;

- Providing suitable information and training to new committee members to ensure they understand their responsibilities under the GDPR
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law.
- Complete a privacy impact assessment should the activities of the charity change or where a high risk to rights and freedoms of individuals may occur. This could also include the introduction of new technologies to support the activities of the charity.
- Audit the data we hold not less than every two years to test our privacy measures and make sure we are compliant.
- Maintain records of audits and data processing activities.

## **10. Data security and storage of records**

We will take reasonable and appropriate steps to protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage. In particular:

- Ensure Trustees and other personnel authorised to process personal data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality.
- All personnel will use password protected devices, computers and laptops where any such information is held.
- Papers containing confidential personal data must not be left in public spaces where there is general access. Keeping folders at home is acceptable because there is an expectation of privacy and security away from public access.

## **11. Disposal of records**

Personal data that are no longer needed will be disposed of securely. Personal data that have become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it. For example, Officers will shred or incinerate paper-based records, and overwrite or delete electronic files.

## **12. Personal data breaches**

The Charity will make all reasonable endeavours to ensure there are no personal data breaches. In the unlikely event of a suspected breach, the Committee will follow the [guidance on personal data breaches](#) produced by the ICO. Where appropriate, we will report the data breach to the ICO within 72 hours. Breaches in the context of the Charity may include, but are not limited to:

- The loss or theft of a personal device that contains non-encrypted personal data about volunteers and donors.
- Accidental deletion of information about volunteers and donors.
- Disclosure of personal data to a non-intended recipient.

## **13. Training**

All Officers and Trustees will be required to read and discuss aspects of this policy within 3 months of taking a position on the Committee. The [ICO guidelines](#) will be used as a first point of reference to discuss any matters arising relating to the GDPR.

#### **14. Contact**

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