

# *Friends of Eastfield Park*

## Data Protection & Privacy Policy

September 2018

### **1. Introduction**

*In order to meet its objectives, 'Friends of Eastfield Park' (FoEP) needs to collect and use certain types of information about many of the people with whom we have contact. This personal information must be collected and dealt with appropriately - whether on paper, in a computer, or recorded in some other way - and there are safeguards to ensure this happens under the General Data Protection Regulation and the UK's Data Protection Act 2018, both of which came into force on 25th May 2018. FoEP committee members, and any volunteers who have access to personal information, will be expected to read and comply with this policy.*

**The following list defines the terms used in this document:**

**Data Subjects:** The individuals whose personal information is being held or processed by the FoEP (e.g. supporters and volunteers).

**Explicit consent:** is specific agreement, freely given and informed, by a Data Subject to the processing of personal information about her/him. Explicit consent is needed for holding and processing personal data.

**GDPR:** means the General Data Protection Regulation.

**Informed consent:** is consent given when a Data Subject clearly understands why their information is needed, who it will be shared with and the possible consequences of them agreeing or refusing the proposed uses of the data, and then gives their consent.

**Organisation:** means the 'Friends of Eastfield Park', a voluntary community organisation.

**Processing:** means collecting, amending, handling, storing or disclosing personal data.

**Personal data:** Information about a living individual that enables them to be identified, e.g. name and address. It includes emails, minutes of meetings and photographs. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual supporters of the FoEP.

**Register of Systems:** means a register of all systems or contexts in which personal data is processed by the Organisation.

**Responsible Person:** means the Chair of the Friends of Eastfield Park who is responsible for data protection within the Organisation.

**Sensitive data:** means information about:

- Racial or ethnic origin
- Political opinions
- Religious or similar beliefs
- Trade union membership
- Physical or mental health
- Sexual life
- Criminal record
- Criminal proceedings

### **2. Data Protection Principles**

The Organisation is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. 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;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
  - d. 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;
  - e. 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; and
  - f. 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.

### **3. General Provisions**

- a. This policy applies to all personal data processed by the Organisation. Whilst access to personal information is limited to certain FoEP committee members and carefully chosen volunteers, volunteers working for the Organisation may undertake additional tasks which involve the collection of personal information from members of the public. In such circumstances we will let people know why we are collecting the data and it is our responsibility to ensure the data is only used for this purpose.
- b. The Responsible Person shall take responsibility for the Organisation's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. Provided this policy is followed, the Organisation is exempt from the need to register with the Information Commissioner's Office as an organisation that processes personal data. Specifically, we will:
  - only process information necessary to establish or maintain membership or support;
  - only process information necessary to provide or administer activities for people who are members of the Organisation or have regular contact with it;
  - only hold information about individuals whose data we need to process for this exempt purpose;
  - only process personal information that is necessary for this exempt purpose.

### **4. Lawful, fair and transparent processing**

- a. To ensure its processing of data is lawful, fair and transparent, the Organisation shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the Organisation shall be dealt with in a timely manner.
- d. Individuals have a right to have data corrected if it is wrong, to prevent use which is causing them damage or distress or to stop communications from the Organisation being sent to them.

### **5. Lawful purposes**

- a. All data processed by the Organisation must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests.

- b. The Organisation shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in explicit consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their explicit consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Organisation's systems.

## **6. Data minimisation**

- a. The Organisation shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- b. Although the Organisation will keep certain personal data about its supporters (including name, address, phone number and email address and, possibly, occupation, place of work, positions held within the FoEP, membership of other relevant organisations, skills, interests and date of birth) it will not obtain or hold any sensitive data other than which is in the public domain (for example, the political affiliations of elected Councillors).

## **7. Accuracy**

- a. The Organisation shall take reasonable steps to ensure that personal data is accurate and, where necessary, up to date.
- b. Members of the Organisation will be encouraged to notify the Chair and/or Secretary whenever the personal information supplied to the Organisation changes. The Chair and Secretary shall ensure that updated information is corrected on the Organisation's databases in a timely manner.

## **8. Collection of Data**

- a. The FoEP will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.
- b. When collecting data, the FoEP will ensure that, as far as is reasonably practicable, the Data Subject:
  - Clearly understands why the information is needed,
  - Understands how the information will be used and the possible consequences of refusing consent,
  - Grants explicit and informed consent, either written or verbally, for the data to be processed,
  - Is competent to give consent and has given so freely without duress.
- c. When carrying out general public consultations, the Organisation will collect anonymous opinions that cannot be linked to a named individual. If a Data Subject particularly wishes their name to be associated with a particular point of view, they must submit a signed written declaration giving their informed consent and the opinion they hold.
- d. Since the Organisation does not respond to anonymous complaints, all personal data relating to complainants must be destroyed after the complaint has been dealt with, unless the complainant gives explicit informed consent to the personal information being archived along with the complaint.
- e. The names of people attending committee and other FoEP meetings, including visitors, will normally be recorded in the minutes of the meeting. If a visitor does not wish to have their name recorded this should be stated at the beginning of the meeting when Apologies are recorded.
- f. The names of volunteers attending FoEP activities and helping organise FoEP events are recorded for health and safety reasons by the lead organiser or other FoEP representative. These lists are not to be published and should be destroyed after statistical information (such as number of volunteer hours contributed) is recorded anonymously.

## **9. Disclosure of Data**

- a. The FoEP may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.
- b. In most circumstances the Data Subject will be made aware how and with whom their information will be shared. There are circumstances where the law allows the FoEP to disclose data (including sensitive data) without the data subject's consent.

These are:

- 1. Carrying out a legal duty or as authorised by the Secretary of State,
- 2. Protecting vital interests of a Data Subject or other person,
- 3. The Data Subject has already made the information public,
- 4. Conducting any legal proceedings, obtaining legal advice or defending any legal rights,
- 5. Monitoring for equal opportunities purposes – i.e. race, disability or religion,
- 6. Providing a confidential service where the Data Subject's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill Data Subjects to provide consent signatures.

### **10. Archiving / Removal**

- a. To ensure that personal data is kept for no longer than necessary, the Organisation shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

### **11. Security**


- a. The Organisation shall ensure that personal data is stored securely using modern software that is kept up to date.
- b. Access to personal data shall be limited to committee members and authorised volunteers who need access. Appropriate security measures shall be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

### **12. Breach**

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Organisation shall promptly assess the risk to people's rights and freedoms and, if appropriate, report this breach to the ICO.

This policy will be updated as necessary to reflect best practice in data management, security and control.

Approved by the FoEP Committee: 18<sup>th</sup> September 2018

Signed: 

Agreed / Revised at the FoEP AGM on: \_\_\_\_\_

## *Friends of Eastfield Park*

### Appendix to Data Protection & Privacy Policy

#### GDPR: REGISTER OF SYSTEMS & ARCHIVING

September 2018

In accordance with the General Data Protection Regulation which came into force on 25 May 2018, this Appendix sets out the approach of the friends of Eastfield Park to the collection, use, management and archiving of personal information.

#### **1. General Membership Database**

This section describes the approach of the FoEP to the collection, use and management of personal data of members and 'interested others', stored in the General Membership Database.

##### **a. The data we collect and how we collect it**

Members of the Friends of Eastfield Park and those interested in receiving communications from the FoEP are invited to complete a registration form and to supply their name, email address, residential address and telephone number. They are also requested to tick a box indicating whether they wish to be a full member or simply receive communications from the FoEP (as 'interested others'). (A minimum of name and email or residential address is required to register.) Certain other personal data may be added to the name (e.g. date of birth of committee members, positions held within the FoEP, and occupation, place of work, membership of other organisations, skills and interests where this is relevant to activities within the FoEP.) No sensitive personal information is recorded.

The data also includes names and contact details of local officials (Councillors, Council Officers, Park Rangers, Community Activists, etc.) who are not members of the FoEP but who receive communications *ex officio*. The information recorded about these individuals is all in the public domain.

##### **b. How the data are stored and who has access to them**

The data are entered on to an Excel spreadsheet by the Chairman and updated as new data are made available throughout the year (e.g. change of email or residential address).

It is also intended to enter names and email addresses onto a Mailchimp contact database in order to facilitate the dispatch/receipt of emails.

Only the officers of the FoEP (i.e. Chair, Vice-Chair, Treasurer and Secretary) have access to the database containing the personal data of members and 'interested others'.

The Excel spreadsheet maintained by the Chair (see above) is shared with the other officers each time it is updated. All of the spreadsheets held by officers are password-protected and regularly backed up.

Paper registration forms (which are also the record of the explicit informed consent) are stored securely by the Chair who also makes scanned copies which are stored electronically with the Excel database in a password protected folder.

Online registration forms are similarly stored electronically and password protected.

### **c. Sharing the data**

The complete data set is shared solely between the officers as described above.

The complete data set will not be shared with any third party unless legally obliged to do so.

From time to time it might be necessary to share personal data of FoEP members with another member or volunteer in order, for example, to arrange an activity or an event. This will not, however, be done, without the agreement of the members concerned.

### **d. Purpose for which the data are used**

The data are processed on the basis of explicit informed consent of members (and 'interested others' who have requested to receive communications from the FoEP) and legitimate interest of those who receive communications *ex officio*.

The data are used primarily as a vehicle for disseminating information about Eastfield Park and the FoEP and its activities.

The application form specifically asks members/'interested others' to opt in to receiving information from the FoEP.

Each email sent to members/'interested others' provides the option to unsubscribe.

### **e. Data removal and archiving**

Membership of the FoEP is indefinite and members/'interested others' are kept on the database until they request to be removed or move away from the area. (Those who move away from the area may request to continue to receive information from the FoEP in which case they will be kept on the database).

From 2018, the names of members who are removed from the database will be kept in an archive along with information about their activities in the FoEP. The archive list is used solely for historical purposes. No personal information in the archive about living individuals will be published without their consent.

## **2. Minutes of Meetings**

This section describes the approach of the FoEP to the publication of names within the Minutes of Meetings including the annual AGM.

### **a. The data we collect and how we collect it**

The names of people attending FoEP committee meetings, including visitors, are normally recorded by the Minutes Secretary and included in the minutes of the meeting. Those attending the AGM are asked to complete a register and are also included in the minutes. (They are also invited to add contact details but this is optional.)

### **b. How the data are stored and who has access to them**

Minutes of meetings (including the AGM) are recorded on paper and electronically and are circulated widely within the community. If a visitor to a Committee Meeting does not wish to have their name recorded, they are invited to state this fact at the beginning of the meeting when Apologies are recorded. If a visitor to the AGM does not wish to have their name recorded, they are invited to indicate this on the register.

Contact details given at the AGM are used only to invite those who are not members or 'interested others' to receive regular communications from the FoEP. The contact details of those who decline the invitation will be destroyed by shredding.

**c. Sharing the data**

Minutes are widely circulated in the local community.

**d. Purpose for which the data are used**

The data are processed on the basis of legitimate interest, primarily to inform members of the local community about those responsible for making decisions within the FoEP. These decisions have implications for the management of the Eastfield Park and are therefore of legitimate interest to members of the wider local community.

**e. Data removal and archiving**

Minutes of FoEP meetings are permanently archived as paper copies. Electronic copies are also kept by some committee members

**3. Attendance lists at public activities**

**a. The data we collect and in what way**

Attendance lists are made at most FoEP activities including public talks and voluntary conservation activities within the Park. Data subjects are invited to enter their own names on the lists with contact details if desired. Subjects may also be requested to provide information about themselves if they borrow equipment.

**b. How the data are stored and who has access to them**

During the activity concerned, those in charge of the activity have access to the list of participants for Health & Safety and monitoring purposes. When the activity is over, the FoEP Chair collects the lists and uses them to compile statistical records regarding the number of participants, volunteer hours contributed, etc. No personal data is recorded during this process although a single email may be sent to any volunteers who are not members, inviting them to become members or an 'interested other'. Once this has been done the lists are shredded.

**c. Sharing the data**

No personal data is shared unless there is a legal obligation to do so.

**d. Purpose for which the data are used**

The information is collected for Health & Safety and monitoring purposes during the activity and for statistical purposes following the activity.

**e. Data removal and archiving**

Lists of participating members are shredded after non-personal statistical information has been obtained. The statistical information is archived indefinitely but no personal information is stored.

**4. Public consultations**

In the past, some personal information (but no sensitive information) has been collected with responses to FoEP public consultations. This personal information is currently being removed from the record. In future, no information that allows a particular individual to be associated with a particular response or set of responses will be collected as part of public consultations.

ADOPTED (Date): 18<sup>th</sup> September 2018