



Data protection policy

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Policy statement:

This policy sets out the obligations of Wendover Youth Centre regarding data protection and the rights of users, business contacts, employees, trustees, volunteers, participants, supporters, donors and any other data subjects engaged with the Charity in respect of their personal data, under Data Protection Legislation such as the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA) 2018.

It also sets our obligations regarding the collection, processing, transfer, storage, and disposal of personal data. The procedures and principles set out herein must be followed at all times by Wendover Youth Centre, its employees, trustees, volunteers, agents, contractors or any other parties working on behalf of Wendover Youth Centre.

As a Controller of personal data, Wendover Youth Centre recognises its duty to ensure that all such data is always handled properly and confidentially, irrespective of whether it is held on paper or by electronic means and covers the whole lifecycle of it, in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA) 2018.

Key contact:

The Data Protection Officer is the Lead Youth Worker who is responsible for overseeing the implementation of this policy and for monitoring compliance with this policy and any linked procedures.

Definitions:

- Data owner – is the person or entity which can authorise or deny access to certain data and is responsible for its accuracy and integrity.
- Data subject – the individual who is the subject of personal and sensitive information. NB; the Data Protection Act does not count as a data subject a deceased individual or an individual who cannot be distinguished from others.
- Personal data - any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- Data controller – the natural or legal person, public authority, agency, or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
- Data processor – a natural or legal person, public authority, agency, or other body which processes personal data on behalf of the controller.
- Personal information - means information that identifies someone as an individual, such
 - personal details
 - family details
 - lifestyle and social circumstances
 - financial details
 - visual images
- Sensitive personal Information - means information about:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs of a similar nature
- offences and alleged offences
- criminal proceedings, outcomes, and sentences

Data protection principles

The General Data Protection Regulation, regulates the data processing relating to living and identifiable individuals. This includes the obtaining, holding, using, or disclosing of such information, and covers computerised records as well as manual filing systems. The principles apply to “personal and sensitive personal data” from which the subjects of that data are identifiable. Wendover Youth Centre employees, volunteers, freelancers, and trustees who process, use or have access to any personal information in the course of their duties, will ensure that these principles are followed at all times. Wendover Youth Centre data users must comply with the data protection principles of good practice which underpin the Data Protection Act. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

Wendover Youth Centre follows the Data Protection Principles outlined in General Data Protection Regulation, which are summarised below:

- Personal data will be processed fairly, lawfully and in a transparent manner;
- Data will only be collected and used for specified, explicit and legitimate purposes;
- Data will be adequate, relevant, and not excessive;
- Data will be accurate and up-to-date;
- Data will not be held any longer than necessary;
- Data subject’s rights will be respected;
- Data will be kept safe from unauthorised access, accidental loss, or damage;
- 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;

Rights of data subjects

GDPR provides the following eight rights for individuals:

1. The right to be informed
 - Wendover Youth Centre keeps secure records of all personal data collection, holding and processing.
2. The right of access (subject access requests)
 - Data subjects may make subject access requests (SAR) at any time to find out more about the personal data which Wendover Youth Centre holds about them, what we are doing with that personal data and why.
3. The right to rectification

- Data subjects have the right to rectify any of their personal data that is inaccurate or incomplete. Wendover Youth Centre will rectify the personal data in question and inform the data subject of that rectification, as quickly as possible,

4. The right to erasure ('the right to be forgotten')

- Unless Wendover Youth Centre has reasonable grounds to refuse to erase personal data, all requests for erasure shall be complied with and the data subject informed of the erasure, within 30 calendar days of receipt of the data subject's request. The period can be extended by up to two months in the case of complex requests. If such additional time is required, the data subject shall be informed.

5. The right to restrict processing

- Data subjects may request that we cease processing the personal data we hold about them. If a data subject makes such a request, Wendover Youth Centre will retain only the amount of personal data concerning that data subject (if any) that is necessary to ensure that the personal data in question is not processed further.

6. The right to data portability

- Business processes should allow individuals to move, copy or transfer their personal data from one environment to another in a safe and secure way, without any hindrance to the usability of the data.

7. The right to object

- Data subjects have the right to object to Wendover Youth Centre processing their personal data based on legitimate interests, direct marketing (including profiling) and processing for scientific and/or historical research and statistics purposes

8. Rights with respect to automated decision making and profiling

- Wendover Youth Centre does not usually use personal data in any automated decision-making processes. Where such decisions have a legal (or similarly significant effect) on data subjects, those data subjects have the right under the GDPR to challenge such decisions, requesting human intervention, expressing their own point of view, and obtaining an explanation of the decision from Wendover Youth Centre.

Data security:

Wendover Youth Centre will ensure that the following measures are taken with respect to all communications and other transfers involving personal data:

- Personal data must never be included within the subject line or message body of an email;
- All personal data documents legitimately transmitted via IT systems (e.g. email) must be protected using a strong password and marked "confidential"
- Personal data may be transmitted over secure networks only. Transmission over unsecured networks is not permitted in any circumstances

- Personal data contained in the body of an email, whether sent or received, should be copied from the body of that email, and stored securely. The email itself should be deleted. All temporary files associated must also be deleted
- Where personal data is to be transferred in hardcopy form it should be passed directly to the recipient or sent using Special Delivery post
- All personal data to be transferred physically, whether in hardcopy form or on removable electronic encrypted media shall be transferred in a suitable container marked “confidential.”

Wendover Youth Centre will ensure that the following measures are taken with respect to the storage of personal data:

- All electronic copies of personal data should be stored securely either by using passwords or restricted permissions on folders.
- All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be stored securely in a locked box, drawer, cabinet, or similar.
- No personal data should be stored on any mobile device.
- Personal data should be saved on the Livedrive or dealt with through the Membermojo online system.
- No personal data should be transferred to any personal device belonging to an employee, and personal data may only be transferred to devices belonging to agents, contractors, or other parties working on behalf of Wendover Youth Centre where the party in question has agreed to comply fully with this policy and all Data Protection Legislation (which may include demonstrating to Wendover Youth Centre that all suitable technical and organisational measures have been taken).
- When any personal data is to be erased or otherwise disposed of for any reason (including where copies have been made and are no longer needed), it should be securely deleted and disposed of.

Wendover Youth Centre shall ensure that the following measures are taken with respect to the use of personal data:

- Personal data processed by Wendover Youth Centre must only be used for the purpose it was collected for.
- No personal data may be shared informally and/or transferred to an employee, trustee, volunteer, agent, sub-contractor, or other party working on behalf of Wendover Youth Centre. If they require access to any personal data that they do not already have access to, such access should be formally requested from the relevant member of the Leadership Team.
- Personal data must always be handled with care and should not be left unattended or on view to unauthorised employees, trustees, volunteers, agents, sub-contractors, or other parties at any time.
- Where personal data held by Wendover Youth Centre is used for marketing purposes e.g., social media, it shall be the responsibility of the nominated person in each department to ensure that the appropriate consent is obtained, documented for as long as deemed necessary, and that no data subjects have opted out.

Wendover Youth Centre shall ensure that the following measures are taken with respect to the collection, holding, and processing of personal data:

- All employees, trustees, volunteers, agents, contractors, or other parties working on behalf of Wendover Youth Centre shall:
 - be made fully aware of both their individual responsibilities and Wendover Youth Centre's responsibilities under Data Protection Legislation and under this Policy and shall be provided with a copy of this Policy;
 - only have access to, and use of, personal data held by Wendover Youth Centre, in order to carry out their assigned duties correctly;
 - be appropriately trained to do so;
 - be appropriately supervised;
 - be required and encouraged to exercise care, caution, and discretion when discussing work-related matters that relate to personal data, whether in the workplace or elsewhere.

Data audit process

Methods of collecting, holding, and processing personal data shall be regularly evaluated and reviewed. **Our membership data** is held on MemberMojo and is regularly updated to remove expired Members. Our Centre data is held on Live Drive which requires a password to access. Documents are regularly reviewed and deleted.

- Where other parties, handling personal data on behalf of Wendover Youth Centre, fail in their obligations under this Policy that party shall indemnify and hold harmless Wendover Youth Centre against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure.

Wendover Youth Centre may from time-to-time transfer ('transfer' includes making available remotely) personal data to countries outside of the EEA.

- Any personal data transferred to countries outside of the European Economic Area (EEA) must only be transferred with the consent of the data subject to areas where protection is inadequate and where the transfer does not fall under any of the exempt cases.
- Whenever data is transferred outside of the EEA, the following must be considered:
 - The nature of the data,
 - The purpose of the transfer,
 - The laws, international obligations, codes of conduct and security measures in effect in the receiving country.
- The transfer of data may fall under the exempt cases if it is:
 - Needed to enter a contract with the data subject,
 - Necessary for the conclusion of a contract between the controller and a person other than the data subject which is entered into at the request of or in the interest of the data subject,
 - Necessary for obtaining legal advice; establishing, exercising, or defending legal rights; involvement on legal proceedings,

- Made on terms approved by the Data Protection Authority as ensuring adequate safeguards for the rights and freedoms of the data subject.

Data should always be protected; this includes practical approaches such as locking away laptops when not in use and being careful who has access to where data is stored.

Any loss of personal data is a security breach and all breaches, near-misses and incidents must be reported immediately to Wendover Youth Centre's Data Protection Officer.

If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Data Protection Officer must ensure that the Information Commissioner's Office is informed of the breach without delay, and in any event, within 72 hours of being made aware of it.

If a personal data breach is likely to result in a high risk to the rights and freedoms of data subjects, the Data Protection Officer will ensure that all affected data subjects are informed of the breach directly and without undue delay.

Data breach notifications will include the following information:

- The categories and approximate number of data subjects concerned,
- The categories and approximate number of personal data records concerned,
- The name and contact details of Wendover Youth Centre's Data Protection Officer,
- The likely consequences of the breach,
- Details of the measures taken, or proposed to be taken, by Wendover Youth Centre to address the breach including, where appropriate, measures to mitigate its possible adverse effects.

Training

Wendover Youth Centre will ensure that all staff are fully informed of their data protection obligations.

Responsibilities

Trustees

- Overall responsibility for a policy which ensures compliance with the relevant statutes
- Development and maintenance of such procedures as are necessary to ensure implementation of the policy
- Maintenance of the policy
- Design of procedures

Lead Youth Worker/ Manager

- Implementation of procedures
- Dissemination throughout the team
- Ensuring day to day operational compliance
- Reporting to the Trustees
- Reporting data incidents and near misses to the Data Protection Officer

Individual responsibility

- Compliance with procedures
- Identifying potential improvements through day-to-day work
- Reporting to the Lead Youth Worker
- Reporting data incidents and near misses to the Data Protection Officer