

HAINWORTH WOOD COMMUNITY CENTRE

DATA PROTECTION POLICY

The following policy set out rules for collecting, storing, sharing and using data.

General Principles

Hainworth Wood Community Centre recognises the right to privacy of the individual as a basic human right. We accept that details about an individual belong to that individual. Accordingly we undertake to respect the confidentiality of certain information.

Definitions

Personal data is defined as “information about a living individual who is identifiable by that information, or who could be identified by the information combined with other data”. It includes names, addresses, identifying descriptions and information relating to individuals such as bank details or personal attributes. (www.pers.org.uk).

Confidential information is defined as verbal or written information which is not meant for public or general knowledge, or information which is regarded as personal by clients, members, trustees, staff or volunteers. It includes expressed opinion about a person or intentions regarding a person.

This policy relates to the protection of staff, volunteers, job applicants, trustees, members, service users and any other person about whom Hainworth Wood Community Centre holds personal information of a formal or an informal nature.

Confidentiality is based upon a reasoned concern for the interest of the persons to whose personal information Hainworth Wood Community Centre has access. Respecting confidentiality means that information may be disclosed only with consent and when necessary, and that consultation and discussion remains within those boundaries. This protects the integrity of Hainworth Wood Community Centre and of individuals.

Failure to observe this policy or misuse of any personal data is a disciplinary offence and may even constitute a criminal offence.

Data Protection Act 1998 – Hainworth Wood Community Centre takes seriously its obligations under the Data Protection Act 1998. We follow strict guidelines as to how we collect, store and use certain personal information for the purpose of staff administration, fund raising and realising our charitable objectives.

In particular, the Data Protection Act requires that personal information should be adequate, relevant and not excessive, that it should be stored securely and used only for its purposes; and if possible processed only with the consent of the person concerned. Hainworth Wood Community Centre will comply with these requirements and will extend the principles of data protection to apply to all forms of personal information.

Personal Information relating to staff

Hainworth Wood Community Centre holds information about employees to do with their working life in order to fulfil its responsibilities as an employer. Personal information is also held on the centre's trustees. Much of this information is confidential and the centre recognises its duty to safeguard the data and by all means possible and to notify staff about what it is kept and why, and information on how the data can be accessed and by whom.

Information held by the organisation will include the following:

- Information relating to recruitment and selection i.e. Application forms, short listing documentation and interview assessments, proof of eligibility to work in the UK, CRB records.
- Personal data/next of kin.
- Information relating to payment of salaries.
- Information on qualifications/academic achievements.
- Notes on probationary periods, annual reviews and or supervision notes.
- Medical records/absence records/time sheets and holiday sheets.
- Details of any disciplinary and or grievance proceedings.
- Reference requests and responses.

The data kept on staff is in relation to their employment with Hainworth Wood Community Centre. It will only be used to administer and manage their employment. Personal information on the trustees, staff, volunteers may also be kept for the purpose of applying for funding, obtaining insurance or responding to requests for information from Government Offices, the Charities Commission or other reputable bodies. Where possible, sensitive information will not be tied to individuals, but given in an anonymised format only.

All personal data is kept in either locked filing cabinets and or/in password protected computer files, located in the Centre Co-ordinator's office.

Some personal information, including names and photographs, may be published in newsletters, annual reports, publicity leaflets or the centre's website. This information will not include home or personal information.

Employees and trustees give implied consent to Hainworth Wood Community Centre to hold data as described above and to access and use it as outlined by accepting an offer of employment and agreeing to their employment contract. Access to staff and trustee data is restricted to management at the senior level and on a 'need to know' basis. Information may be disclosed as required by law, contract or need to know basis to trustees, auditors, pension providers, insurance or other government bodies.

Job applicants are also covered by Data Protection Act and by this policy. Hainworth Wood Community Centre will design and process application forms in line with the Act. The information collected will be relevant and not excessive and for selection processes only. The information will securely be stored only accessed by staff involved in the recruitment and selection process. It will not be kept for longer than

12 months for unsuccessful candidates. Information on health, disability and criminal records, immigration status will only be requested where necessary for the protection of the organisation and its service users and will not be disclosed unless on a need to know basis. Sensitive data in relation to gender, age, disability, ethnicity may be requested but will only be used for monitoring equal opportunities. The information will not form part of the selection process and will not be processed or kept in any form which identifies the individuals who it belongs to.

The identity of job applicants will be kept confidential as far as possible and for as long as possible. Where a job offer is made, the names of the successful candidates will not be made public until the appointment has been accepted and confirmed. Feedback should be given without any specific

Information on employees will be retained for as long as the person is employed by Hainworth Wood Community Centre, and for a reasonable time after, not exceeding 6 years.

Sickness records will be kept as long as an individual is employed with the Hainworth Wood Community Centre, and a reasonable period after, with the aim of destroying or deleting the records after 3 years.

Disciplinary warnings and proceedings will be kept for the time stipulated in the policy concerned.

Application forms from unsuccessful applicants will be kept for a reasonable period of time, not exceeding 6 months.

CRB documentation will not be retained, although a record will be kept of the fact that a satisfactory/unsatisfactory check has been made. This will be kept on file for as long as is necessary.

IT

Personal data (including files, emails, databases etc) and personal data downloaded from the web are subject to the same control and restrictions as paper based data.

Subject Access Requests (SARs)

Staff are entitled to see their own personnel files. However, they should arrange a mutually convenient time with their line manager. Access may be denied or limited if it involves disclosing information about or from an identified third party (colleague), unless the third party concerned has given consent to the disclosure of the information.

Staff Obligations

The Chair Person of Hainworth Wood Community Centre should be referred to with any questions relating to Data Protection or confidentiality issues. However, **ALL** staff are responsible for ensuring compliance with this policy.

They should:

- Ensure that they have read and understood the policy as it relates to them.
- Ensure that the data they keep or supply is relevant, fair and fit for purpose
- Not keep records on individuals that are unnecessary.
- Not share personal information about other members of staff or clients/service users that they know as a result of handling confidential information is disclosed in confidential settings, without that person's consent.
- Keep data secure. Paper and external computer files must be locked up, computers must be password-protected; computer screens must not be left unattended.
- Not to disclose, share or transfer any personal information relating to other staff, volunteers, service users, trustees without the consent of the individuals concerned.
- Dispose of personal data safely. Paper records should be shredded or disposed of as confidential waste. Computers must be wiped clean before disposal.
- Particular care should be taken where personal data is processed off site, at home or in other locations.

Guidelines for disclosing information to internal and external sources

Hainworth Wood Community Centre recognises that trustees, staff and volunteers may need to share personal information with others internally within the centre. Care must be taken that this kind of information sharing is not done publicly or where it can be overheard. Such conversations should wherever possible be held without explicitly identifying the individuals or organisation under discussion.

Organisational Information

Trustees, staff and volunteers are bound by confidentiality in all matters relating to the internal affairs of Hainworth Wood Community Centre. Confidential information concerning Board meetings, staff meetings, finances, recruitment, planning etc, should not be disclosed outside the organisation unless authorisation is given to do so. This does not apply to disclosures made under the Public Interest Disclosure Act (whistle blowing').

No statements concerning internal matters or policy may be made to the media without the express permission of the Chair Person.

Personal information relating to service users

Hainworth Wood Community Centre is committed to respecting the confidentiality of those who use its services. This means respecting the right of our service users and clients and their privacy, and their right to expect that we will not disclose any personal information they give us to anyone outside the organisation, without their permission. We will only keep information on our clients/service users for the purposes of providing a service and meeting client needs.

Written records of any dealings with clients/service users may be made with the client's permission and if the purpose of such records is clearly explained to them.

These records must be in line with the Data Protection principles, stored securely and destroyed when no longer needed. Where client information is to be shared with another a partner organisation, the client must if possible and practicable confirm their agreement by giving signed authorisation.

Exceptions

Hainworth Wood Community Centre reserves the right to break confidentiality if it believes that:

- A child is at risk of being harmed.
- A person’s life or safety is at risk.
- If required by statute (i.e. if there is a legal obligation).
- If required by a contractual obligation (i.e. where services are purchased by a local authority and that contract requires disclosure of certain information).
- If required by a court order.

Information may also be disclosed if the individual concerned has given explicit, preferably written, consent. In all the above case, the Chair Person must be informed immediately.

In other cases where breaking confidentiality may seem appropriate, this must only be done with the knowledge of appropriate managers or trustees and the person whose confidentiality is to be breached must be informed. They should also be informed of their right to complain or appeal.

Date agreed September 2017.....

Review Date: **September 2019**