

SAFFRON WALDEN MENCAP SOCIETY

DATA PROTECTION POLICY

March 2024

This policy has been adopted by Saffron Walden Mencap Society through its Trustees Committee which remains responsible for its review.

Original signed version is kept at the SWMS Registered office.

Signed: *Patrick Draper* Date: 4th March 2024

Chair of Trustees

Next review October 2024

Introduction

The General Data Protection Regulation (GDPR) applies to organisations holding and using personal information which is held in electronic or manual filing systems, or which is obtained with the intention of being held in such systems.

Saffron Walden Mencap Society collects, retains and uses personal information from our **data subjects** (members, volunteers, trustees, staff and contacts) and as such our organisation is classed as a **data controller** responsible for determining the purpose and means of processing personal data.

Scope

This policy applies to all personal data processed by Saffron Walden Mencap Society.

Data protection principles

All data subjects have the right to know which data is held by Saffron Walden Mencap Society, why it is held, and how that data will be used. We will adhere to the following 7 principles.

- Personal data shall be processed lawfully, fairly and in a transparent manner.
- Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data shall 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 shall be 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.

Personal Data

This refers to information that can identify a natural person (aka data subject), either directly or indirectly, such as their name or address, including IP or email addresses. It includes sensitive personal information, such as one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the data subject.

Processing

In relation to personal data, this means any operation or set of operations which is performed on personal data or on sets of personal data either manually or digitally such as collection, filing, recording, organisation, structuring, storage, alteration, retrieval, consultation, use, disclosure, dissemination, restriction, erasure or destruction.

Rights of data subjects

Data subjects have the following rights:

- The right to be informed about the collection and use of their personal data.
- The right of access to their personal data.
- The right to rectification of their personal data.
- The right to erasure of their personal data.
- The right to restrict processing of their personal data.
- The right to object to processing of their personal data.

Retention of Data

We will retain data in accordance with the Data Protection Principles for a period of at least 3 years from the date on which the relevant relationship, for which purpose such personal data was provided, has ended. A data check will be conducted when the active relationship with Saffron Walden Mencap Society ends, and again annually following review of this policy to ensure that it is relevant and limited to the purpose of retention only.

Data protection risks

Saffron Walden Mencap Society will ensure that we will keep all data and files secure and in accordance with this policy. Digital data for all data subjects will be stored on a password protected shared drive with relevant and controlled access only available to relevant staff. Everyone who works for or with Saffron Walden Mencap Society has a responsibility for ensuring all data is collected, stored and handled appropriately. Consideration should always be given to anonymising personal information on documents or emails.

Action in the event of a Data Breach

Saffron Walden Mencap takes personal information security very seriously and has robust measures in place to minimise and prevent data breaches from occurring. Should a breach of any personal data occur it must be reported to the Chair immediately and all evidence retained. Consideration will be given to informing and/or seeking advice from the Information Commissioner's Office **within 72 hours** and steps taken to notify data subjects as appropriate. Examples of personal data breaches can include the following types of incidents: access by an unauthorised third party;

deliberate or accidental action (or inaction) by a controller or processor; sending personal data to an incorrect recipient and computing devices containing personal data being lost or stolen .

Responsibilities

Saffron Walden Mencap Society will ensure that any employee, trustee, or volunteer who is responsible for processing personal data is made aware of their responsibilities regarding GDPR compliance and appropriate security of information. This will be achieved by familiarisation with this policy, our privacy statement, and agreeing protocol for maintaining records in accordance with individual roles.

Sharing personal data

Saffron Walden Mencap Society may share personal data with other organisations to carry out our obligations to support and/or protect our members or for legitimate employment or remuneration purposes. We require organisations we share data with to protect it in accordance with the law, and to only process data for the lawful purpose for which it has been shared and in accordance with our instructions. Examples of how we might share data include to facilitate references for, or payment of employees, or reporting of necessary information around safeguarding in accordance with safeguarding policy.

Privacy Statement

Saffron Walden Mencap Society will prominently display our privacy statement on our website which will explain simply and clearly-

- How and why we process data.
- The right of data subjects to access their personal data and how to make a subject access request.
- How we keep information safe
- Rights of data subjects - including making a subject access request
- How to make a complaint

This policy should be read alongside the privacy statement on our website -

www.saffronwaldenmencapsociety.co.uk