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| **Policy Title: Data Protection Policy** |
| **Owner: Thursby Parish Hall Committee** |
| **Date adopted: V1 November 2020. V2 15/01/2024** |
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| **Version changes or amendments:** |  | Format and content reviewed and amended and rewritten to capture key detail from the previous version and incorporate detail from the Charity Commission policy template. |  |
| **Notes:** |  |  |  |

1. **Introduction**

Thursby Parish Hall (TPH) is a registered charity. The Trustees of the charity form the Thursby Parish Hall Committee in order to manage the Charity, its finances, and the Hall for the wider community. Certain types of data may be collected in order to carry on the work of managing TPH and, as the Committee is committed to a policy of protecting the rights and privacy of individuals, personal information must be collected and handled securely.

The Committee is committed to processing data in accordance with its responsibilities under the Data Protection Act 1998 (DPA) and General Data Protection Regulations (GDPR).

It is recognised that personal data can be held on computers, laptops, and mobile devices, or in a manual file, and includes email, minutes of meetings, and photographs.

The Charity, and therefore the committee and trustees, will remain responsible for the information held and act as the Data Controller and data processor. No specific Data Protection Officer or named Controller is to be appointed, as the Charity doesn’t process sufficient amounts of personal data to warrant such appointments. Although the Committee may appoint a member of the Committee to act as a single point of contact (SPOC).

All trustees, staff and volunteers are personally responsible for processing and using personal information in accordance with the Data Protection Act and GDPR. Trustees, staff and volunteers who have access to personal information will therefore be expected to read and comply with this policy.

1. **Data protection principles (Article 5 GDPR)**

**Personal data shall be:**

2.1 Processed lawfully, fairly and in a transparent manner in relation to individuals.

2.2 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.

* 1. Adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
	2. 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.
	3. 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.
	4. 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.”
1. **General provisions**

This policy applies to all personal data processed by the Charity (TPH) and the Committee shall take responsibility for the Charity’s ongoing compliance with this policy.

This policy shall be reviewed annually. Currently TPH has not registered with the Information Commissioner’s Office (ICO) or paid or been subject of a registration fee. Although personal data is processed by TPH it is believed TPH meets the ICO non-for-profit making exemptions.

1. **Application**

TPH will inform people their data is being collected for the purpose of managing Thursby Parish Hall, its hiring and finance functions. It is the Committee’s responsibility to ensure the data is only used for these core purposes. Access to personal information, other than via a subject success request (SAR), or lawful request from a competent authority listed under schedule 7 of the Data Protection Act, will be limited to TPH trustees, staff and volunteers.

The Committee will ensure that data protection and GDPR legislation is complied with and implemented accordingly. All requests for information from external sources will be dealt with as per ICO guidance and timelines.

Following online ICO guidance and check list, TPH does not require a data protection officer. This is unlikely to change due to the nature of the Charity and the information and data being processed for core functions.

All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/)).

The Charity shall ensure that personal data is adequate, relevant, accurate and limited to what is necessary in relation to the purposes for which it is processed.

All personal data should be stored securely, whether hard copy paper records or electronically managed. Where practicable TPH USB and external hard drives will be stored in the safe at TPH. Paper records not in operational use will be retained in the secure store at TPH. Trustees managing emails and electronic records on personal devices must be aware this policy applies to all data processed in relation to their role

Reviews of information and data held by TPH and Trustees will be conducted regularly, and data not required under statute (financial records 7 years), or reference to employees or former employees, will be disposed of or archived appropriately. Paper records within TPH will be reviewed on an annual basis. TPH will not create specific retention, archiving and disposal policies as the volume and nature of data held is relatively small and easily managed.

1. **Risk management and data security**

Consent is a crucial principle of GDPR. This requires charities to obtain permission from donors before collecting and using their data. TPH identifies, within its hire agreements, the purpose for gathering relevant personal information is solely for managing the Hall (refer para 1.3 booking agreements). Consent is therefore agreed as a condition of hire.

Where [special category information](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/a-guide-to-lawful-basis/lawful-basis-for-processing/special-category-data/) is to be retained, or information is to be shared with a third party or used in a way that is incompatible with the original purpose, then consent will be obtained and recorded via a data consent form. Data consent forms will be retained by TPH and stored securely by the Secretary.

Information regarding employees or former employees, will be kept indefinitely. It may be necessary to refer back to a job application or other documentary information to check what was disclosed in order that TPH Trustees comply with their obligations under employment law, taxation, pensions, or insurance.

It will be for each Trustee (Committee member) to determine if an email is an official record and is required for retention. If unsure advice should be sought from either the Chairperson, Secretary or Finance Officer.

Personal information should not be given out over the telephone unless there are no doubts as to the caller’s identity and the information requested is innocuous. External requests for detailed information should be made in writing.

All devices and papers containing personal data should be secure and in addition electronic devices password protected.

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 Charity shall promptly assess the risk to people’s rights and freedoms and if appropriate report this breach to the Charity Commission and/or ICO ([more information on the ICO website](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/)).