

## Data Protection Policy and Procedures

Sunshine Sunflower Foundation complies with the UK General Data Protection Regulation (GDPR).

### Principles of Data Protection

Data protection is about protecting people's privacy. This is the purpose of data protection in any organisation, and is at the heart of data protection law, including the UK General Data Protection Regulation (GDPR) and the Data Protection Act of 2018.

### Basic Principles:

#### SSF know what personal data is

SSF only collect, store or use personal data if your group needs to do so for a clear, specific purpose.

SSF make sure the personal data we hold is accurate and kept up to date.

SSF make sure people know how to contact you if they want you to remove their data from your records.

SSF tell people what data you have about them if they ask you to and remove it if requested.

#### SSF store data securely

SSF respecting people's privacy and meeting the fundamental requirements of the UK GDPR.

### UK General Data Protection Regulation (GDPR)

Personal data is information about a person which is identifiable as being about them.

At SSF this includes names and addresses, criminal record, employment history, SEND and health information.

Personal data is held on paper and on the SSF laptop.

Photographic and film images are also considered to be personal data and are kept securely on the SSF laptop. If images or video footage is recorded on private phones (with permission) these are transferred to the laptop and removed from mobile phones.

## **Purpose for collecting, storing and using personal data**

SSF are legally allowed to collect, keep or use personal data for legitimate interests these include: safeguarding, contact with next of kin, images or video footage for publicity purposes.

## **Legitimate interests**

SSF can use personal data for legitimate interests. This means that SSF can use data in ways that are necessary in order to run the charity.

## **Consent**

SSF use personal data after explicit recorded consent. Consent is only valid for the particular purpose it was gained for (e.g. consent to use someone's address to send them a letter). Young people and parents/carers are well-informed in order to give consent. SSF explain why we need the data and what you will use it for, and that the person can ask for it to be deleted in future. SSF get verbal consent and explain specifically what the data will be used for and that they can ask for it to be deleted in future. SSF keep a written record so that you know who has given you consent, and for what. e.g. permission to use images or video consent for publicity purposes.

## **Contract**

SSF use personal data in order to make or fulfil a "contract" with young people.

## **Legal obligation**

SSF use people's personal data in order to meet its legal obligations. For example, as a charity organisation the board of Trustees are legally responsible for the work of the organisation. SSF must have a way to contact these people, because they need to make any legal and financial decisions on behalf of the group.

SSF use personal data is to check the criminal records of their volunteers, staff and young people. This is a legal requirement for working with vulnerable young people. In order to check criminal records, SSF hare personal data with the Disclosure and Barring Service. However, SSF does not keep hold of data relating to people's criminal convictions. Once SSF has established whether someone is a suitable volunteer, member of staff or gardening assistant (young person) we no longer need to hold the information and should delete it securely.

SSF hold personal information to protect life. SSF have permission to share information about a relevant health condition with paramedics if somebody is unable to communicate for themselves, in order to help save their life.

## **Privacy notice**

SSF privacy notice is a piece of written information which tells people why we need or have their data. It includes:

what the data will be used for, which legal basis you have for using the data, how long the data will be kept, whether the data will be shared with a third party, that individuals can ask to have their data removed at any time and contact details to use to do this.

## **Sunshine Sunflower Foundation Privacy Notice**

Sunshine Sunflower Foundation needs your name, mobile number and email address in order to send you information about group activities. Please tick the boxes below to give consent for us to use your details.

I consent for Sunshine Sunflower Foundation to communicate by text message, WhatsApp or email about details of meeting times and important information.

I consent for Sunshine Sunflower Foundation to send me information about their fundraising activities via text message/WhatsApp or email.

Your details will be stored securely online in our Google Drive folder and will be removed within one month if you end your contract. You can withdraw your consent for us to use your information, or ask us to amend or delete your details, by emailing:

[debbie@sunshinesunflower.org.uk](mailto:debbie@sunshinesunflower.org.uk).

## **Storing personal data**

SSF store personal data securely by our Data Protection Officer – Debbie Lumb

SSF keeps personal data in one laptop dedicated for use by the charity, the laptop is password protected. It has up-to-date software to protect them from malware and viruses. Information stored on paper is filed securely at the SSF office.

SSF Data Protection Officer agrees to:

- not pass personal details onto other people without specific consent
- not use them for anything other than group business without specific consent
- delete their details, and vice versa, unless specific consent is given to keep them
- not put other people's contact details on group publicity without specific consent

## **Removing personal data**

Data that was held electronically is permanently deleted from the computer after one month of a contract ending. Paperwork with health information on it is shredded.

## **People's right to their own data**

Individuals have a right to be given a copy of their data, and information about how it is being used. This must be provided within one month of a request. They also have a right to have their information amended or deleted within one month of a request (unless SSF need to keep it for legal reasons).

## **If SSF have not protected someone's data properly**

There are lots of ways that SSF might have a "data breach". These include, for example:

If SSF recognise something has gone wrong, the Data Protection Officer will take steps to reduce the impact it will have, and to avoid it happening again in future.

If SSF have a data breach, the first thing we do is try to get the data back. For example, if accidentally a person from SSF has emailed someone's details to the wrong person, contact that person and ask them to delete the information.

The next step depends on whether the data breach is likely to have a significant impact on someone's life. If it is not likely to have an impact, you should still record that it has happened and take steps to avoid it happening again.

For example, the Data Protection Officer keeps a list of email addresses of people on her mobile phone. She accidentally sends a meaningless email to one of the contacts. This is not likely to risk anybody's freedoms or rights, and therefore does not need to be reported to anybody. Instead, SS records what happened in the minutes of the next SSF meeting at which it was discussed and puts in place a system to avoid it in future (by storing the list in a more secure place and successfully completing a Data Protection online training.)

SSF are aware that some data breaches are more serious though, and need to be reported to the person whose data is affected and to the Information Commissioner's Office (ICO).

For example, if a young person working at SSF is recovering from a drug addiction and has a paper sign-up sheet on which people write their names when they arrive at a session. The list clearly states the name and topic of the group, so it is clear to anyone reading it that the people named are in recovery from drug addiction. The list is then accidentally left in a public place. This could potentially affect the individuals involved in significant ways and should be reported to them so that they can take steps to protect themselves if they want to (e.g. by changing their phone number). It should also be reported to the ICO.

SSF will report a serious data protection breach because we are a responsible organisation that takes data protection seriously.

### **Data protection policy and procedures**

SSF ensures everyone knows how to help protect people's privacy. All staff, volunteers and young people are required to read our Data Protection Policy outlining our commitments to data protection as well as specific procedures which provide details of how we all will ensure our policy is upheld.

## **Sunshine Sunflower Foundation Data Protection Policy**

### **1) Definitions**

Personal data is information about a person which is identifiable as being about them. It can be stored electronically or on paper and includes images and audio recordings as well as written information.

Data protection is about how we, as an organisation, ensure we protect the rights and privacy of individuals, and comply with the law, when collecting, storing, using, amending, sharing, destroying or deleting personal data.

### **2) Responsibility**

Overall and final responsibility for data protection lies with the board of Trustees, who are responsible for overseeing activities and ensuring this policy is upheld.

All volunteers are responsible for observing this policy, and related procedures, in all areas of their work for the group.

Our designated Data Protection Officer is Debbie Lumb

### **3) Overall policy statement**

Sunshine Sunflower Foundation keeps personal data about its Trustees, staff, volunteers and young people in order to carry out group activities.

We will collect, store, use, amend, share, destroy or delete personal data only in ways which protect people's privacy and comply with the UK General Data Protection Regulation (GDPR) and other relevant legislation.

We will only collect, store and use the minimum amount of data that we need for clear purposes, and will not collect, store or use data we do not need.

We will only collect, store and use data for:

- purposes for which the individual has given explicit consent, or
- purposes that are in our group's legitimate interests, or
- contracts with the individual whose data it is, or
- to comply with legal obligations, or
- to protect someone's life.

We will provide individuals with details of the data we have about them when requested by the relevant individual.

We will delete data if requested by the relevant individual, unless we need to keep it for legal reasons.

We will endeavour to keep personal data up-to-date and accurate.

We will store personal data securely.

We will keep clear records of the purposes of collecting and holding specific data, to ensure it is only used for these purposes.

We will not share personal data with third parties without the explicit consent of the relevant individual, unless legally required to do so.

We will endeavour not to have data breaches. In the event of a data breach, we will endeavour to rectify the breach by getting any lost or shared data back. We will evaluate our processes and understand how to avoid it happening again. Serious data breaches which may risk someone's personal rights or freedoms will be reported to the Information Commissioner's Office within 72 hours, and to the individual concerned.

To uphold this policy, we will maintain a set of data protection procedures for our committee and volunteers to follow.

#### 4) Review

This policy will be reviewed every two years.

# Sunshine Sunflower Foundation Data Protection Procedures

## 1) Introduction

Sunshine Sunflower Foundation has a data protection policy which is reviewed regularly. In order to help us uphold the policy, we have created the following procedures which outline ways in which we collect, store, use, amend, share, destroy and delete personal data.

These procedures cover the main, regular ways we collect and use personal data. We may from time to time collect and use data in ways not covered here. In these cases we will ensure our Data Protection Policy is upheld.

## 2) General procedures

Data will be stored securely. When it is stored electronically, it will be kept password protected. When it is stored online in a third party website (e.g. Google Drive) we will ensure the third party comply with the UK GDPR. When it is stored on paper it will be filed carefully in a locked filing cabinet.

When we no longer need data, or when someone has asked for their data to be deleted, it will be deleted securely. We will ensure that data is permanently deleted from computers, and that paper data is shredded.

We will keep records of consent given for us to collect, use and store data. These records will be stored securely.

## 3) Supporting individuals

From time to time, individuals contact the Group to ask us to help them resolve an issue they are having with the council, relating to their housing or other local services.

We will request explicit, signed consent before sharing any personal details with the council or any other relevant third party.

We will not keep information relating to an individual's personal situation for any longer than is necessary for the purpose of providing them with the support they have requested.

Personal data relating to housing issues will be stored securely by a member of the Data Protection Officer, and not shared among the rest of the committee or with other volunteers unless necessary for the purpose of providing the support requested.

Details relating to individual's circumstances and housing will be treated as strictly confidential.

#### 4) Contacting volunteers

Local people volunteer at Sunshine Sunflower Foundation in a number of ways.

We will maintain a list of contact details of our recent volunteers. We will share volunteering opportunities and requests for help with the people on this list.

People will be removed from the list if they have not volunteered for the group for 12 months.

When contacting people on this list, we will provide a privacy notice which explains why we have their information, what we are using it for, how long we will keep it, and that they can ask to have it deleted or amended at any time by contacting us.

To allow volunteers to work together to organise for the group, it is sometimes necessary to share volunteer contact details with other volunteers. We will only do this with explicit consent.

#### 5) Contacting Trustees

Trustees need to be in contact with one another in order to run the organisation effectively and ensure its legal obligations are met.

Trustee contact details will be shared among the board of Trustees.

Trustee members will not share each other's contact details with anyone outside of the committee or use them for anything other than Sunshine Sunflower Foundation business, without explicit consent.

#### 6) Review





Date Written for SSF 8<sup>th</sup> November 2023

Director : Debbie Lumb

Signed:



This policy and procedures have been agreed by the following Trustees at Sunshine Sunflower Foundation:

Signature 1:		Name:	Les Mettrick (Chair)	Date 11 <sup>th</sup> Jan 2024
Signature 2:		Name:	Lee Paxton	Date 11 <sup>th</sup> Jan 2024
Signature 3:		Name:	Hayley Sykes	Date: 11 <sup>th</sup> Jan 2024
Signature 4:		Name:	Jackie McGregor	Date: 11 <sup>th</sup> Jan 2024