

Ferring Retirement Club CIO (Charity No. 1212151)

Data Protection and Privacy Policy

1. Introduction

- 1.1 Ferring Retirement Club CIO (the '**Charity**') is registered with the Charity Commission under Charity No. 1212151. The objects of the Charity are: *"the relief of the elderly in any manner now or hereafter deemed charitable within Ferring and the surrounding area"*.
- 1.2 The Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (GDPR) govern the use of information about identifiable living individuals (personal data).
- 1.3 The Charity and its property are administered and managed by appointed Trustees (the '**Trustees**'). It undertakes to ensure that all personal data it holds on its members, Trustees, volunteers and others associated or working with the Charity (data subjects) will be used, processed and stored in line with the requirements of the DPA.

2. Personal data

- 2.1 The term 'personal data' is defined in Clause 3 (2) of the DPA as any information relating to an identified or identifiable living individual (data subjects); it does not apply to legal entities such as corporations, foundations and institutions.
- 2.2 Data subjects are identifiable if they can be directly or indirectly identified by any identifier such as name, address, date of birth, telephone number, email address, credit card number, bank account details, National Insurance number, vehicle registration number or any other data that relates to, and identifies, the individual.

3. Data protection principles for processing personal data

- 3.1 The Charity will obtain, hold and process all personal data in accordance with the DPA and GDPR.
- 3.2 The Charity will comply with the following principles for processing personal data:
 - Personal data shall be processed fairly and lawfully and in a transparent manner
 - Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes
 - Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
 - Personal data shall be accurate and, where necessary kept up to date. It is the responsibility of the individual to ensure that the personal data they provide to the Charity is accurate and up to date
 - Personal data processed for any purpose or purposes shall not be kept longer than is necessary for that purpose or those purposes
 - Personal data shall be processed in accordance with the rights of data subjects under the DPA/GDPR
 - Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

3.3 The Charity does not use any automated decision making or profiling processes.

4. Applying the DPA/GDPR

4.1 The Charity will collect personal data for the lawful purposes of managing its activities and finances, providing information to its members, publicising events or for any other lawful or reasonable purpose.

4.2 Personal data may be collected, processed and stored by the Charity:

- with an individual's express consent
- by legal obligation
- for legitimate purposes or in the legitimate interests of the Charity
- for contract management purposes

4.3 Access to personal information will be limited to Trustees, sections leaders, third party instructors and volunteers and only where strictly necessary.

5. Rights of data subjects

5.1 In compliance with the DPA/GDPR, data subjects have rights of access, rectification and erasure. The Charity acknowledges that:

- data subjects have a right to make a subject access request (SAR) to find out whether the Charity holds any of their personal data, where and how such data is held, what it is used for, the retention period and whether it will be shared with others
- data subjects have a right to have any data held by the Charity corrected if it is wrong
- data subjects have a right to erase or prevent use of their personal data in certain circumstances.

5.2.1 A SAR must generally be dealt with within one month of receipt, although this may be extended by a further two months in certain circumstances.

5.3 Requests by data subjects for rectification or erasure must be dealt with within one month.

6. Photographic images

6.1 Photographic images of individuals and small groups may be defined as personal data and could, therefore, fall within the scope of the DPA/GDPR. For example, this would apply where an individual is the focus of the image and/or where their name is included.

6.2 Where appropriate, the Charity will seek to obtain consent from any individual whose image appears in a photograph or image used by the Charity.

6.3 An image is not personal data if individuals are incidentally included in an image or are not the focus; for example, a group photograph such as Choir, Fitness Class etc, published in a magazine or posted on social media.

6.4 Images of people who are no longer alive are not personal data. Data protection in the context of the DPA/GDPR only applies to living individuals.

6.5 Photographs taken for purely personal use are exempt from the DPA/GDPR provisions.

6.6 Obtaining consent

Where appropriate and practicable, the photographer should obtain the individual subject's consent before taking the photograph. With regard to photographs of groups, It is usually sufficient for the photographer to ask permission of the group as a whole verbally. Anyone not wishing to appear in a group photograph will then have the opportunity to opt out.

7. Personnel

7.1 Data Protection Officer

In the considered opinion of the Trustees, the scope and nature of the personal data held by the Charity is not sufficient to warrant the appointment of a Data Protection Officer.

7.2 Data Controller

The Trustees are the Data Controller for the Charity.

7.3 Data Processors

The Officers of the Charity, being the Chair, the Secretary and the Treasurer, together with the Membership Secretary, are the Data Processors for the Charity. Except where otherwise specified in this policy, only the Data Processors shall have access to the personal data held by the Charity.

7.4 Section Leaders, Third Party Instructors and Volunteers

Personal data provided to section leaders, third party instructors and volunteers is generally limited to the names of members for the purposes of the particular activities in which the named members are engaged. Details of next of kin (name and contact number/email) are also provided for emergency use only.

8 Information Technology

8.1 Personal Data relating to the members is held by the Data Processors only and kept on their personal home computers. Holders of data should ensure that their computers are held in a secure location, backed up, virus protected and reasonably protected from accidental damage, loss and from access by persons who are not authorised.

8.2 The Charity shall ensure that no personal data is contained on its website or social media and if any images are displayed, where appropriate, consent has been obtained from the persons involved.

9. Privacy Impact Assessment

Both the volume of personal data and the sensitivity of the data held by the Charity is low, the most sensitive data being name, date of birth, address, telephone number and email address. Furthermore, the risk of data breach is considered to be small. The overall impact is, therefore, LOW.

10. Third Party Access to Data

Except where otherwise provided in this policy, or required by law, the Charity will not share with third parties any personal data it holds on any individual data subject. Where appropriate, data subjects will be informed in advance of the necessity to share their personal data with a third party. Before sharing personal data with a third party, the Charity will take all reasonable steps to verify that the third party is, itself, compliant with the provisions of the DPA/GDPR.

11. Review

This policy shall be reviewed by the Trustees every two years or as appropriate.