

# Policy on Data Protection

## 1. Purpose of this policy

- 1.1 To provide a guidance on the handling of personal data within GMFA.
- 1.2 To provide clarity in responsibility for employees and volunteers regarding data protection.
- 1.3 To provide a clear process for accessing personal data.

## 2. Introduction

- 2.1 GMFA holds and processes information about employees, volunteers, clients and other professionals. When handling such information, employees and volunteers must comply with the Data Protection Principles which are set out in the Data Protection Act 1998. In summary these state that personal data shall:
  - 2.1.1 Be processed fairly and lawfully.
  - 2.1.2 Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with the purpose.
  - 2.1.3 Be adequate, relevant and not excessive for the purpose
  - 2.1.4 Be accurate and up-to-date.
  - 2.1.5 Not be kept for longer than necessary for the purpose,
  - 2.1.6 Be processed in accordance with the data subject's rights.
  - 2.1.7 Be kept safe from unauthorised processing, and accidental loss, damage or destruction.
  - 2.1.8 Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances.

## 3. Employee and volunteer responsibilities

- 3.1 All employees and volunteers shall:
  - 3.1.1 Ensure that all personal information which they provide to GMFA in connection with their employment and volunteering is accurate and up-to-date.
  - 3.1.2 Inform GMFA of any changes to information, for example, changes to address.

- 3.1.3 Check the information which GMFA shall make available from time to time, in written or automated form, and inform GMFA of any errors. GMFA shall not be held responsible for errors of which it has not been informed.
- 3.2 When employees and volunteers hold or process information about clients, employees or volunteers, they should comply with the principles as outlined in section 2.
- 3.3 All employees and volunteers shall ensure that:
  - 3.3.1 All personal information is kept securely.
  - 3.3.2 Personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party. Unauthorised disclosure may be a disciplinary offence, and may be considered gross misconduct in some cases.
- 3.4 When employees supervise volunteers in tasks that involve the processing of personal information, they must ensure that volunteers are aware of the Data Protection Principles.

#### **4. Rights to access information**

- 4.1 Employees, volunteers and clients of GMFA have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Chief Executive.
- 4.2 GMFA will normally make a £10 charge for each official Subject Access Request under the Data Protection Act.
- 4.3 The £10 charge will usually be waived for all GMFA employees and volunteers. This will be done at the sole discretion of the Chief Executive.
- 4.4 GMFA will comply with all requests for access within 40 working days of receipt of the access charge.

#### **5. Subject consent**

- 5.1 Agreement to GMFA processing personal data is a condition of acceptance of becoming a client, a volunteer or an employee.
- 5.2 GMFA may process sensitive information about a person's health, disabilities, criminal convictions, racial or ethnic origin, Trade union membership and sexuality. This data will only be collected when relevant to GMFA business, such as the implementation of the sick pay policy, monitoring of equalities initiatives etc.

- 5.3 In addition, GMFA may also ask for information about particular health needs. GMFA will only use such information to protect the health and safety of the individual, or to enable the individual to take part in GMFA activities including employment.

## **6. The Data Controller, data audits and annual notification**

- 6.1 GMFA is the Data Controller under the Data Protection Act, and the Chief Executive is ultimately responsible for implementation and must approve the implementation of all new data collection processes.
- 6.2 GMFA will conduct data audits at least once a year. The purpose of these audits will be to ensure compliance with the Principles of the Data Protection Act. This Audit will go to the Board of Directors.
- 6.3 The Finance and Office Manager is responsible for submitting the annual notification to the Office of the Information Commissioner.

## **7. Compliance**

- 7.1 Compliance with the Data Protection Act is the responsibility of all employees and volunteers. Any deliberate or reckless breach of this Policy may lead to disciplinary actions.

## **8. Dissemination of policy**

- 8.1 This policy will go to all staff and Board members.

## **9. Review**

- 9.1 This policy will be reviewed every four years.
- 9.2 This policy was passed on 28<sup>th</sup> July 2005.