# DATA PROTECTION POLICY

# Category: u3a Keeping it Legal

## Introduction

Bourton and District (BandD) u3a treats your privacy rights seriously. This Data Protection Policy sets out the requirements for collecting, storing and managing your Personal Data whilst keeping it secure.

* 1. Scope of the Policy

This policy applies to the work of BandD u3a and sets out the requirements where BandD u3a has to collect and process information for membership purposes. The policy details how personal information will be collected, stored and managed in line with data protection principles and the General Data Protection Regulation (**GDPR**). The policy is reviewed on an ongoing basis by BandD u3a committee members to ensure that BandD u3a remains compliant. This policy should be read in tandem with BandD u3a’s Privacy Policy.

* 1. Why this policy exists

This Data Protection Policy ensures BandD u3a;

* Complies with data protection law and follows good practice,
* Protects the rights of its members,
* Is open about how it stores and processes members data,
* Protects itself from the risks of a data breach.
	1. General guidelines for committee members and group convenors
* The only people able to access data covered by this policy should be those who need to communicate with or provide a service to BandD u3a’s members.
* BandD u3a shall provide induction training to Committee Members and Group Organisers to help them understand their responsibilities when handling data.
* Committee Members and Group Organisers should keep all data secure by taking sensible precautions and adhering to the following guidelines:
	+ - Strong passwords must be used, and they should never be shared.
		- Data should not be shared outside of the BandD u3a unless with prior consent and/or for specific and agreed reasons. Examples would include Gift Aid information provided to HMRC or information provided to the distribution company for the Trust publications.
* Member information should be refreshed periodically to ensure accuracy, via the membership Renewal process or when the policy is changed.
* Additional support will be available from the Third Age Trust where uncertainties or incidents regarding data protection arise.
	1. Data protection principles

GDPR identifies key data protection principles:

* **Principle 1** – Personal data shall be processed lawfully, fairly and in a transparent manner.
* **Principle 2** – Personal data shall be 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.
* **Principle 3** – The collection of personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
* **Principle 4** – Personal data held should be accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that inaccurate personal data, having regard to the purposes for which they are processed, are erased or rectified without delay.
* **Principle 5** – Personal data must kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for the which the personal data is 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.
* **Principle 6** – Personal data must 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.
	1. Lawful, fair and transparent data processing

BandD u3a requests Personal Data from potential members and members for membership applications and for sending communications regarding members’ involvement with the u3a. Members will be informed as to why the information is being requested and what the information will be used for. The lawful basis for obtaining member information is due to the legitimate interest relationship that the u3a has with individual members. In addition, members will be asked to provide consent for specific processing purposes such as the taking of photographs. BandD u3a members shall be informed as to who they need to contact should they wish for their data not to be used for specific purposes for which they have provided consent. Where these requests are received, they will be acted upon promptly and the member will be informed as to when the action has been taken.

* 1. Processed for specified, explicit and legitimate purposes

Members shall be informed as to how their information will be used and the BandD u3a Committee shall seek to ensure that member information is not used inappropriately. Appropriate use of information provided by members shall include:

* Communicating with members about BandD u3a events and activities.
* Group Organisers communicating with group members about specific group activities.
* Member information shall be provided to the distribution company that sends out the Trust publication – Third Age Matters. Members shall be informed and have a choice as to whether or not they wish to receive the publication.
* Sending members information about Third Age Trust events and activities.
* Communicating with members about their membership and/or renewal of their annual membership subscription.
* Communicating with members about specific issues that may have arisen during the course of their membership.

BandD u3a shall ensure that Group Organisers are made aware of what would be considered appropriate and inappropriate communication. Inappropriate communication would include sending u3a members marketing and/or promotional materials from external service providers.

BandD u3a shall ensure that members' information is managed in such a way as to not infringe an individual members rights which include:

* The right to be informed.
* The right of access.
* The right to rectification.
* The right to erasure.
* The right to restrict processing.
* The right to data portability.
* The right to object.
	1. Adequate, Relevant and Limited Data Processing

Members of BandD u3a shall only be asked to provide information that is relevant for membership purposes which includes:

* Name
* Postal address
* Email address
* Telephone number
* Emergency Contact Information
* Gift Aid entitlement

Where additional information may be required such as health related information, this shall be obtained with the consent of the member who shall be informed as to why this information is required and the purpose that it will be used for.

* 1. Photographs

Photographs are classified as Personal Data. Where group photographs are being taken members will be asked to step out of shot if they do not wish to be in the photograph. Otherwise, consent shall be obtained from members to allow photographs to be taken and members shall be informed as to where the photographs will be displayed. Should a member wish at any time to remove their consent and to have their photograph removed, then they should contact their Group Organiser to advise that they no longer wish their photograph to be displayed.

* 1. Accuracy of data and keeping data up to date

BandD u3a has a responsibility to ensure members' information is kept up to date. Members shall be informed to let the membership secretary know if any of their personal information changes. In addition, on an annual basis, the membership renewal process shall provide an opportunity for members to inform BandD u3a as to any changes in their personal information.

* 1. Accountability and Governance

BandD u3a Committee are responsible for ensuring that the BandD u3a remains compliant with data protection requirements and can provide evidence that it has complied. Where consent is required for specific purposes then evidence of this consent (either electronic or paper) shall be obtained and retained securely. BandD u3a Committee shall ensure that new members joining the BandD u3a Committee receive an induction into the requirements of GDPR and the implications for their role. BandD u3a shall also ensure that Group Organisers are made aware of their responsibilities in relation to the data they hold and process. BandD u3a Committee members shall stay up to date with guidance and practice within the u3a movement and shall seek advice from the Third Age Trust National Office should any uncertainties arise. BandD u3a Committee shall review data protection requirements on an ongoing basis as well as reviewing who has access to date and how data is stored and deleted. When BandD u3a Committee members and Group Organisers relinquish their roles, they shall be asked to either pass on data to those who need it and/or delete data.

* 1. Secure Processing

BandD u3a Committee members have a responsibility to ensure that data is both securely held and processed. This shall include:

* BandD u3a Committee members using strong passwords.
* BandD u3a Committee members not sharing passwords.
* Restricting access of sharing member information to those on the BandD u3a Committee who need to communicate with members on a regular basis.
* Using password protection on laptops and PCs that contain personal information.
* Using password protection, a membership database or secure cloud systems when sharing data between committee members and/or Group Organisers.
* Paying for firewall security to be put onto BandD u3a Committee members' laptops or other devices.
	1. Subject Access Request

BandD u3a members are entitled to request access to the information that is held by BandD u3a. This shall be received in the form of a written request to the BandD Membership Secretary. On receipt of the request, the it shall be formally acknowledged and dealt with expediently (the legislation requires that information should generally be provided within one month) unless there are exceptional circumstances as to why the request cannot be granted. BandD u3a shall provide a written response detailing all information held on the BandD u3a member. A record shall be kept of the date of the request and the date of the response.

* 1. Data Breach Notification

When a data breach occurs, action shall be taken to minimise the harm. This shall include ensuring that all BandD u3a Committee members are made aware that a breach has taken place and how/where the breach occurred. The BandD u3a Committee shall then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. The BandD u3a Chairperson shall contact National Office as soon as possible after the breach has occurred. A discussion shall take place between the BandD u3a Chairperson and National Office as to the seriousness of the breach, action to be taken and, where necessary, the Information Commissioner's Office shall be notified. The BandD u3a Committee shall also contact the relevant u3a members to inform them of the data breach and actions taken to resolve the breach.

Where a BandD u3a member feels that there has been a breach by the BandD u3a, a committee member shall ask the member to provide an outline of the breach. If the initial contact is by telephone, the BandD u3a Committee member shall ask the BanD u3a member to follow this up with an email or a letter detailing their concern. The alleged breach shall then be investigated by members of the BandD u3a Committee who are not in any way implicated in the breach. Where the BandD u3a Committee needs support or if the breach is serious, they should notify National Office. The BandD u3a member shall also be informed that they can report their concerns to National Office if they don't feel satisfied with the response from the BandD u3a Committee. Breach matters shall be subject to a full investigation, records shall be kept and all those involved notified of the outcome.

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