

## **Elgin and District u3a**

### **DATA PROTECTION POLICY**

#### **Scope of the policy**

This policy applies to the work of the Elgin & District u3a.

The policy sets out the requirements that need to be followed in order to gather information for membership purposes. The policy details how personal information is gathered, stored and managed in line with data protection principles and the General Data Protection Regulation. The policy is reviewed on an ongoing basis by Elgin & District u3a Committee members to ensure that we are compliant.

#### **Why this policy exists**

This data protection policy ensures Elgin & District u3a:

Complies with data protection law and follows good practice

- Protects the rights of members.
- Is open about how it stores and processes members' data.
- Protects itself from the risks of a data breach.

#### **General guidelines for Committee members and group leaders**

- The only people able to access data covered by this policy should be those who need to communicate with or provide a service to Elgin & District u3a members.
- Induction training should be provided to Committee members and group leaders to help them understand their responsibilities when handling data.
- Committee members and group leaders should keep all data secure, by taking sensible precautions and following the guidelines below.
- Strong passwords must be used and they should never be shared.
- Data should not be shared outside the u3a unless with prior consent and/or for specific and agreed reasons, e.g. Gift Aid information provided to HMRC or information provided to the distribution company for Third AgeTrust publications.
- Member information should be refreshed periodically to ensure accuracy, via the membership renewal process or when policy is changed.
- Additional support could be provided by the Third Age Trust when uncertainties or incidents regarding data protection arise.

#### **Data protection principles**

The General Data Protection Regulation identifies key data protection principles:

Principle 1 - Personal data shall be processed lawfully, fairly and in a transparent manner.

Principle 2 - Personal data must only be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those 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 personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

Principle 5 – Personal data should be 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 are processed.

In any case, the Elgin & District u3a Committee has decided that personal data may be stored / archived for no longer than 2 years after a membership is no longer valid or the member terminates their membership. Any personal data held will be deleted as soon as practicable upon request from a member.

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.

### **Lawful, fair and transparent data processing**

Elgin & District u3a requests personal information from potential members and members for membership applications and for sending communications about their involvement with the u3a. The forms used to request personal information should contain a privacy statement informing potential members and members 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 contractual relationship that the u3a has with individual members. In addition, members should be asked to provide consent for specific processing purposes. Elgin & District u3a members should contact the Membership Secretary should they wish their data not to be used for specific purposes for which they have provided consent. Where these requests are received, they should be acted upon promptly and the member should be informed as to when the action has been taken.

### **Processed for specified, explicit and legitimate purposes**

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

- Communicating with members about Elgin & District u3a events and activities.
- Group leaders communicating with group members about specific group activities including Virtual Meetings.
- Communicating invitations to Virtual Meetings.
- Adding members' details to the direct mailing information for the Third Age Trust magazines.
- Sending members information about other u3a events and activities.
- Communicating with members about their membership.
- Communicating with members about specific issues that may have arisen or arise during the course of their membership.

Elgin & District u3a should ensure that group leaders are made aware of what could be considered appropriate and inappropriate communication. Inappropriate communication could include sending members marketing and/or promotional materials from external service providers.

Elgin & District u3a should ensure that members' information is managed in such a way as to not infringe an individual member's 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

## **Adequate, relevant and limited data processing**

Members of Elgin & District u3a should only be asked to provide information that is relevant for membership purposes. This will include:

- Name
- Postal address
- Email address
- Telephone number
- Mobile telephone number
- Interests (optional)
- Experience (optional)

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

Where the Elgin & District u3a organises a trip or activity that requires next of kin information to be provided, that information will be treated in the strictest confidence in line with GDPR.

## **Photographs**

Photographs are classified as personal data. When group photographs are being taken members should be asked to step out of shot if they do not wish to be in the photograph. Otherwise, consent should be obtained from members in order for photographs to be taken and members should be informed as to where photographs will be displayed. Should a member wish at any time to remove their consent and have their photograph removed they should contact the Membership Secretary to advise that they no longer wish their photograph to be displayed.

## **Accuracy of data and keeping data up-to-date**

Elgin & District u3a has a responsibility to ensure members' information is kept up to date. Members have a responsibility to let the Membership Secretary know if any of their personal information changes. This may be achieved by email, post or word of mouth. Members can alter their own information via Beacon.

## **Accountability and governance**

The Committee is responsible for ensuring that Elgin & District u3a remains compliant with data protection requirements and provide evidence that it has. Where consent is required for specific purposes, then evidence of this consent (either electronic or paper) should be obtained and retained securely. The Committee should ensure that new members joining the Committee receive an induction into the requirements of GDPR and the implications for their roles. The Committee should also ensure that group leaders are made aware of their responsibilities in relation to the data they hold and process. Committee Members should also stay up to date with guidance and practice within the u3a movement and should seek additional input from the Third Age Trust National Office should any uncertainties arise. The Committee should review data protection and who has access to information on a regular basis as well as reviewing what data is held. When Committee members and group leaders relinquish their roles, they will be required to pass on data to those who need it and/or delete data.

## **Secure Processing**

The Elgin & District u3a Committee members have a responsibility to ensure that data is both securely held and processed. This will include:

- Committee members using strong passwords.
- Passwords are not shared.
- Access to member information is limited to those on the 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 or secure cloud systems when sharing data between Committee members and/or group leaders
- Paying for firewall security to be put onto Committee members' laptops or other devices.

## **Subject Access Request**

Members are entitled to request access to the information that is held by the Elgin & District u3a. The request needs to be received in the form of a written request to the Membership Secretary. On receipt, the request should be formally acknowledged and dealt with expediently. Legislation requires that information should generally be provided within one month unless there are exceptional circumstances as to why the request cannot be granted. The Membership Secretary should provide a written response detailing all information held on the member. A record should be kept of the date of the request and the date of the response.

## **Data Breach Notification**

If a data breach were to occur, action would be taken to minimise the harm.

This action should include ensuring that all Committee members are made aware that a breach has taken place and how the breach occurred. The Committee should then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. The Chair of Elgin & District u3a should contact National Office within 24 hours of the breach occurring to notify of the breach. A discussion should take place between the Chair and National Office as to the seriousness of the breach, action to be taken and, where necessary, the Information Commissioner's Office would be notified. The Committee should also contact the relevant u3a members to inform them of the data breach and actions taken to resolve it.

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

## **Approved by Elgin & District Committee**

Signed: .....

Date: ..... 2023