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**Falkirk & District u3a Data Protection Policy**

***This policy applies to Falkirk & District u3a (hereafter ‘the u3a’). It sets out the requirements that the U3A has to gather personal information for membership purposes. The policy details how personal information will be gathered, 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 the u3a Trustees Committee to ensure that it is compliant. This policy should be read in conjunction with the Falkirk & District u3a Privacy Policy***

This data protection policy ensures that the 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 the u3a members
* Data should not be shared informally or outside the u3a
* Committee Members and group leaders should keep all data secure, by taking sensible precautions and following the guidelines below
* Where relevant, strong passwords must be used and they should never be shared
* Personal data should not be shared outside of the u3a unless with prior consent and/or for specific and agreed reasons
* Member information should be reviewed and refreshed periodically via the membership renewal process or when policy is changed.

**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 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 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 must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are 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.

**Lawful, fair and transparent data processing**

The u3a requests personal information from potential members and members for sending communications about their involvement with the u3a. The forms used to request personal information will 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. Members will be asked to provide consent for their data to be held and a record of their consent will be securely held. u3a members will be informed that they can remove their consent at any time and who they need to contact should they wish to do so. When such a request is received, this will be acted upon, normally within 14-days, and the member will be informed as to when the action has been taken.

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

Members will be informed as to how their information will be used and the Trustees Committee of the u3a will seek to ensure that member information is not used inappropriately.

Appropriate use of information provided by members will include:

* Communicating with members about the u3a events and activities
* Interest group leaders communicating with group members about specific group activities
* Adding members details to the direct mailing information for the Third Age Trust magazines – Third Age Matters and Sources
* Sending members information about Third Age Trust events and activities
* Communicating with members about their membership and/or renewal of their membership
* Communicating with members about specific issues that may have arisen during the course of their membership
* To allow the u3a to maintain its own accounts and records
* To allow the u3a to administer membership records

The u3a will ensure that group leaders are made aware of what would be considered appropriate and inappropriate communication. Inappropriate communication would include marketing and /or promotional materials from external sources.

The u3a will 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

**Adequate, relevant and limited data processing**

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

* Name
* Postal address
* Email address
* Telephone number
* Subscription preferences

Where additional information is required such as health related information this will be obtained with the consent of the member who will be informed as to why this information is required and the purpose that it will be used for. Such information will be kept in the strictest confidence.

Where the u3a organises a trip or activity that requires next of kin information to be provided, the member must gain consent from the identified next of kin. The consent will give permission for the information to be held for supporting and safeguarding the member. Where this information is needed for a one-off trip or event, then the information will be deleted after the event or trip has taken place, unless it was required for a longer purpose. This would also apply to carers who may accompany a member to a one-off event or on an ongoing basis to support a u3a member.

It may occasionally be necessary to share member’s data with a third party, such as in the case of an accident or illness. Where it is deemed to be in the best interests of the member or the u3a has a substantial concern, then consent does not have to be sought from the member.

Photographs are classified as personal data. Where group photographs are being taken members will be asked to step out of shot if they don’t wish to be in the photograph. The u3a may use a photograph on its website, newsletter or other electronic/paper based materials for promotional purposes, but only with the consent of a member, or members, in the photograph.

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

The u3a has a responsibility to ensure members' information is kept up to date. Members should let the membership secretary know if any of their personal information changes. In addition, on an annual basis, the membership renewal process will provide an opportunity for members to inform the u3a as to any changes in their personal information and to reconfirm their consent for the u3a to communicate with them.

**Accountability and governance**

The u3a Trustees Committee are responsible for ensuring that the u3a remains compliant with data protection requirements and can evidence that it has. Where consent is required for specific purposes then evidence of this consent (either electronic or paper) will be obtained and retained securely. The u3a Trustees Committee will ensure that new members joining the Committee receive an induction into data protection and how it is managed in Falkirk &District u3a and the reasons for it. Committee Members shall also stay up to date with guidance and practice within the u3a movement and shall seek additional input from the Third Age Trust National Office should any uncertainties arise. The Committee will review data protection and who has access to information on a regular basis as well as reviewing what data is held.

**Secure Processing**

The Trustee Committee members of the u3a have a responsibility to ensure that data is both securely held and processed.

This will include:

* Committee members using strong passwords
* Committee members not sharing passwords
* Restricting access of sharing member information 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.

**Subject Access Request**

Any u3a member is entitled to request details of all personal information Falkirk & District u3a are holding on him/her. The request needs to be received in the form of a written request to the Membership Secretary of the u3a. On receipt of the request, the request will be formally acknowledged and dealt with within 14-days unless there are exceptional circumstances as to why the request cannot be granted. The u3a will provide a written response detailing all information held on the member. A record shall 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 shall be taken to minimise the harm by ensuring that all Trustee Committee Members are made aware that a breach has taken place and how the breach occurred. The Committee shall then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. The Chairperson of the u3a shall notify the National Office within 24-hours of the breach occurring. A discussion will take place between the Chairperson 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 shall also contact the relevant u3a members to inform them of the data breach and the actions being taken to resolve the breach.

If a u3a member feels that there has been a breach by the u3a, a committee member, appointed by the Chairperson, will ask the member to provide an outline of their concerns. If the initial contact is by telephone, the Committee member will ask the u3a member to follow this up with an email or a letter detailing their concern. The alleged breach will then be investigated by two 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 the National Office. The u3a member should also be informed that they can invoke the Falkirk and District u3a Complaints Procedure if they don't feel satisfied with the response from the u3a. Breach matters will be subject to a full investigation, records will be kept and all those involved will be notified of the outcome.