

# Perth u3a Data Protection Policy

incorporating

Legitimate Interest Assessment – Membership

Legitimate Interest Assessment – Emergency Contact

## 1. Policy

### 1.1 Scope of the policy

This policy applies to the work of Perth u3a. The policy sets out why Perth u3a needs to collect and process information for membership purposes. The policy details how personal information is collected, stored and managed in line with UK data protection legislation. The policy is reviewed on an ongoing basis by Perth u3a committee members to ensure that Perth u3a remains compliant. This policy should be read in tandem with Perth u3a's Privacy Policy.

### 1.2 Why this policy exists

This data protection policy ensures Perth 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

### 1.3 How we follow the Data protection principles

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

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

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

Members will be informed how their information will be used and the Committee of Perth 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 Perth u3a events and activities
- Group leaders communicating with group members about specific group activities
- Member information will be provided to the distribution company that sends out the Trust publication – *Third Age Matters*. Members will 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 membership
- Communicating with members about specific issues that may have arisen during the course of their membership

Perth u3a will ensure that group leaders are made aware of what would be considered appropriate and inappropriate communication

Perth u3a ensures that members' information is managed in such a way as not to 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

### 1.3.3 Adequate, relevant and limited data processing

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

- Name (title, first name and surname)
- Preferred name
- Postal address
- Email address
- Telephone number
- Mobile number
- Whether a member wants to receive issues of *TAM (Third Age Matters)* magazine.

If additional information is required 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.

Perth u3a offers to collect, store and process members' emergency contact information, which committee members and group leaders could access in the event of an incident. The legal basis for this is legitimate interest, and our Legitimate Interest Assessment supports the practice.

### 1.3.4 Photographs

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. Otherwise consent will be obtained from members in order for photographs to be taken and members will be informed as to where 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 a committee member to advise that they no longer wish their photograph to be displayed.

### 1.3.5 Accuracy of data and keeping data up to date

Perth u3a has a responsibility to ensure members' information is kept up to date. Members will be informed to let a committee member 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 Perth u3a of any changes in their personal information.

#### **1.4 Accountability and governance**

Perth u3a Committee are responsible for ensuring that the u3a remains compliant with data protection requirements and can provide evidence that it has. For this purpose, membership forms and renewal documents are retained during the membership year to which they relate and up to one further year.

Perth u3a will also ensure that group leaders are made aware of their responsibilities in relation to the data they hold and process. Committee Members will stay up to date with guidance and practice within the u3a movement and will seek advice from the Third Age Trust National Office should any uncertainties arise. Perth u3a Committee will review data protection requirements on an ongoing basis as well as reviewing who has access to data and how data is stored and deleted.

#### **1.5 Secure Processing**

Perth u3a committee takes care that data is both securely held and processed. This includes:

- Advising committee members and group leaders using appropriate security on laptops, PCs and other devices that contain or access personal information
- Restricting access to those who need to know and tailoring their access to the range of data they need
- Using appropriate security when sharing data between committee members and/or group leaders
- Shredding paper records when they are no longer required.

Perth u3a uses services with the following 3rd party data processors:

- DM Printers – for direct mailing of *TAM* magazines
- Danscot – for printing, for example, of our programme and of renewal letters
- Beacon – for our external membership management system.

The committee seeks assurances from suppliers that their systems and procedures comply with data protection legislation.

#### **1.6 Subject Access Request**

U3a members are entitled to request access to the information that is held by Perth u3a about them. The request needs to be received in the form of a written request to the Membership Secretary of Perth u3a. On receipt of the request, the request will be formally acknowledged and dealt with within 14 days unless there are exceptional circumstances why the request cannot be granted. Perth u3a provides a written response detailing all information held on the member. A record will be kept of the date of the request and the date of the response.

#### **1.7 Data Breach Notification**

Were a data breach to occur, action would be taken to minimise harm by ensuring all committee members are aware that a breach had taken place and, when known, how the breach had occurred. The committee would then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. The Chair of Perth u3a would contact the national office of the Third Age Trust within 24 hours of knowing a breach has occurred to

notify of the breach. A discussion would take place between the Chair and national office as to the seriousness of the breach and the action to be taken and, where necessary, the Information Commissioner's Office would be notified. The committee would also contact relevant u3a members to inform them of the data breach and actions taken to resolve the breach.

If a member contacts Perth u3a to say that they feel there has been a breach caused by another member or members of Perth u3a, a committee member will ask the member to provide an outline of their concern. 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 concern 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 will notify the National Office. The Perth u3a member will also be informed that they can report their concerns to National Office if they don't feel satisfied with the response from Perth u3a. Breach matters will be subject to a full investigation, records will be kept and all those involved notified of the outcome.

## **2 Legitimate Interest Assessment – Membership**

### **2.1 Policy**

The committee of Perth u3a believes that it is a benefit to members to collect, hold and process their personal data in our secure Beacon website. This legitimate interest assessment sets out the legal basis under data protection legislation for Perth u3a to do so. It has three headings: purpose, necessity and balancing which are stipulated in the legislation.

### **2.2 Purpose Test**

We request personal data to be able to register individuals for membership of Perth u3a. The personal data provided will also be used to communicate with members regarding the activities of Perth u3a and to keep members informed regarding any groups or activities that they undertake with Perth u3a. Member information is shared with a third party processor for the supply of the Trust publication – *Third Age Matters* (TAM). Each member has a choice as to whether they opt to receive this publication. Membership information is also shared with a printer to enable the production of posted renewal letters and occasional other correspondence, where members do not have email addresses. Other than this Perth u3a does not share membership information outside of the u3a. Membership information is securely held and access is restricted to those who need to process data for membership purposes. Storage and processing of membership data is done in line with UK data protection legislation. Perth u3a operates with a data protection policy and a privacy policy and follows advice from the Third Age Trust in developing guidance in respect of our practice in relation to data protection.

### **2.3 Necessity Test**

Perth u3a requests minimal information from potential members which includes personal details and contact details. This information is proportionate to the requirements of the u3a fulfilling its responsibilities in relation to effective communication within the u3a. Perth u3a would not be able to register members or process applications without the provision of a certain amount of membership information. Perth u3a has a duty of care to its membership and needs to retain a certain amount of personal information in order to know who its

members are and which members are paid up members of the u3a. This is necessary for meeting the requirements of the insurance provision for u3a members.

## **2.4 Balancing Test**

The personal data requested is that which is needed for registering and processing individuals as members of Perth u3a. The data requested is minimal personal data and that which is needed for communicating with members... All the data gathered is from individuals who provide the information as part of their application to join Perth u3a. Membership is for a 12 month period at the end of which time members have the option as to whether or not they wish to renew as well as having the opportunity to update their personal information. The reasons for collecting personal information are explained to potential members at the point of joining. A copy of Perth u3a's privacy policy is available to all members who wish to have further details about how their information is used and who it is shared with. Members who are unhappy about their data being shared with the third party processor for the supply of the Trust publication, *Third Age Matters* are able to opt out of receiving this publication.

Perth u3a holds information securely and it is only accessed by those who need to see it. Membership data will not be processed for any purpose other than in connection with an individual's membership. Communications sent will be relevant and targeted to the individual's membership activities. U3a members will not be sent marketing materials or information that does not relate to Perth u3a. Perth u3a group leaders will be informed of the importance of restricting their communications with members to that which is needed for organisation of the group.

All those who process membership information for the u3a are required to accept our 'conditions of use' which emphasise data security aspects such as use of anti-virus software and state that membership information should be used only to perform tasks required by their role in Perth u3a.

In addition, those allowed to access membership details will be informed of the need to keep data secure and restricted to those who need access to it.

Through completion of this assessment Perth u3a considers that it has a legitimate interest to collect, hold and process membership information. This document will be held by the Committee and communicated to the membership, as required. The assessment will be reviewed every 2 years in order to ensure that legitimate interest remains the most appropriate lawful basis for gathering membership information.

## **3 Legitimate Interest Assessment – Emergency Contact**

### **3.1 Policy**

The committee of Perth u3a believes that it is a potential benefit to members to store emergency contact details in our secure Beacon website. This legitimate interest assessment sets out the legal basis under data protection legislation for Perth u3a to collect, hold and process these details. It has three headings: purpose, necessity and balancing which are stipulated in the legislation.

### **3.2 Purpose**

Perth u3a requests details of a member's emergency contact so that committee members and group leaders know who to contact in the event of an incident. Perth u3a has a duty of

care to each member. In order to fulfil that duty, Perth u3a needs to be able to contact a person who can meet a member's welfare needs in the event of an incident. Perth u3a requests each member providing these details to inform the emergency contact that their data has been shared with Perth u3a. For certain events and trips we may need to share these details with a third party, in which case members will be told.

### **3.3 Necessity**

The emergency contact information provided by members would be used only in the event of a serious incident. Perth u3a would use the information to contact someone who could collect the relevant member, support the relevant member or liaise, on behalf of the relevant member, with a third party such as a medical professional. Perth u3a requests the minimum information necessary: a name, a telephone number and the relationship to the member.

### **3.4 Balancing**

The emergency contact information requested is minimal. Perth u3a relies on its members to provide emergency contact information and to make the contact aware that this information has been passed to Perth u3a and for what purpose. Perth u3a will hold this information securely and it will be accessed only by those who need to see it. The information provided will only be used to contact the named person when an incident occurs that requires someone to take responsibility for the member. The information will not be processed for any other purpose.

Through completion of this assessment, Perth u3a considers that it has a legitimate interest to collect, store and process emergency contact information. This document is communicated to members as required, and is available on our website. The assessment is reviewed regularly in order to ensure that legitimate interest remains the most appropriate legal basis.

## **4 Adoption and Review**

This policy was adopted on [15<sup>th</sup> June 2021]

Policy review date: [1<sup>st</sup> June 2022]

- 4.1 Draft version 0.1, 25<sup>th</sup> May 2021, based on Third Age Trust Sample Template, prepared by Dave Smith, Membership Secretary Perth u3a
- 4.2 Draft version 0.2, 4<sup>th</sup> June 2021, prepared by Dave Smith, incorporating review comments and amendments from Anne Trant
- 4.3 Draft version 0.3, 13<sup>th</sup> June 2021, prepared by Dave Smith replacing paragraph 4 in Section 2.4 to remove the reference to "induction" of new people allowed access to members' data.
- 4.4 Published Version 1.0, date 15<sup>th</sup> June 2021, prepared by Dave Smith following approval by Perth u3a Committee at monthly Committee meeting 15<sup>th</sup> June 2021/
- 4.5 Version 1.0 Reviewed by Committee 14<sup>th</sup> June 2022 – no changes, no new version.