



volunteer centre kensington & chelsea

Data Protection Policy

General Statement of Policy

Volunteer Centre Kensington & Chelsea (VCKC) holds a significant amount of data about individuals, including staff, volunteers and clients. VCKC is committed to holding this data securely and in line with relevant legislation.

The Data Protection Act 2018 and the General Data Protection Regulation regulate the rights and privacy of individuals and ensure that personal data is not processed without their knowledge and, wherever possible, is not processed without their consent. This includes the obtaining, holding, using or disclosing of personal data, i.e. any information relating to an individual who can be identified (directly or indirectly) either from those data alone or by reference to an identifier (for example, client name), and covers computerised records as well as manual filing systems and card indexes.

Data users must comply with the data protection principles of good practice which underpin these laws. Personal data must be:

- obtained and processed fairly and lawfully and in a transparent manner;
- collected only for legitimate purposes that have been clearly explained and not further processed in a way that is incompatible with these purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- not kept longer than necessary for the purposes for which the personal data are processed;
- processed in a way that ensures appropriate security of the personal data; and
- not transferred to countries without adequate data protection.

VCKC and all staff and volunteers who process, or use personal data must ensure that they abide by these principles at all times.

VCKC is the Data Controller under GDPR and is therefore ultimately responsible for implementation. However day to day matters, notification, contact with the Information Commissioner's Office (including registration and renewal), ensuring that this data protection policy and compliance is reviewed at appropriate intervals and the handling of subject access requests will be dealt with by the Operations Manager.

This policy last reviewed by the Board of Trustees on: 28/3/22

Policy

1. Information held by VCKC relates to voluntary and community organisations, other organisations (including those in the public and private sectors) and individuals which support, assist, provide services to, work within or alongside, or fund voluntary and community organisations or to which VCKC provides services.
2. Information held about individuals will only be collected and recorded with good reason. It will be stored securely and for only as long as required.
3. Relevant data protection issues will be included in all induction and training as appropriate, and an internal audit of data protection compliance will be carried out at appropriate intervals.
4. VCKC will not give out information about any individual over the telephone or by e-mail unless it is satisfied that the individual knows that this type of disclosure may be made and/or the information is already in the public domain (or that there is some over-riding reason for the disclosure – viz. by operation of the law).
5. Information about individuals will not be published in any type of directory without the written consent of the individual.
6. No details of individuals will be passed to other organisations for marketing, fundraising or circulating information unless the individual has been informed that this might happen and been given the opportunity to opt-in or opt-out as appropriate.
7. The VCKC website will not contain any personal data that is not absolutely necessary. Where information is captured on the website, a clear policy statement will be provided (see section D below), and no personal data will be captured without the knowledge of the data subject.
8. Save where this might be not possible (e.g. in the case of large groups) photographs, recordings, videos or DVDs in which individuals are identifiable will only be used with their written consent and in the case of children (under 18 year olds) and vulnerable adults, without the consent of their guardians or carers where it is appropriate to seek it on their behalf.
9. Paper files containing sensitive information about individuals will be labelled confidential and kept in locked filing cabinets, accessible only to relevant staff and the Chief Executive.

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10. Computer files containing sensitive information about individuals will be password protected, accessible only to relevant staff and the Chief Executive.
11. Information no longer required will be disposed of appropriately including ensuring that data is non-recoverable from any computer system.

B. Personnel records

1. The names and post held of staff within VCKC are considered to be in the public domain and may be made freely available in any format to anyone.
2. The names and role held of Trustees within VCKC are considered to be in the public domain and may be made freely available in any format to anyone.
3. The address, telephone number and email address of Trustees shall be made available to staff and Trustees only and only for the purpose of making contact in furtherance of VCKC's governance.
4. The personal telephone numbers of staff are confidential but shall be made available to other staff members for the purpose of making contact in an emergency or urgent work related matter.
5. All material in respect of all applicants, other than the successful applicant, gained during the selection of staff or volunteers is confidential and shall be retained for twelve months after the effective start date of the staff member or volunteer appointed as a result of the recruitment process, at which point it shall be destroyed.
6. All information required for the purposes of payroll is confidential and made available only to the Treasurer, the Chief Executive, Chief Operating Officer, bookkeeper and auditors. Information will be passed to statutory bodies if a legal requirement, such as in connection with tax and national insurance.
7. All other information within personnel records is confidential and can only be made available to the Chair of Trustees and the Chief Executive. Personnel records are only used for matters connected with the individual's employment at VCKC or to help with references VCKC might write in future at the individual's request.
8. Information about age, gender, ethnicity, and disability of staff, volunteers and Trustees may be kept for the purposes of monitoring our Equalities policy.
9. Individuals will be given full open access to their complete personnel records without charge. Further details on access requests are within the 'Access to Information' section below.

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C. Databases of organisations and other contacts

1. Data about individuals (including those who are contacts for organisations) shall be confined to contact details and information directly relevant to the reason for their inclusion on VCKC's databases (for example, were they are participating in a training programme). Other information about organisations may be held provided this is not personal data.
2. Information about age, gender, ethnicity and the number of disabled people working with VCKC will be separated from identifying data and held separately from any other details or information that might identify an individual. The information may be collected for the purposes of monitoring our Equalities policy and for reporting to funders and regulators.
3. "special category" data, for example, information relating to licensing conditions for offenders and ex-offenders, or financial profiles for people referred to Campden Charities for grants, will
4. Data about individuals shall be deleted on the request of the individual when the data is no longer used or required by VCKC for legal, financial or contractual reasons.
5. Data about individuals shall only be used by VCKC for:
 - circulating VCKC's publications and other information about VCKC and its work, via regular mailings to all on that particular database
 - direct marketing of VCKC's training, events or services to selected individuals/organisations, unless the individual/ organisation has opted out of receiving direct marketing
 - providing contact details for a specified organisation when requested or when it is considered that another organisation offers a service of benefit to users, unless that individual/organisation has requested that all or some of the contact details not be made available outside VCKC
 - circulating information or direct marketing on behalf of another body on the grounds that it will potentially be of benefit to users and/or VCKC's charitable objects, unless the individual/organisation has requested that all or some of the contact details not be made available outside VCKC
 - any other reason which has been specifically agreed with that individual/organisation in advance.

Data about individuals shall not be used for direct marketing if the individual has exercised their right to opt out of this.

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D Templates

The following statements or those similar in substance should be used on membership and other relevant forms:

1.

VCKC will use the information you have provided here for the sole purpose of matching you with appropriate volunteering opportunities including sending information about appropriate opportunities to you.

If you would like to receive future mailings about VCKC's other services and events, please tick this box

If you have any query about the use we make of your data, please contact our Data Protection Lead – Operations@VCKC.org.uk – 07961 208896

2.

You do not have to provide any of the following information but it will contribute to our equal opportunities monitoring. It is collected in order to monitor the diversity of people we work with and to compile statistics to show our funders and others how we are doing.

3.

VCKC will use the information you have provided here for the purpose of giving you information about VCKC's training courses, services and events.

Information you provide will not be disclosed outside our organisation, except where necessary in order to facilitate the training. All participants are given a list of participants' names and organisations.

If you do not want us to contact you in future about VCKC's training courses, services and events, please tick this box

Information that you choose to give on special needs will be passed to the trainer, if relevant, so that we can make your participation as rewarding as possible. We will not retain the data after the course.

If you have any questions about the use we make of your data, please contact our Data Protection Lead – Operations@VCKC.org.uk – 07961 208896

E. Data breach

A personal data breach happens where personal data is lost, destroyed, altered, corrupted or disclosed, accessed or passed on without proper authorisation. Or if the

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data is made unavailable and this causes significant negative effect to individuals. This includes breaches that are the result of both accidental and deliberate causes.

Personal data breaches can include:

- Access by an unauthorised third party
- Sending personal data to an incorrect recipient
- Computing devices (tablets, mobiles etc.) containing personal information being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

If a personal data breach occurs steps should be taken promptly to address it:

- All VCKC staff and volunteers should **immediately** inform their line manager/supervisor of any data security incident they become aware of. In the absence of their line manager they should inform another member of the VCKC management team
- The manager will then establish the likelihood and severity of any resulting risk to the individual's rights and freedoms because of the breach
- If it is likely there will be a significant risk then the Information Commissioner's Office (ICO) must be notified within 72 hours of VCKC becoming aware of the breach
- If the ICO are notified then the Charity Commission and relevant funders will also need to be notified
- If the breach involves a high risk to the rights and freedoms of individuals then the individual must also be informed without undue delay
- In case of any doubt, managers should contact the VCKC Chief Executive Officer or Operations Manager for further guidance.
- The VCKC Chief Executive Officer shall inform the Chair immediately in writing and they will make an initial assessment of the likelihood and potential impact of the breach. If the incident is assessed as being potentially serious then the Chief Executive will write to the Board with the details; otherwise, an incident report will be submitted by the Chief Executive for consideration at the next meeting of the Board.

F. Access to information

Data Subject Access requests should be made in writing and signed by the individual and addressed to Data Protection Lead at VCKC.

In response to a Data Subject Access request, VCKC aims to disclose as much information as possible within 40 business days from the date of the request, while respecting the right of any third party to maintain confidentiality wherever reasonable.

No charge will be made for any Data Subject Access request from staff, volunteers or Board of Trustee members.

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A charge of £10 will be made for a Data Subject Access request from service users or any other person.

G. Queries

In case of any queries or questions in relation to this policy please contact VCKC's Data Protection Lead – Operations@VCKC.org.uk – 07961 208896

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Appendix: Individual Rights

The GDPR provides the following rights for individuals:

1. **The right to be informed.** This includes an obligation on organisations processing personal information to provide fair processing information, typically through a privacy notice and be transparent over how they use personal data.
2. **The right of access.** Individuals have the right to access their data; (known as Subject Access) to help them understand how their data is being used and if this is being done lawfully. This request can be made verbally or in writing (via any format including social media) and can be made to any member of VCKC staff.
3. **The right to rectification.** Personal data can be corrected if it is inaccurate or incomplete.
4. **Right to erasure.** This is also known as the right to be forgotten. It allows an individual to request the deletion or removal of personal information where there is no compelling reason for its continued processing. E.g. it is no longer necessary for the purpose it was originally collected.
5. **Right to restrict processing.** Individuals have a right to block or suppress the processing of personal data. The data can still be stored, but must not be further used. The circumstances in which processing may be restricted could be where an individual contests the accuracy of personal data, and wants it to be verified, or where the organisation no longer needs the data, but the individual does (for a legal claim for example).
6. **Right to data portability.** This gives individuals the right to obtain and reuse their personal data for their own purposes across different services. This right only applies to data provided by the individual, based on consent or for performance of a contract and where processing is carried out by automated means.
7. **Right to object.** Individuals have the right to object to direct marketing and processing based on legitimate interests. VCKC gives all our service users choices about their marketing preferences when they first contact us and these preferences can be changed at any time.
8. **Rights related to automated decision-making including profiling.** This is related to automated individual decision making and profiling.

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