

DATA PROTECTION POLICY

Introduction

Tools for Self Reliance needs to collect and use data (information) for a variety of purposes about its staff, volunteers, donors and other individuals who come into contact with the organisation. The purposes of processing data include the recruitment and payment of staff, monitoring of health and safety, monitoring of donors, and training records of volunteers. In collecting and using the data TFSR must comply with the requirements of the Data Protection Act 1998 which govern the processing of personal data. Under these requirements, the information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully, and the Data Protection Principles must be followed. In summary, these principles state that personal data shall:

- Be processed fairly and lawfully and shall not be processed unless certain conditions are met;
- Be obtained only for specified and lawful purposes and shall not be processed in any manner incompatible with those purposes;
- Be adequate, relevant and not excessive for those purposes;
- Be accurate and kept up to date;
- Not be kept longer than is necessary for those purposes;
- Be processed in accordance with the data subject's rights under the Act;
- Be kept safe from unauthorised access, accidental loss or destruction;
- Not be transferred to a country outside the European Economic Area unless that country has equivalent levels of protection for personal data.

Tools for Self Reliance and all its staff, trustees and others who process or use any personal information must ensure that they follow these principles at all times. This policy seeks to ensure that this happens.

Status of the Policy

This policy does not form part of the formal contract of employment, but it is a condition of employment that employees will abide by the rules made by Tools for Self Reliance from time to time. Any failure to follow the Policy can therefore result in disciplinary proceedings

Any member of staff or volunteer who considers that the Policy has not been followed in respect of personal data about themselves should use the Grievance procedure.

Tools for Self Reliance as Data Controller

Tools for Self Reliance as a body corporate is the data controller under the Act, and the Board of Trustees is therefore ultimately responsible for implementation. However, the Chief Executive Officer will deal with day to day matters.

Tools for Self Reliance

In accordance with the requirements of the Act, Tools for Self Reliance is registered as a data controller with the Office of the Information Commissioner. Tools for Self Reliance Data Protection Officer is the Chief Executive Officer.

Tools For Self Reliance maintains data in secure conditions and processes and discloses data only within the terms of its notification to the Information Commissioner.

Rights of Data Subjects

Notification to Staff, Volunteers and Other Data Subjects

All staff, volunteers, partners and other data subjects are entitled to know:

- What information Tools For Self Reliance holds and processes about them and why
- How to gain access to it
- How to keep it up to date
- What Tools for Self Reliance is doing to comply with its obligations under the 1998 act.

Tools for Self Reliance will ensure, through this policy and the issue of further guidance as necessary that staff volunteers and other data subjects are notified of the above as appropriate.

Right of Access to Information

Staff, volunteers, partners and other data subjects of Tools For Self Reliance have the right to a copy of the personal information Tools For Self Reliance holds about them in computer systems and in manual filing systems. Any person wishing to exercise this right should contact the Chief Executive Officer.

Tools For Self Reliance aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days unless there is a good reason for delay. In such cases, the reason for delay will be explained in writing to the data subject making the request.

Keeping Data up to Date

All staff are responsible for

- Checking that information they provide to Tools For Self Reliance in connection with their employment is accurate and up to date.
- Informing Tools for Self Reliance of any changes to information which they have provided, e.g. change of address.
- Checking the information that Tools for Self Reliance may send out from time to time giving details of information kept and processed about staff.

Volunteers, partners and other data subjects should ensure that all personal data provided to Tools for Self Reliance is accurate and up-to-date. They

Updated Jan 04

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should notify the Administration Officer of any alteration to their address or personal details.

Tools for Self Reliance cannot be responsible for any errors unless the member of staff, volunteer, partners or other data subject has informed Tools for Self Reliance about them.

Staff/Volunteer Processing of Data

If and when, as part of their responsibilities, staff collect information about other people they must comply with the guidelines for collecting information, which are appended to this document. In particular staff must ensure that any personal data, which they hold, is kept securely and that personal information is not disclosed either orally or in writing or accidentally to any unauthorised third party.

Sensitive Data

In some cases Tools for Self Reliance may only process personal data with the consent of the individual. In particular, some data is considered to be **sensitive data**, for example, information about a person's health, racial or ethnic origin, criminal conviction or trade union membership. This information may be processed to ensure that Tools for Self Reliance is a safe place for everyone, or to operate policies such as sick pay policy or the equal opportunities policy. Because this information is considered sensitive, and it is recognised that the processing of it may cause particular concern or distress to individuals, staff and volunteers will be asked to give consent for Tools for Self Reliance to do this. This information should be kept in the locked file in the CEO's office.

Retention of Data

Information about staff will be kept for a number of years after a member of staff leaves Tools for Self Reliance. For example:

Personnel File	7 years from end of employment (indefinite for CEO)
Applications for jobs (unsuccessful)	6 months
Payroll information	6 to 12 years depending on statutory requirement
Income Tax & NI	3 years after the end of the financial year to which it relates.
Sickness records	3 years after the end of the financial year to which it relates.
Bank Details	Employment only
Timesheets	2 years (WTD)
Medical records relating to COSHH	40 years
Accident Books	3 years after date of last entry

Some information will be kept for much longer. This may include information necessary in respect of pensions & taxation, potential or current disputes or litigation regarding the employment and information required for job references.

Tools for Self Reliance

Information about volunteers and other data subjects will generally be kept for three years after the volunteer or data subject has ceased to be involved with Tools for Self Reliance

Compliance

Compliance with the 1998 Act is the responsibility of all staff and volunteers of Tools for Self Reliance. Any deliberate breach of the data protection policy may lead to disciplinary action being taken, or even a criminal prosecution. Any questions or concerns about the interpretation or operation of this policy should in the first instance be taken up with the Chief executive Officer.

Appendix One – Guidelines for Collecting Personal information

Collection

Only standard information may be collected without the express consent of the individual. This includes: general personal details e.g. name, address

Details about skills and abilities

Notes on any personal supervision required.

Any sensitive data (as defined above) must be collected with the express consent of the individual concerned.

All staff must make sure that information is

- Accurate
- Up to date.

This means that any amendments to the database must be done immediately, preferably through the administrative officer.

Use of Information.

Any information collected on individuals must only be used for purposes for which it has been collected. On no account must any information be passed, or sold to a third party without the express consent of that individual.

Storage

Computerised data will be only be stored on programmes that have a password, and are therefore only accessible by authorised individuals.

Original data from forms will be kept as a back up but these will be kept in locked filing cabinets.

Security

- All staff should ensure that any information that they hold is kept securely and not disclosed either orally or in writing or accidentally to any unauthorised third party.
- All information in the form of manual records must be kept in a locked filing cabinet or locked drawer.
- Care must be taken that manual records are not left where unauthorised people can access them.
- All information on computer must be password protected.
- Computer screens should be sited so that they are not visible to unauthorised people. Screens should not be left unattended when personal data is being processed.