



Fixing the Big Issues for Disabled People in Buckinghamshire

Charity No 1102511

www.buds.org.uk | 01494 211179 | info@buds.org.uk

Registered Address (no callers): BuDS, c/o B P Collins LLP,
20 Station Road, Gerrards Cross, Buckinghamshire, SL9 8EL



Data Protection Policy

1. This policy sets out Buckinghamshire Disability Service's approach to data protection together with responsibilities for implementing the policy and monitoring compliance. This policy is designed to meet all relevant legal requirements including GDPR and to ensure that the reputation of Buckinghamshire Disability Service is not damaged through inappropriate or unauthorised access and sharing.
2. This policy applies to the Trustee Board, paid staff, volunteers or anyone working with or on behalf of Buckinghamshire Disability Service.
3. The Trustee Board of Buckinghamshire Disability Service have overall responsibility for data protection.
4. Day to day responsibility for data protection and implementing and monitoring the data protection policy is delegated to the Chair of Trustees and Charity Secretary, including:
 - a. Understanding and communicating obligations
 - b. Reviewing the ways Buckinghamshire Disability Service holds, manages and uses personal information
 - c. Identifying potential problem areas or risks
 - d. Producing clear and effective procedures
 - e. Notifying and annually renewing notification to the information Commissioner, plus notifying of any relevant interim changes
5. All Buckinghamshire Disability Service trustees, staff and volunteers who process personal information must ensure they understand and act in line with this policy and data protection principles. To help them do so, data protection is covered in every BuDS job or role description.
6. Anyone who refuses to follow this policy or who deliberately evades its intent (or who helps another to do this) will not be allowed to have a job or role within BuDS, will be removed instantly from any role or job they may hold in connection with BuDS, and will be reported to the Information Commissioner. Employees who behave in this way may be summarily dismissed as BuDS will regard this behaviour as gross misconduct. Trustees, staff and volunteers also should be aware that they can be personally liable if they use personal data inappropriately.

Definitions:

7. A 'Data Subject' is a person whose personal information is being held or processed by Buckinghamshire Disability Service, ie a Trustee, volunteer, employee or person helped by us
8. *Personal data* is information that relates to an identifiable individual and includes both electronic or computer records and documents and paper documents held in the BuDS filing system.

9. Personal data may include details of Trustees, staff, volunteers, members and people who BuDS helps or who use our services, as well as people who apply to work or volunteer for BuDS. Records which are personal data include:
 - a. Volunteer and employee information such as contact details, bank account number, payroll information, supervision and appraisal notes
 - b. The Membership and Contacts databases
 - c. Lists of people who ask for help or register their details at BuDs events
 - d. Case files relating to people who are helped by BuDS

10. *Sensitive personal data* includes information about
 - a. racial or ethnic origin of the data subject
 - b. political opinions
 - c. religious beliefs or other beliefs of a similar nature
 - d. trade union membership
 - e. disability, physical or mental health condition
 - f. sexual orientation
 - g. criminal record or any criminal proceedings

11. *Informed consent* is when a data subject clearly understands why the information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data, and then gives their consent to share their data

Principles

12. Buckinghamshire Disability Service will:
 - a. use personal information fairly and lawfully;
 - b. collect only the information necessary for a specific purpose(s)
 - c. ensure it is relevant accurate and up-to-date
 - d. only hold as much personal data as we need: and only for as long as we need it
 - e. allow the subject of the information to see it on request
 - f. keep it secure

13. Buckinghamshire Disability Service will notify the Information Commissioner's Office (ICO) about the data processing activities of Buckinghamshire Disability Service by registering with the information Commissioner. The details are recorded on the public register and Buckinghamshire Disability Service renews this annually as the law requires. If there are any interim changes, these will be notified to the information Commissioner within 28 days. BuDS' ICO registration number is Z2305330.
14. Buckinghamshire Disability Service is transparent about how we intend to use data. We include privacy notices on our website and any forms that we use to collect data. These clearly explain the reasons for using the data, including any disclosure that will happen.
15. We avoid collecting data without a legitimate business reason and collect only the minimum required to meet the purposes we need it for and which are specified in our privacy notice.
16. We do not process personal data in any manner that is incompatible with the specific purposes. If we want to use personal data for a new or different reason that was not anticipated at the time of collection, we will consider whether this would be fair. When needed, we will get consent to use or disclose personal data for a purpose that is additional to, or different from, the purpose we originally obtained it for.

17. The personal data we hold is accurate, and where necessary, kept up-to-date. Where we identify any inaccurate data, we update the records accordingly. We readily review information to identify when we need to correct inaccurate records, remove irrelevant ones and update out of date ones.
18. We identify what types of records or datasets we hold and discard, delete or anonymized personal data as soon as it becomes surplus to requirements. We have a written retention policy which specifies when and how we will securely dispose of different categories of data.
19. We protect personal data using appropriate security measures. We assess the risks to the personal data we would hold and choose security measures that are appropriate.
20. We do not transfer personal data outside the European Economic Area and our IT systems are GDPR compliant.
21. All Trustees, volunteers and staff handling personal data are briefed on their data protection responsibilities during their induction, with updates at regular intervals or when required. Specialist training will be provided for anyone with specific duties such as marketing, information security and database management when necessary.

Transparency

22. Buckinghamshire Disability Service will be clear and open with individuals about how their information will be used. Individuals have a choice about whether they wish to enter into a relationship with Buckinghamshire Disability Service and if they know at the outset what the information will be used for, they'll be able to make an informed decision.
23. When collecting data, Buckinghamshire Disability Service will ensure that the Data Subject:
 - a. clearly understands why the information is needed
 - b. understands what it will be used for and what the consequences are should they decide not to give consent to processing
 - c. grants explicit consent, either written or verbal, for data to be processed
 - d. is, as far as reasonably practicable, competent to give consent and has given so freely without any duress

Subject access requests

24. BuDS recognises and responds to any individuals' request to access their personal data. The right of access gives anyone we hold personal data about the right to request, to see and obtain a copy of the information. We will respond to a subject access request promptly and in any event within 40 calendar days of receiving it.
25. We ask that subject access requests are made in writing by e-mail or a private written message of any sort. Requests made on a public or semi-public forum like social media will not be accepted.
26. Buckinghamshire Disability Service does not need to respond to a request made orally but depending on the circumstances, it might be reasonable to do so provided that Buckinghamshire Disability Service are satisfied about the person's identity. If Buckinghamshire Disability Service considers an oral request invalid we will explain to the individual how to make a valid request or help them to do so, especially if they are disabled.
27. Individuals have a right to have data corrected if it is wrong, to prevent use which is causing them damage or distress or to stop marketing information being sent to them. We will do this immediately we become aware of an error.

28. The Freedom of Information Act 2000 does not apply to Buckinghamshire Disability Service as we are not a public authority. BuDS will not normally hold data on behalf of a public authority.

Records management, retention and security

29. Personal data and records containing personal data will be stored securely and will only be accessible to people authorised to see it. Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately.

30. All IT and computer systems disposed of by BuDS will have their hard drives removed and securely destroyed and all other recoverable data wiped beforehand.

Sharing data

31. Buckinghamshire Disability Service does not routinely share data with any other organisation or agency and it is our policy not to do so without the data subject's explicit consent, unless we are legally obligated to do so. If BuDS enters into an agreement which may require us to share data with other agencies, we will explicitly notify the data subjects concerned.

32. BuDS does not and will not sell data for gain to any third party.

33. Very rarely, BuDS may decide to disclose data (including sensitive data) without the data subject's consent where we have the legal right to do so, for example to protect your vital interests, to conduct legal proceedings, or to provide a confidential service where your consent cannot be obtained.

Review

This policy will be reviewed annually by the Chair and Secretary and any necessary changes brought to the attention of the Trustee Board.

Approved: January 2022

Review: January 2024