



RETAS LEEDS

Data Protection & GDPR Policy – July 2022

This policy should be read with RETAS policies on Confidentiality, Safeguarding and code of conduct.

Overview

- RETAS is committed to protecting the rights and privacy of individuals, including users, employees, volunteers and trustees
- RETAS takes seriously its obligations under the Data Protection Act 1998 and General Data Protection Regulations 2018
- The Data Protection Act (1998) defines and outline a UK legal basis and framework for the handling of information relating to living people
- The General Data Protection Regulation underpinned by the Data Protection Act enhances the protection of personal data by setting higher thresholds of accountability in how organisations collect, process, store, retain and use personal data. It also accords new and stronger rights for individuals to understand and control that use
- RETAS commits to ensuring that any personal information about individuals is collected and used lawfully, fairly, and with transparency, used only for the purposes for which it was collected, stored safely and securely, not shared with any third party unlawfully, and disposed of when it is no longer needed.

SECTION 1: Purpose

This policy captures and sets out RETAS commitment to employees, volunteers, service users, trustees ensuring that any personal data and other relevant data which RETAS holds or processes, is carried out in compliance with data protection law.

The organisation is committed to ensuring any personal data will be dealt with in line with the Data Protection Act 1998. To comply with the law, personal information will be collected and used fairly, stored safely and not disclosed to any other person unlawfully. The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures.



SECTION 2: The main purposes for which we collect, hold and process data include:

1. Employment related processes – recruitment, payroll, employee contracts and records, staff management, expenses payments
2. Charity Commission and Companies House reporting – trustee details, officer details
3. Donation processing
4. Funding applications and grant processing – funder details, project key contact details
5. Contract delivery processes – contract & contract management details, invoices, payments
6. Supporter communications – ‘Friends of RETAS’
7. Community activities – Welcome to Leeds and other community engagement partners/participants’
8. Volunteer management – volunteer contact details, payment of expenses
9. DBS checks – all details required for checks on relevant individuals where this has been deemed necessary by the CEO
10. Monitoring of demographics of participants – to aggregate and report to funders and donors, monitor effectiveness of services

SECTION 3: Principles of Data Protection

This section sets out the key requirements of the Data Protection Act

In line with the Data Protection Act 1998 principles, RETAS will ensure that personal data will:

- Be obtained fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specific and lawful purpose
- Be adequate, relevant but not excessive
- Be accurate and kept up to date
- Not be held longer than necessary
- Be processed in accordance with the rights of data subjects
- Be subject to appropriate security measures
- Not to be transferred to other countries without adequate protection

The Personal Data Guardianship Code suggests five key principles of good data governance on which best practice is based. RETAS will seek to abide by this code in relation to all the personal data it processes, i.e.

- **Accountability:** those handling personal data follow publicised data principles to help gain public trust and safeguard personal data.



- **Visibility:** Data subjects should have access to the information about themselves that an organisation holds. This includes the right to have incorrect personal data corrected and to know who has had access to this data.
- **Consent:** The collection and use of personal data must be fair and lawful and in accordance with the DPA's eight data protection principles. Personal data should only be used for the purposes agreed by the data subject. If personal data is to be shared with a third party or used for another purpose, the data subject's consent should be explicitly obtained.
 - **Access:** Everyone should have the right to know the roles and groups of people within an organisation who have access to their personal data and who has used this data.
 - **Stewardship:** Those collecting personal data have a duty of care to protect this data throughout the data life span.

SECTION 4: Responsibilities

- Overall responsibility rests with the Board of Trustees
- This Board of Trustees delegates specific tasks to specified personnel
- All staff/ trustees/ volunteers have responsibilities to abide by the policy.

All employed staff, trustees and volunteers who process personal information must ensure they not only understand but also act in line with this policy and the data protection principles.

Breach of this policy will result in disciplinary proceedings.

To meet our responsibilities staff, volunteers and trustees will:

- Ensure any personal data is collected in a fair and lawful way;
- Explain why it is needed at the start;
- Ensure that only the minimum amount of information needed is collected and used.
- Ensure the information used is up to date and accurate.
- Review the length of time information is held.
- Ensure it is kept safely.
- Ensure the rights people have in relation to their personal data can be exercised

We will ensure that:

- Everyone managing and handling personal information is trained to do so.
- Anyone wanting to make enquiries about handling personal information, whether a member of staff, volunteer or service user, knows what to do;
- Any disclosure of personal data will be in line with our procedures.



SECTION 4: Subject Access Requests

The Data Protection Act 1998 states that people have a right to access any information that we hold about them. This includes employees, volunteers, Trustees and people who use our services. The Act says that we have to respond to requests for access to information within 40 calendar days.

Information about the records or to grant access after receiving a signed written request from the client should be responded to within 40 days. Identification must be checked, including photo ID. It is reasonable to ask further questions of the client before releasing information, but this should not be used to extend the 40 day deadline. Refusals to release information should be given in writing.

A fee can be charged to release the information, the maximum fee is £10. It is reasonable not to release any information before the fee is received.

A request for access to records may be denied if granting access is considered likely to cause serious harm to the physical or mental health or condition of the client and that opinion has been endorsed by an appropriate health professional. An appropriate health professional would usually be a doctor involved in the treatment of the person concerned.

SECTION 5- Data Protection Breaches

RETAS acknowledges that there might be situations where data protection is breached there this section sets out how the organization might response. The list below is not exhaustive:

1. If staff, volunteers, (or contractors/consultants working for RETAS) think that data might have been lost or breached, they will report this immediately to the Operations Manager or the CEO
2. The Operations Manager or CEO will promptly assess whether the breach of security has led to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, and then assess the risk to people's rights and freedoms
3. If the data breach is likely to result in a risk to any person, RETAS management will raise the issue with the Chair of the board of trustees for decision to be made
4. In situations where a personal data breach causes a high risk to any person, we will also inform data subjects whose information is affected, without undue delay
5. Records of personal data breaches will be kept

Sharing of Data

- RETAS undertakes to only share personal data in a way that is fair, transparent and in line with the rights and expectations of the people whose information we are sharing, as provided for in, and not in breach of, the DPA and GDPR.
- By 'data sharing' we mean the disclosure of data from one or more organisations to a third party organisation or organisations, or the sharing of data between different parts of an



organisation.

- We will only share personal data with other organisations or people when we have a legal basis to do so and if we have informed the data subject about the possibility of the data being shared (usually in a privacy notice), unless legal exemptions apply to informing data subjects about the sharing, such as for the purposes of:
 - the prevention or detection of crime;
 - the apprehension or prosecution of offenders; or
 - the assessment or collection of tax or duty.

Training and guidance

RETAS recognizes the importance of policy adherence in all areas and takes data protection seriously. As organization, we take a proactive and empowering approach to ensuring policy adherence. Training and guidance is integral to this goal.

Therefore, the CEO and senior management will ensure general training and guidance is provided at least annually for all staff and volunteer to raise awareness of their obligations and RETAS responsibilities, as well as to outline the law.

Managers/leaders need to set aside time with their team to cascade training and guidance and look together at the implications for their work. Trustees will also ensure that they are fully acquainted with the policy

Policy approved by:

Signature.....

Date.....

Chair of Trustees

Name.....

REVIEW

The effectiveness of this policy and associated arrangements will be reviewed annually by the Board of Trustees under the direct supervision of the RETAS Chief of Executive.

Review Date: September 2025