



Why we have a policy?

As the Relief in Need charities we need to gather and use certain personal data and information about those who do business with us, as well as its employees or independent contractors. This normally takes the form of individual grant applications.

We recognise that the lawful and correct handling of all personal information is extremely important to maintain a level of confidence with those who carry out business with us.

This policy describes how we will comply the requirements and obligations set out in the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR).

Definitions

We include the following to help with understanding of this policy and the legislation. This is not an exhaustive list of definitions or terms which can be found in the legislation or on the Information Commissioner's website at www.ico.org.uk.

Personal Data: Information about an identified or identifiable natural person (living individual) – someone who can be identified directly or indirectly including with the use of an online identifier.

Special Category Data (Sensitive Personal Data): Personal data of an individual that relates to their racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life or orientation.

Note: The processing of data that is criminal data i.e. it relates to Offences or alleged offences, court proceedings or sentencing, fall within the Law Enforcement Directive and part 3 of the DPA.

Data Subject: The living individual who is the subject of the personal data, the natural person.

Controller: A natural or legal person, public authority, agency or other body that determines the purposes and way in which personal data is processed. We is the Data Controller.

Data Processor: A natural or legal person, public authority, agency or other body that processes personal data on behalf of a Controller.

Processing: Any operation on the data including Obtaining/collecting, recording, organisation, storage or holding the personal data, disclosure; and any other operation on this e.g. destruction.

Responsible person: This is someone appointed within the company to take responsibility for compliance with this policy and the legislation.

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Data Protection Officer: An employee or contracted person who has expert knowledge of data protection law and practices, and the ability to undertake the legislated tasks.

General Provisions

This policy applies to all personal data held in any format including paper, electronic, images and sound, and emails that may be sent or received by us.

All stages of the lifecycle of personal data are covered by this policy:

- Obtaining, gathering or collection of data;
- Storage and security of data and any information this data creates;
- Use and disclosure of data and any information this data creates;
- Sharing of data and any information this data creates;
- Disposal and destruction of data and any information this data creates;

This policy applies to all trustees and employees of the Relief in Need charities, and any independent contractors working on our behalf.

A responsible person for the Relief in Need charities will be nominated to take responsibility for ongoing compliance with this policy.

This policy will be reviewed annually.

We will maintain its registration with the Information Commissioner's Officer and the registration numbers are:

Manchester Relief in Need	ZA801946
Manchester Children's Relief in Need	ZA801947
Manchester District Nursing Institution Fund	ZA801951

Legislation overview

The DPA 2018 and GDPR require all organisations that process personal data to follow certain 'rules' (Principles). This legislation also defines certain terms and gives individuals' a number of rights.

There are 6 key Principles within GDPR that provide a framework for good practice and the proper handling of personal data. We have summarised these here.

Personal data shall be:

1. Processed lawfully, fairly and in a transparent manner ('lawfulness, fairness and transparency').
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation').

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3. Adequate, relevant and limited to what is necessary in relation to the purpose for which they are process ('data minimisation').
4. Accurate and, where necessary, kept up to date; every reasonable step to ensure inaccurate data are erased or rectified without undue delay ('accuracy')
5. Kept in a form which permits identification of the individual for no longer than is necessary for the purpose which the data are processed ('storage limitations').
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

There is also an additional principle of Accountability which requires all organisations to be accountable for its actions, how it processes personal data and being able to demonstrate compliance.

Individual's Rights

We recognise and acknowledge that individuals have 8 Rights under GDPR, and we will ensure that these can be fully complied with. The rights for individuals include:

- The right to be informed that we are processing their personal data (generally via a Privacy Notice);
- The right to access their own personal data (known as a 'Subject Access Request' or 'Data Subject Access Request');
- The right to rectification;
- The right to erasure (known as the 'Right to be forgotten');
- The right to prevent restrict processing in certain circumstances;
- The right to data portability;
- The right to object to processing of personal data in certain circumstances;
- The right not to be subject to a decision based solely on automated processing including profiling.

Not all Rights are absolute, which means that some will have to meet certain requirements before they can be actioned. If we cannot action them, we will explain the reason to you. More information about the individual's rights can be found on the Information Commissioner's website at www.ico.org.uk .

Compliance with the principles of data protection

To enable us to fully comply with the legislation, we will:

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- Inform individuals about our reasons for collecting and processing their personal data including the legal basis for this;
- Only collect and hold the data and information which are needed and follow all necessary conditions to enable us to do this including obtaining consent where necessary;
- Only use the data and information collected for the purpose specified, or compatible purposes and make individuals aware of any other use or sharing;
- Only use the data and information for marketing of services where the individual has chosen (consented) to receive this;
- Make every effort to ensure data and information are accurate and up-to-date, and where opinions or intentions are recorded, that these are professionally expressed;
- Follow our Retention Schedule when determining how long the data and information should be kept for;
- Ensure that any transfers or sharing of data or information are undertaken with suitable safeguard measures and where necessary, suitable information sharing agreements are in place;
- Ensure that we keep the data and information secure, preventing unauthorised access or processing or accidental loss;
- Ensure that any software used is current (up to date) and all equipment used has sufficient technical measures in place such as Anti-virus software, and all employees and independent contractors have unique login and passwords.

Complaints

If an individual is unhappy with the way in which we have handled their personal data or information, or is unhappy with our response to a SAR, they can submit a complaint to us.

These complaints will be passed to the Data Protection Officer (DPO) and it will be investigated in line with the requirements of the legislation.

Supporting this Policy

All trustees and employees will be provided with training and awareness in data protection and security to enable them to handle personal data correctly. Any Independent contractors will be required to provide proof of equivalent training or complete the training provided by us.

We will ensure that our policies and procedures are in place to support our compliance. This will include maintaining a register of processing and systems, and a Retention Schedule.

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Although we are not required to do so, we will voluntarily appoint a Data Protection Officer who has an appropriate level of knowledge to provide advice on data protection matters. They will liaise with the Information Commissioner's Office when required.

In the event of a breach of the DPA/GDPR leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure or access to personal data will be investigated and dealt with appropriately. If a breach is found to meet the criteria for reporting to the ICO, this will be undertaken promptly and any recommendations or instructions received from the Information Commissioner's Office as a result of their assessment or investigation will be implemented by us.

More information

More information on data protection can be found on the Information Commissioner's website at www.ico.org.uk.

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