

Cianna's Smile

Data Protection procedures

The charity is committed to processing data in accordance with its responsibilities under the GDPR. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests

The charity shall register if required with the Information Commissioner's Office as an organisation that processes personal data.

Register of systems

The Chairperson maintains the Register of Systems used by the charity to record personal data. The register includes the following:

1. The purpose for which the data is collected;
2. The person concerned has not withdrawn their permission to store the data;
3. The lawful basis under which the data is processed (e.g. consent);
4. Evidence of opt-in consent.

Data will not be shared outside of the charity unless with prior consent and/or for specific and agreed reasons. Examples would include Gift Aid information provided to HMRC.

The collection of personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;

Personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;

Personal data must be 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.

The Register is reviewed annually to ensure:

- (a) the data is relevant and accurate,
- (b) the individual's consent is still valid,
- (c) how long and why it should continue to be retained.

Security

Strong passwords must be used and they should never be shared.

Adequate, relevant and limited data processing

Individuals will only be asked to provide information that is relevant for the purposes of the charity. These will include:

- Name
- Postal address
- Email address
- Telephone number
- Gift Aid entitlement

Where additional information may be required such as health related information this will be obtained with the consent of the member who will be informed as to why this information is required and the purpose for which it will be used.

Where the charity organises a trip or activity that requires emergency contact information to be provided, a legitimate interest assessment will have been completed in order to request this information. Members will be made aware that the assessment has been completed.

Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Charity's systems.

Photographs

Photographs are classified as personal data. Where group photographs are being taken individuals will be asked to step out of shot if they don't wish to be in the photograph. Otherwise consent will be obtained from individuals in order for photographs to be taken and they will be informed as to where photographs will be displayed (if the photographs are to be loaded onto the website, then individuals should be told that the image will be available to the general public). Should a member wish at any time to remove their consent and to have their photograph removed then they should contact the Chairperson to advise that they no longer wish their photograph to be displayed.

Subject Access Request

Individuals are entitled to request access to the information that is held about them by the charity. The request needs to be received in the form of a written request to the Chairperson. On receipt of the request, it will be formally acknowledged and dealt with promptly (the legislation requires that information should generally be provided within one month) unless there are exceptional circumstances as to why the request cannot be granted. The charity will provide a written response detailing all information held on the member. A record shall be kept of the date of the request and the date of the response.

Data Breach Notification

Were a data breach occurs, action will be taken to minimise the harm. This will include ensuring that all individuals are made aware that a breach has taken place and how the breach occurred.

The Chairperson shall then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. A discussion will take place between the Chairperson and the Trustees as to the seriousness of the breach, action to be taken and, where necessary, the Information Commissioner's Office would be notified. The Chairperson shall also contact the relevant individuals to inform them of the data breach and actions taken to resolve the breach.

Where any individual feels that there has been a breach by the charity, the Chairperson will provide an outline of the breach to the Trustees. If the initial contact is by telephone, the Chairperson will ask the individual to follow this up with an email or a letter detailing their concern. The alleged breach will then be investigated by any trustees who are not in any way implicated in the breach. Breach matters will be subject to a full investigation, records will be kept and all those involved notified of the outcome.

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