



Jamie Horrocks Trust
Promoting mental fitness for all

Data Protection Policy

Date Approved: October 2023

Date For Review: 2 years (October 2025)

The purpose of this policy statement is:

- A short brief on the requirements of General Data Protection Regulations (GDPR). It covers the procedures Jamie Horrocks Trust (JHT) has adopted to comply with legal requirements, monitor our performance and encourage good practice.
- We aim to be open about the type and extent of the personal data it holds. This data will only be what is necessary to fulfil its charitable objectives.
- GDPR applies to all our activities and to the internal operation of the charity, including all data about our staff, volunteers and trustees. We are all responsible to make sure we are aware of the requirements of the GDPR and Jamie Horrocks Trust procedures.
- The key areas this policy relates to:
 - Data collected via website (see privacy policy)
 - Attendees at events (including photographs)
 - Attendees attending support groups.
 - Contacts via social media
 - Recruitment information for volunteers
 - Essential data held on Trustees.

You will be asked to give your consent for your data to be collected and follow up contact made, when appropriate.

Supporting documents.

This policy statement should be read alongside our organisational policies, procedures, guidance and other related documents:

- Privacy Policy
- The management of volunteers' policy

Information covered by GDPR

GDPR forms part of the data protection regime in the UK, together with the Data Protection Act 2018 (DPA 2018). It applies to personal data. This is information from which a living individual can be identified, either directly or indirectly (from other information held).

Personal data does not have to be written and includes visual, photographic and other non-text data. This covers information held on computer, other electronic equipment, and paper-based records.

Jamie Horrocks Trust as a data controller

Organisations or individuals holding personal data are data controllers. The Information Commissioner maintains a public register of data controllers. Data Protection Commission has a list of standard purposes.

Jamie Horrocks Trust is not eligible to be formally registered with the ICO, but we must still comply with the legal principles set by the commission.

Holding and taking care of personal data.

You are only allowed to use personal data for the purposes for which it was originally obtained. Personal information you hold must be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research 3 purposes or statistical purposes shall not be incompatible with the initial purposes.
- Must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regards to the purposes for which they are processed, are erased or rectified without delay.
- Kept in a format which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

- 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 organisation measures.

Volunteers and Trustees

Volunteers/or Trustees who, as part of their roles, are required to collect and maintain personal data must take good care of data which they hold. There are two types of security breach that JHT must protect against:

- (1) unauthorised access
- (2) data getting damaged, lost or destroyed.

Unauthorised access:

- Personal information must be securely stored in a locked filing cabinet, or via secure cloud-based drive. Only essential personnel will have access to this data.
- Staff, volunteers and trustees should only have access to personal information when this is reasonable, relevant and necessary to undertake their role within JHT.
- Trustees do not have the right of access to client records, personnel files or other personal information unless this information is relevant to a complaint, grievance, disciplinary or other formal investigation.
- Password protection/ Restricted Access will be used to restrict inappropriate access to personal and sensitive information.
- When disposing of confidential manual files all information must be shredded.

Damage, loss or destruction:

- You must take reasonable steps to protect against the risks of damage, loss or destruction of personal information.
- If information is to be collected at an event, one person will be names responsible for the collection and safe transfer of that data, to lead Trustee for events.

Obtaining and using personal data fairly

As a data controller JHT must ensure that the rights of the data subjects under the legislation are preserved. These rights are as follows:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to delete
- The right to restrict processing.
- The right to data portability.
- The right to object.

Any individual within, or on behalf of JHT who obtain, store, use or destroy information must put in place measures to inform the data subject about personal information held by JHT and obtain evidence of their consent (unless consent is obvious from the context in which data is collected). For one-off telephone calls this can be done by recording a verbal notification. For more complex or on-going contact with JHT, this should be confirmed in writing.

The following data protection notification must be included as a minimum requirement for **service documents**:

“Jamie Horrocks Trust seeks permission to store your personal details to ensure we comply with the General Data Protection Regulations. Any information stored will only be used for the purpose intended and will not be shared with any other parties, except in exceptional circumstances falling under safeguarding policy. As discussed, any exceptional circumstances; these will be destroyed when no longer required. Please tick the box below if you consent. I agree to the recording of my personal details, and in the event of exceptional circumstances, as outlined, these may be shared with appropriate support services.

You can withdraw or change these consents at any time. Please contact by *email*: contactus@jamiehorrockstrust.co.uk

Sensitive data

There are additional requirements for sensitive personal data. This includes information about racial/ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, alleged or actual offences or proceedings relating to an alleged or actual

offence. This means that when verbal consent is given, this must be followed up by written confirmation.

Recruitment and personnel records

All applicants must be informed about how their personal data will be used. It is recommended that the following information is inserted:

“By signing and returning this application form you consent to JHT using and keeping information about you or by third parties (such as referees) relating to your application or future employment. This information will be used solely in the recruitment process. For unsuccessful candidates the information will be destroyed within 6 months unless you have consented to extend this period”.

All personnel records for staff and volunteers must be treated as sensitive personal information.

Disclosure to a third party

Information can only legally be disclosed to a third party if it is fair under the terms of the General Data Protection Regulations. All representatives of JHT must obtain the consent of the data subject before disclosing personal information to a third party unless there are exceptional circumstances. You must carefully consider the risks and benefits of all disclosures, when these will be done without the consent of the data subject.

If the data subject has withheld consent to disclosure, personal information must not be disclosed to a third party unless there is an *exemption* will legally permit disclosure (e.g. legal requirement, emergency). The *Chair f Trustees* must be notified of all cases where disclosure to a third party is planned to go *ahead*, and the data subject has refused consent.

You must not access personal data without the authority to do so and you must not knowingly or recklessly disclose it to third parties without meeting the requirements below.

You cannot use data for direct marketing of any goods or services, if the data subject has told you not to.

Requests for access to personal data.

Data subjects can ask to see virtually all the personal data you hold on to them, including manual files. Individuals can make a request by contacting

JHT direct at the contact details given above. JHT has one month to comply with a request.

When receiving a request, it is important to assess whether it is fair to release the information when a third party is involved. Information can be edited or withheld to protect the identity of a third party. A third party can also be asked to consent to the disclosure.

Good practice and monitoring

To ensure that JHT develops good data protection practice, implementation of data protection procedures will be maintained and monitored by the Trustee (Secretariat).

All volunteers who have contact with personal data will be briefed to understand their responsibilities for data protection. JHT will ensure that volunteers are aware that the charity monitors social media and feedback from events.

Breaches of data protection should be reported to your supervisor as soon as possible. Serious breaches of JHT guidance and procedures will be treated as a disciplinary offence.

MONITORING This policy will be reviewed every 2 years.

This policy was last reviewed on: 2nd October 2023

Author: Tammy Pike, Trustee and Secretariat

Signed:

Date:2/10/2023.....

Supported by Board of Trustees: 2/12/2023