



Okehampton United Charities

Funding for the Community

Data Protection Policy

Introduction

The purpose of this policy is to ensure Okehampton United Charities complies with the **UK General Data Protection Regulation (UK GDPR)** and the **Data Protection Act 2018**, protecting individuals' rights with respect to their personal data.

The Charity will:

- Follow good practice
- Protect applicants, tenants, residents, trustees, staff, and other individuals by respecting their rights
- Demonstrate an open and honest approach to personal data
- Protect the charity from the consequences of a breach of its responsibilities
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This policy applies to all the information that we control and process relating to identifiable, living individuals, including contact details, test and exam results, bank details, and photographs.

Data Storage and Processing

Okehampton United Charities recognises that data is held about:

- Applicants
- Tenants
- Residents
- Trustees
- Staff
- Other individuals

This information is always stored securely, and access is restricted to those who have a legitimate need to know. We are committed to ensuring that those about whom we store data understand how and why we keep that data and who may have access to it. We do not transfer data to third parties without the express consent of the individual concerned, unless legally required.

Rights of Individuals

All individuals who come into contact with Okehampton United Charities have the following rights under the **UK GDPR** and **Data Protection Act 2018**:

- A right of access to a copy of their personal data
- A right to rectification of inaccurate or incomplete data
- A right to erasure (right to be forgotten) in certain circumstances
- A right to restrict the processing of their personal data
- A right to object to processing, including direct marketing
- A right to data portability in certain circumstances

- A right to object to decisions based solely on automated processing
- A right to lodge a complaint with the Information Commissioner's Office (ICO)

Archived records are stored securely, and the charity has clear guidelines for the retention of information.

Roles and Responsibilities

The trustees have overall responsibility for ensuring that the charity complies with its data protection obligations. The charity has appointed a **Data Protection Lead**, currently the Clerk, to oversee data protection matters and ensure compliance with UK GDPR. If applicable, the charity may appoint a formal Data Protection Officer (DPO) should its activities require it.

The **Data Protection Lead** is responsible for:

- Briefing trustees on data protection responsibilities
- Reviewing data protection and related policies
- Advising other staff on data protection issues
- Ensuring that data protection induction and training take place
- Handling subject access requests

All trustees and staff are required to read, understand, and accept any policies and procedures that relate to the personal data they may handle in the course of their roles. Significant breaches of these policies will be handled under disciplinary procedures.

Key Risks to the Safety of Data Control and Processing

The trustees have identified the following potential key risks:

- Breach of confidentiality (information being given out inappropriately)
- Individuals being insufficiently informed about the use of their data
- Misuse of personal information by staff or trustees
- Failure to update records promptly
- Poor IT security
- Direct or indirect, inadvertent or deliberate unauthorized access

The trustees will review the charity's procedures regularly, ensuring that the charity's records remain accurate and consistent. In particular:

- IT systems will be designed to encourage and facilitate the entry of accurate data
- Data on any individual will be held in as few places as necessary, and trustees and staff will be discouraged from establishing unnecessary additional data sets
- Effective procedures will be in place so that relevant systems are updated when information about an individual changes

Data Breaches

If a breach of data security is suspected or occurs, the **Data Protection Lead** should be notified immediately.

In the event of a data breach, the charity will notify the **Information Commissioner's Office (ICO)** within **72 hours** of becoming aware of the breach if it is likely to result in a risk to individuals' rights and freedoms. Individuals affected by the breach will be informed if necessary.

Subject Access Requests (SAR)

Any individual who wants to exercise their right to receive a copy of their personal data can do so by making a **Subject Access Request (SAR)** to the **Clerk**. The request must be made in writing, and the individual must satisfy the Clerk of their identity before receiving access to any information.

A **SAR** must be answered within **one month** of receipt by the charity. If the request is complex or numerous, the timeframe may be extended by up to **two additional months**, and the individual will be notified within the first month.

Collecting and Using Personal Data

Okehampton United Charities typically collects and uses personal data in connection with the provision of housing, benefiting the inhabitants of the area of benefit, and enabling Okehampton United Charities to meet its objects listed in its scheme. The charity collects personal data mainly in the following ways:

- By asking applicants for grants and accommodation to complete paper / electronic forms
- By asking applicants and residents to give staff information verbally
- By asking applicants and residents to give staff information by email

Okehampton United Charities will:

- Not use any of the personal data it collects in ways that have unjustified adverse effects on the individuals concerned
- Be transparent about how it intends to use the data and give individuals appropriate privacy notices when collecting their personal data
- Handle people's personal data only in ways they would reasonably expect
- Not do anything unlawful with the data

Keeping Data Secure

The charity will take all appropriate measures to prevent unauthorised or unlawful processing of personal data and to protect personal data against loss, damage, or destruction. This means that:

- Personal files for applicants, residents, trustees, and employees, and applications for grants and accommodation will be kept in a locked office at all times with access only by authorised staff and trustees
- Trustees' details will be kept in a locked office with access only by the **Clerk**
- Electronic files containing personal data will be password protected, and passwords will be changed regularly
- Backed-up electronic data will be held securely on a cloud system. When off-site, it will be encrypted, password protected, and only accessed by named staff
- If any data is taken from the office (e.g., to work at home), it must be held securely at all times while in transit and at the location the data is held

Retention of Personal Data

The charity will not keep personal data for longer than is necessary for the purposes for which it was collected. Data will be destroyed securely once the retention period has ended, and the justification for the retention periods will be reviewed regularly. The following retention periods apply:

- Resident's files will be completely destroyed after **seven years** of the resident leaving or passing away
- Applicant files will be completely destroyed after **seven years** of the application being completed

- Records of complaints/investigations concerning applicants, residents, staff, and trustees will be destroyed **10 years** after the matter is resolved
- Application forms for unsuccessful applicants will be destroyed **three years** after the date of application
- Trustees will destroy and delete all charity documents held within their own records **12 months** after receipt, including all computer data and paper copies
- Trustees' personal files will be destroyed **seven years** after ceasing to be a trustee
- Staff personal files will be destroyed **seven years** after employment ceases

Privacy Notices

The charity will provide privacy notices to individuals at the time of data collection, explaining the types of data collected, the purposes for which it is used, and individuals' rights under UK GDPR.

More Information

Full information about the **UK General Data Protection Regulation (UK GDPR)**, its principles, and definitions can be found at the Information Commissioner's Office (ICO).

Amended by Clerk 28th January 2025