



DATA PROTECTION POLICY AND PROCEDURES

Purpose

This policy sets out the arrangements and responsibilities within Bavs for meeting its duties in respect of data protection law.

Our Aims

Bavs undertakes to respect individual privacy; and to only process personal data in accordance with the data processing principles set out in the GDPR. In particular, Bavs will not process any personal data unless it has identified a legal basis on which to do so.

Accountability and Governance

Responsibilities

Overall responsibility for ensuring that Bavs meets its legal duties as the data controller rests with the trustee board.

Operational compliance throughout Bavs will be overseen by the chief officer, who will report to the trustee board on progress with maintaining compliance. Failure to comply with data protection law shall be an item in the Bavs risk register.

Staff or volunteers are responsible for following instructions and protocols to ensure the security and lawful processing of any personal data.

Documentation

Bavs will keep a record of all documentation that demonstrates compliance with data protection law; and any case notes, reports or contracts created in respect of the procedures set out below.

Procedures

Privacy risk assessments

All data processing operations will be audited to establish the nature of any personal data that is being processed, the purpose of the processing, the method in which it is processed; and the nature of any privacy risk associated with the processing. The information from the data audit will be used to identify a lawful basis for the data processing; to create and modify as appropriate, a Privacy Policy for Bavs; and to take appropriate measures to ensure the security of the personal data concerned.

Data audits will be reviewed every two years or earlier if there is any change in the method or purpose of the data processing, if there is a complaint made about the processing, or if there is a data breach.

Privacy Policy

Bavs privacy policy will be published on the website; and will be drawn to an individual's attention whenever data is collected. This may involve publishing a short privacy statement at the point of data collection, with a reference or link to the full policy.

Data Storage Duration

Bavs will keep personal data in accordance with a schedule appended to this policy.

Special Category Data

Bavs collects equal opportunities monitoring data when recruiting new staff and volunteers; and may also do so for certain events. However, this data is anonymised upon receipt and so is not subject to special category personal data provisions.

Bavs collects health information on staff and some volunteers in order to help monitor fitness to work. Such data is processed to fulfil the employment or volunteer contract between Bavs and the individuals concerned. Health information is collected at the point of application; and is updated as appropriate when new information is available. To comply with the law on special category data conditions, the collection of such data is also conditional upon the consent of the individual.

Bavs may also collect special category data when safeguarding children and adults at risk of harm. In these circumstances, Bavs has a legal duty to process this data; and the collection of such data is also conditional on it being to safeguard children or adults at risk of harm.

Data Sharing with Third Parties

Personal data may be shared with the following service providers:

- Mailchimp: for our newsletter and other marketing
- Eventbrite: for event bookings

The shared use of any personal data is subject to a written contract of terms and conditions into which Bavs entered when signing up to use these services.

Personal data is also shared with HMRC as required by law, to process staff tax and national insurance records; and gift aid in respect of any charitable donations that we may receive.

Bavs undertakes not to share personal data for any other reason, save as required to fulfil a legal requirement; for the prevention or detection of a crime, or in order to safeguard a child or adult at risk of harm.

Upholding the Privacy Rights of Individuals

Bavs will uphold the privacy rights of individuals, using the following steps.

1. Individuals will be asked to submit in writing their complaint or request concerning the processing of their personal data. Upon receipt it will be referred immediately to the chief officer.
2. The complaint or request will be investigated; and where upheld, remedial action will be taken and the individual concerned will be notified. If the complaint is not upheld or the request is refused, the chief officer will notify the individual in writing, explaining the reasons, and will advise them of their right to take-up the matter further with the Information Commissioner's Office.
3. Subject Access Requests will be considered, and arrangements made for the release of personal data, in accordance with the law.

Data Security

Bavs will ensure that personal data is processed securely. Measures will be taken to prevent loss, theft or other damage to the data; and to enable data recovery in the event of a security breach.

Staff and volunteers will be trained on appropriate cyber security measures; and Bavs will seek expert advice where appropriate.

Dealing with Data Breaches

All potential data breaches are taken seriously; and the following procedure will be used:

1. Any breach of individual privacy will be investigated by Bavs as a matter of urgency by the chief officer or another delegated member of staff.
2. Bavs will consider whether the breach poses a risk to individuals, their rights and freedoms, including possible emotional distress, physical and/or material damage. If any of these are likely, those affected will be informed without delay.
3. Action will be taken at the earliest opportunity to mitigate the breach.
4. The Information Commissioner's Office and the OSCR will be notified within 72 hours of the breach, unless there is no risk to individual rights and freedoms.
5. A record of the breach and any subsequent actions taken will be recorded and reported to the trustee board.
6. Operating procedures and protocols, together with data security measures, will be reviewed and improved to prevent any further such breach

Training

Bavs will ensure that staff and/or volunteers responsible for processing personal data are appropriately trained on how to carry out such duties in a secure manner; and in accordance with the procedures set out in this policy.

Monitoring

Bavs is committed to a robust system of personal data management; and continues to review its procedures and policies in order to reduce risks to privacy; and to keep all personal data safe and secure.

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