

Privacy Notice & Data Protection Policy

April 2018

Kenilworth Community Care is a small community based charity which manages Waverley Day Centre (Waverley), a paid-for service supporting older people who mainly live within CV8, helping them to maintain independence by providing a safe, caring and engaging daytime environment and giving support to their families and carers. In order to run the organisation Waverley holds data about clients, staff, volunteers and room hirers*.* Information is confidential to Waverley as an organisation and may be passed to staff, managers or trustees to ensure the best quality service for users

Waverley follows the data protection act 1998 aiming to promote high standards in handling personal information and so protect the individual right to privacy.

Waverley will gain and record individual’s consent, that is displayed clearly and prominently asking individuals to opt-in in line with good practice and given sufficient information to make a choice.

Waverley has completed an audit of data held, including the six lawful basis for processing data, how and where data is stored, retention period, and reason for retention period. This will be updated as appropriate. (*appendix (i)*)

**Six lawful bases for processing data**:

1. **Consent**: the individual has given clear consent for you to process their personal data for a specific purpose.
2. **Contract**: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering a contract.
3. **Legal obligation**: the processing is necessary for you to comply with the law (not including contractual obligations)
4. **Vital interests**: the processing is necessary to protect someone’s life.
5. **Public task**: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
6. **Legitimate interests**: the processing is necessary for your legitimate interests of a third party unless there is a good reason to protect the person’s personal data which overrides those legitimate interests.

**Storing information**

General non-confidential information about organisations is kept in unlocked filing cabinets with open access to all Waverley colleagues*.* Client, staff and volunteer’s personnel information will be kept in lockable filing cabinets within a lockable office. Files or filing cabinet drawers bearing confidential information are labelled ‘confidential’. All content of files is managed by data controllers, the manager and administrator.

Waverley follows the eight data protection principles about living individuals in electronic format and in some cases on paper.

**General principles**

All data should be:

* Fairly and lawfully processed;
* Processed for specific purposes;
* Adequate, relevant and not excessive;
* Accurate and where necessary, kept up to date;
* Not kept for longer than necessary;
* Processed within the rights of the individual;
* Kept secure; and
* Not transferred to countries outside the European Economic Area unless the information is adequately protected.

**Waverley strives to keep personal information secure.**

* By keeping passwords secure
* By logging off computers when away from desk
* By disposing of confidential paper waste securely by shredding
* By working on a ‘clear desk’ basis – by securely storing hard copy personal information when it is not being used.
* Ensuring that visitors should sign in and out of the premises
* To prevent virus attacks by ensuring the installation of up to date protection software and taking care when opening emails and attachments or visiting new websites
* By positioning computer screens away from windows to prevent accidental disclosures of personal information
* By keeping back up of information
* Personal data taken out of the office (daily information on bus) only accessed by carer and then shredded at the end of the day.

**Waverley has reasonable expectations of employees.**

* By collecting only personal information they need for the service
* By obtaining consent or providing an opt-out where appropriate.
* by updating records promptly
* by deleting personal information no longer required
* By understanding that they commit an offence if they release client/employees records without consent.

**When disclosing personal information over the telephone**

Employees know;

* To be aware that there are people who will try and trick them to give out personal information
* That to prevent these disclosures they should carry out identity checks before giving out personal
* Information to someone making an incoming call.
* To perform similar checks when making outgoing calls
* About limiting the amount of personal information given out when making outgoing calls

**Handling requests from individuals for their personal information**

Employees know;

* That people have a right to have copy of the personal information Waverly holds and requests are passed onto data controllers.

Data controllers know that the organisation

* Have one month to respond
* To check identity of the requester
* What to do if other people’s information is contained in the proposed response.

Reference material:

ICO –registration self-assessment

ICO –Data controllers

ICO- lawful basis for processing

ICO training checklist for small and medium sized organisations

Buzzacott –retention of accounting records and other corporate records

**Appendix 1**

Data held-Audit March 2018

Lawful basis for processing data -LB

1. Consent
2. Contract
3. Legal obligation
4. Vital interests
5. Public tasks
6. Legitimate interests

**Clients**

|  |  |  |  |
| --- | --- | --- | --- |
| Data held | Retention period | Reason for retention period | LB |
| Signed initial information sheet containing address, contact and information needed to help provide service | Three years from date of last entry | Data protection act | b/f/d |
| ‘My Life’ information completed by client and/or relative | As above | As above | b/f/d |
| Mail merge for invoicing, names addresses billing address D.O.B., amount charged. | Six years from end of financial year in which transaction took place | Finance act | b |
| As above in billing file | As above | As above | b |
| Date of birth | Three years | Data protection act | b/f |
| Past client paperwork | 3 years after last entry. | As above | b/f |
| Complaints reports (if applicable) | 6 years | As above | c/b |
| Photographs |  |  | a |

**Staff**

|  |  |  |  |
| --- | --- | --- | --- |
| Data held | Retention period | Reason for retention period | b |
| Contacts, addresses | Six years plus current year | Data protection act and limitation act 1980 | b |
| Application form | “ | “ | f |
| DBS check | “ | “ | c |
| references | “ | “ | b |
| appraisals | “ | “ | b |
| Training record | “ | “ | b |
| Any disciplinary record | “ | “ | b |
| Name DOB NA nos tax details passport nos.  Monthly earning | 6 years plus current year | Taxes management act  Companies act/charities act | c |
| birthdays | Three years | Data protection act | b |
| ID badges. |  |  | b |
| Photographs |  |  | a |

**Volunteers**

|  |  |  |  |
| --- | --- | --- | --- |
| Data held | Retention period | Reason for retention period | LB |
| Names, addresses and contact details | Three years after last entry | Data protection act | f |
| College info for younger volunteers | “ | “ | c |
| Minutes of trustee meetings | Minimum 10 years from the date of the meeting or from the date of passing a resolution in writing | Data protection act, Companies act, Charities act. | c |
| AGM paperwork /report audited yearly accounts | “ “ | “ “ | c |
| Photographs | Permanently | Archive records | a |

***Room hirers***

|  |  |  |  |
| --- | --- | --- | --- |
| Data held | Retention period | Reason for retention period | LB |
| Contact details | Three years after last entry | Data protection | b |
| invoicing | Six years after last transaction | Finance act | b |
| Hiring agreement | **“** | **“** | b |
|  |  |  |  |

**General**

|  |  |  |  |
| --- | --- | --- | --- |
| Data held | Retention period | Reason for retention period | LB |
| Accident reports for staff, clients visitors to the building?? | 3 years after last entry or end of investigation | the reporting of injuries, diseases and dangerous occurrences regulations 1995 | c |
| ‘Daily box’ information for the day, staff rota, work diary. | One week | Data protection | f/d |
| Contact phone list | Three years after last entry | “ | f |
| Bus paperwork,. Personal data including key safe numbers written up on ‘daily list and shredded at end of day. Only care worker allowed access. | One day | “ | f |