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## Data Protection Policy

### Policy Statement

Foresight is committed to a policy of protecting the rights and privacy of individuals (includes service users, staff, volunteers and others) in accordance with the Data Protection Act and General Data Protection Regulation (GDPR). Foresight needs to process certain information about its service users, staff, volunteers and others, it has dealings with for administrative and health purposes. To comply with the law and regulations, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

The policy applies to all service users, staff, volunteers and others of Foresight. Any breach of the Data Protection Act 1998, GDPR or Foresight's Data Protection Policy is considered to be an offence and in that event, Foresight's disciplinary procedures will apply. As a matter of good practice, other agencies and individuals working with Foresight, and who have access to personal information, will be expected to have read and comply with this policy. It is expected that when dealing with external funders and agencies will take responsibility for ensuring that such funders and agencies adhere to the Data Mapping Document.

### **1. Data protection principles**

The Charity is committed to processing data in accordance with its responsibilities under the GDPR. Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. 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 purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. 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; and
- f. 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."

## **2. General provisions**

- a. This policy applies to all personal data processed by the Charity.
- b. The Responsible Person shall take responsibility for the Charity's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The Charity shall register with the Information Commissioner's Office as an organisation that processes personal data.

## **3. Lawful, fair and transparent processing**

- a. To ensure its processing of data is lawful, fair and transparent, the Charity shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the charity shall be dealt with in a timely manner.

## **4. Lawful purposes**

- a. 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 ([see ICO guidance for more information](#)).
- b. The Charity shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. 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.

## **5. Data minimisation**

- a. The Charity shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- b. [Add considerations relevant to the Charity's particular systems]

## **6. Accuracy**

- a. The Charity shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.
- c. [Add considerations relevant to the Charity's particular systems]

## **7. Archiving / removal**

- a. To ensure that personal data is kept for no longer than necessary, the Charity shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

## **8. Security**

- a. The Charity shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate

security should be in place to avoid unauthorised sharing of information.

- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

## **9. Breach**

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Charity shall promptly (within 72 hours) assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

## **10. Subject Access Request**

The Charity grants access to individuals who want to see a copy of the information we holds about them. The individual is entitled to be:

- a. told whether any personal data is being processed;
- b. given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- c. given a copy of the information comprising the data; and given details of the source of the data.

An individual can request information about the reasoning behind any automated decisions, such as a computer-generated decision to grant or deny credit, or an assessment of performance at work. The Charity will respond to a subject access request promptly and in any event within 40 calendar days of receiving it. However, some types of personal data are exempt from the right of subject access and so cannot be obtained by making a subject access request.