

Data Protection Policy – HR9

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Owner: Community Partnership

Approved By: Board

Date of Approval/review: April 2019

DRAFT

Key Details:

Policy prepared by: Marie Harvey

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1. Purpose and Scope

1.1 To operate efficiently, the Community Partnership must collect and use information about people with whom it works. These may include members of the public, current, past and prospective employees, stakeholders, and suppliers. In addition, we may be required by law to collect and use information to comply with the requirements of government.

1.2 The Community Partnership regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to its successful operations and to maintaining confidence between The Community Partnership and those with whom it carries out business. The Community Partnership will ensure that it treats personal information lawfully and proportionately.

1.3 To this end The Community Partnership will protect the rights and privacy of individuals in accordance with the Data Protection Act 2018 and the General Data Protection Regulations.

1.4 This Policy applies to all employees and Board Members as well as consultants, volunteers, contractors, agents or any other individual performing a function on behalf of The Community Partnership.

2. Definitions of Personal Data:

2.1 Personal Data

This is data which relates to a living individual ("data subject") who can be identified:

- From the data or
- From the data and other information which is in the possession of, or is likely to come into the possession of The Community Partnership as the data controller.

This may include the name, address, telephone number, and email.

3. Data Processing

3.1 The Community Partnership collects personal information that is needed for a specific purpose and only where explicit consent has been given by that individual.

3.2 The Community Partnership may on occasion share personal information with other organisations. In doing so, The Community Partnership will comply with the provisions of the *Information Commissioner's Data Sharing Code of Practice* or subsequent relevant guidance.

3.3 The Community Partnership maintains a separate database for each of the categories that it works with:

- Employees
- CP Directors
- CP Members - Full and associate
- Subscribers to the Community Partnership E-newsletter
- Community Development Trusts and Community Councils (Office Bearers)
- Community stakeholders (Community Action Plan)
- Project stakeholders
- Job applicants

A separate database for each category below is also held for consented individuals who have attended:

- CP events (community consultations, Rural Parliaments etc.)
- Training event
- Area Network
- AGM
- The Gathering
- Other

3.4 With the exception of information held for a Community Partnership employee, this is covered by Community Partnership policies and procedures HR1-HR5.

4. Lawful Basis for Processing Personal Information

4.1 The Community Partnership recognises the lawful bases for processing personal data as set out below. At least one of these must apply whenever we process personal information:

- **Consent:** an individual has given clear consent for us to process his/her personal data for a specific purpose.
- **Contract:** the processing is necessary for a contract that we have with the individual, or because the individual has asked us to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life.
- **Public interest:** the processing is necessary for us to perform a task in the public interest
- **Legitimate interests:** the processing is necessary for the purposes of legitimate interests pursued by us or a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. However, this basis is not available to processing carried out by us in the performance of our official tasks: it can only apply to us when it is fulfilling a different role.

5. Data security:

5.1 Community Partnership data is held in a separate location within the Loch Lomond and the Trossachs National Park Authority ICT network. This network has relevant information security policies and procedures in place which set out roles and responsibilities within the organisation in relation to information security. This ICT system has appropriate protective measures in place incorporating defence in depth and relevant systems which are subject to external assessment and validation. This network is only accessible internally and therefore no files or information can be accessed by external means.

5.2 Personal information is not shared with any other parties outside of the Community Partnership without written consent from that individual.

5.3 Hard copies of written consents, un-subscriptions, sign in sheets and membership application forms are held securely in a lockable filing cabinet, with only Community Partnership access.

6. Relevance of Data:

6.1 The Community Partnership only retains information that is relevant and outlined in paragraph 3.3. Individuals will give consent knowing what their personal data will be used for.

6.2 The Community Partnership will continually check data for accuracy and, where any inaccuracies are discovered, these will be promptly corrected.

7. Retention of Data:

7.1 The Community Partnership only holds as much information as is required and for as long as it needs it.

8. Release of information

8.1 An individual can make a request for any personal information The Community Partnership holds about them. A request can be made in writing to the following address:

The Community Partnership
Carrochan
Carrochan Road
Balloch
G83 8EG

Or via email to: info@thecommunitypartnership.org.uk

8.2 An individual's request should include a contact address and documentary evidence of their identity (e.g. copies of your driving licence, passport or birth certificate). Original documents should not be sent to us. The individual should provide as many details as possible about the information they are asking for.

9. Exercising Rights of an individual

9.1 The Community Partnership under data protection law understands the rights of an individual:

- **Right to be informed** – When a person gives The Community Partnership their personal data, we need to clearly state how they may be contacted and the purpose and lawful basis for processing their data
- **Right of access** – The Community Partnership have to provide details of the information we're processing about anyone if they ask, this is a Subject Access request.
- **Right to rectification** – An individual has the right to have inaccurate data corrected or incomplete data completed.
- **Right to erasure** – (or right to be forgotten) If a person decides they don't want The Community Partnership to hold their data any longer they can ask for it to be deleted
- **Right to restrict processing** – If a person is not entitled to have their details deleted, they may be entitled to restrict how The Community process it.
- **Right to object** – If a person receives marketing information after clicking on a link in an email they have the right to object, and The Community Partnership can't keep processing their personal data for the same purpose.