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## General Data Protection Policy Contents

### Introduction

The EU General Data Protection Regulation (“GDPR”) (Regulation (EU) 2016/679) replaces the Data Protection Act (DPA) 1998 as the primary instrument for managing data on 25<sup>th</sup> May 2018. The requirements for processing personal data are similar to the DPA but GDPR sets new standards for data management which require the Council as the Data Controller to have a better understanding of the personal data that is held. We need to ensure that we determine a lawful basis for processing data, document why we are processing it and ensure that the data is not used for other purposes.

We are required to have robust controls in place to ensure that the data we hold is processed securely to ensure it is not unlawfully destroyed, lost, altered or disclosed.

If there is a security breach, we must have procedures in place to manage and if necessary report it to the Information Commissioners Office.

This policy sets the responsibilities of all employees, volunteers, managers, and third parties who have access to personal data which is held or processed by or on behalf of Drop Zone Youth Projects

### Purpose

The purpose of this General Data Protection Regulation Policy is to ensure that Drop Zone Youth Projects, which includes employees, sessional staff staff, volunteers, partners (and their staff) and the board of governance, understand their obligations under GDPR.

Drop Zone Youth Projects holds and processes personal information about people we provide services for carry out other business with, including:

- Customers
- Trustees
- Suppliers
- Employees
- Young people

People who provide us with their personal data expect us to protect their data and only use it for the lawful purposes we collected it for.

## Scope

All the personal data we hold must be dealt with lawfully and properly. We need to ensure we collect it, store it and process it in a manner that safeguards the privacy of the individuals. The rules relating to the processing of data are similar to those defined in the Data Protection Act 1998. The Regulation sets out a framework based on a set of data protection principles.

This policy identifies designated personnel and their responsibilities.

Procedures relating to the collection, processing, storage, retention and disclosure of personal information are referenced in this policy.

## Supporting legislation

The statutory legislation below informs Drop Zones data protection arrangements

The General Data Protection Regulation 2016	This is a framework of responsibilities and rights to strengthen and unify data protection for all individuals.
The Human Rights Act 1998.	Article 8 of the Act provides that 'everyone has the right to respect for his private and family life, his home and his correspondence'.
Crime and Disorder Act 1998	S.115 of the Act allows disclosure of person identifiable information to the Police, Local Authorities, Probation Service or the Health Service but only if the purposes are defined within the Crime and Disorder Act and associated Regulations.

## Definitions

### Personal Data

Personal data for GDPR purposes is defined as:

data which relate to a living individual who can be identified –

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

also includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

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Also includes:

Name  
Address  
Email Address  
Photograph  
Bank details  
National insurance number  
Medical information  
Posts on social media sites  
Computer IP address

### **Special category data**

GDPR also makes provision for handling special category data (formerly sensitive data). These types of data could create more significant risks to a person's fundamental rights and freedoms. For example, by putting them at risk of unlawful discrimination and therefore needs more protection. For example, information about an individual's:

Special category data includes

- Race
- Ethnic origin
- Politics
- Religion
- Trade union membership
- Genetics
- Health
- Sex life or sexual orientation

### **The Data controller**

Drop Zone Youth Projects is the data controller and is accountable for ensuring the data is processed correctly and securely.

### **Data processors**

Any worker with line management responsibility, this includes supervisors.

All staff, including temporary/sessional staff, trustees, and volunteers working for Drop Zone Youth Projects

## **Information Asset**

Data on any media format created, processed and used by Drop Zone Youth Projects. Media formats may vary from paper copies; electronic files stored on hard drives, USB flash memory devices, CD's, DVD's, back-up tapes etc.; to voice mail. An alternate definition - Information that has value to the extent that it enables an entity to achieve goals and thus is an asset like people, money, and material.

## **Data Subject**

The data subject is any living individual about whom data is processed.

## **Processing**

Processing in relation to data (or information) means virtually any use that can be made of the data, from collecting the data, using it, storing it, and destroying it. It is difficult to envisage any action involving data, which does not amount to processing within this definition.

## **Manual Data**

Manual Data covered by the Data Protection Act 1998 is any non-automated information system (paper files, card index, Rolodex, non-automated microfiche) or 'relevant filing system' referring to data subjects. Filing systems are structured, either by reference or by criteria relating to individuals, in such a way that specific information relating to particular data subjects is readily accessible.

## **Data Protection Principles**

GDPR requires that personal data is:

- 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 it is processed;

d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data is accurate, having regard to the purposes for which it is processed, is 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 is 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.”

g) personal data shall not be transferred to a country outside the European Economic Area.

### **Lawful basis for processing data**

The lawful reasons for processing data are:

- 1: We have positive consent from the data subject or legal guardian if under 16 (consent by default is not permitted e.g. pre-ticked boxes)
- 2: Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract.
- 3: Processing is necessary for compliance with a legal obligation.
- 4: Processing is necessary to protect the vital interests of a data subject or another person.
- 5: Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- 6: Processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

**Please note: basis 6 is not available to processing carried out by public authorities in the performance of our tasks.**

### **Governance of personal data**

#### **The board of trustees**

The board of trustees has overall responsibility for data protection

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## **Directors(Data Protection Officer)**

The Directors are Drop Zone Youth Projects designated Data Protection Officers (DPO) the duties of the DPO include:

- to inform and advise the controller or the processor and the employees who are processing personal data of their obligations pursuant to this Regulation;
- to monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, awareness- raising and training of staff involved in the processing operations, and the related audits;
- to provide advice where requested as regards the data protection impact assessment and monitor its performance pursuant to Article 35;
- to cooperate with the supervisory authority (the ICO in the UK);
- to act as the contact point on issues related to the processing of personal data
- Shall in the performance of his or her tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing

All correspondence with the Information Commissioner on Data Protection matters will be dealt with by the Data Protection Officer.

Requests for personal data are referred to the Data Protection Officer.

The Corporate Support Manager will provide advice in all matters relating to GDPR

Information Sharing Agreements will be signed on behalf of Drop Zone Youth Projects by a Data Protection officer

## **Line Staff**

All line staff are responsible for ensuring that this policy is communicated and implemented within their area of responsibility. They are responsible for the quality, security, and management of personal data in use in their area.

They also need to ensure that their staff are aware of their responsibilities under GDPR. Advice or assistance regarding this policy or GDPR in general is available from the Data Protection Officer.

Line staff are responsible for reporting all data protection and information related incidents to the Data Protection Officer, and for ensuring that they are properly investigated

## **Trustees**

Trustees acting for or on behalf of Drop Zone Youth Projects must be aware of their obligations and responsibilities with regards to the collection and processing of personal data under the provisions of the Data Protection Act 1998 and it is the intention of Drop Zone Youth Projects to comply with all aspects and requirements of the Act.

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Trustees have an individual responsibility to keep themselves aware of Drop Zones policies, including data protection and information security policies.

Trustees are expected to co-operate in full with any investigation undertaken by (or on behalf of) Drop Zone Youth Projects into an alleged breach of the regulation.

**All Staff**

All staff have a responsibility to ensure they are aware of their obligations and responsibilities under Drop Zone Youth Projects GDPR Policy.

All staff should notify their line manager if they feel they do not have sufficient knowledge in regard to GDPR so specific training can be provided.

Staff Members are expected to co-operate in full with any investigation undertaken by (or on behalf of) Drop Zone Youth Projects into an alleged breach of the regulation.

**GDPR Awareness**

Training

Drop Zone youth projects will ensure that staff, volunteers and trustees are made aware of their responsibilities in relation to GDPR through training and induction procedures.

This policy will be reviewed annually and agreed by the Board of Trustees.

Signed.....

Name.....

Role.....

Date.....