

Friends of the Homeless in Fareham and Gosport

Registered Charity 1041277

Basics Bank Data Protection Policy

Definitions

Where the words '**client**' or '**clients**' are used in this document they should be understood to refer to clients of Friends of the Homeless in Fareham and Gosport (FROTH) who are users of the Fareham and Gosport Basics Bank, and anyone else who receives a service from FROTH.

'**Supervisors**' refers to anyone responsible for supervising others within FROTH.

'**Supporters**' refers to donors of food, clothing or money and anyone who has agreed to receive FROTH communications.

'**Data subject**' refers to an individual for whom the organisation processes data.

Key statements

This policy applies to volunteers, including trustees, and to information held about clients, supporters, employees, volunteers and applicants.

Data Protection

The purpose of this policy is to enable FROTH to:

- comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect FROTH's clients, supporters, employees, volunteers and other individuals; and
- protect the organisation from the consequences of a breach of its responsibilities.

We endeavour to ensure that all information is processed according to the Information Commissioner's Office guidelines:

- it is processed fairly and lawfully;
- it shall not be used for any purpose that is incompatible with that for which it was given;
- it is limited to relevant information and not excessive for its purpose;
- it is accurate and kept up to date;
- it is retained only for as long as is necessary; and
- confidential and sensitive data is kept securely.

Confidentiality

Confidentiality applies to a much wider range of information than Data Protection. For example, confidentiality applies to:

- information about the organisation (and its plans or finances);
- information about other organisations;
- information which is not recorded, either on paper or electronically e.g. information that is spoken; and
- information held on paper, but in a sufficiently unstructured way that it does not meet the definition of a “relevant filing system” in the Data Protection Act.

FROTH volunteers will respect the rights of clients, other volunteers and employees to a relationship of trust, privacy, reliability and confidentiality, and to the responsible use of information obtained from them or about them.

FROTH has access to information concerning many groups and individuals in the city of Southampton and it is therefore imperative that the strictest confidentiality is maintained at all times. Information belongs to the person or agency entrusting it to a FROTH employee/volunteer. FROTH will pass information outside of FROTH only in the circumstances listed in section 1.4 or where express permission of the person or body which supplied the information is given.

FROTH will have a privacy statement for Data Subjects, setting out how their information will be used. This will be available on request, and is available on the FROTH website. (See Appendices A & B)

Responsibility

FROTH has a responsibility to ensure all employees/volunteers are aware of Data Protection principles and the need for confidentiality, and that they are aware of specific guidelines that may be developed for specialised areas of work.

All employees/volunteers in FROTH are responsible for ensuring any information they hold or are party to, is handled in line with FROTH policies and the Data Protection Act. All employees/volunteers are required to read, understand and accept any procedures that relate to the personal data they may handle in the course of their work. All employees/volunteers who have access to any kind of personal data will have their responsibilities outlined during their induction procedures. FROTH will provide opportunities for volunteers to explore Data Protection issues. All personal records, whether held on paper or electronically are covered by the Data Protection Act and individuals and the organisation have criminal liability if they recklessly disclose personal information.

FROTH has notified the Information Commissioner’s Office under the Data Protection Act and the Chair of Trustees is the appointed Data Controller.

The Trustees recognise their overall responsibility for ensuring that FROTH complies with its legal obligations.

1. Clients

1.1. *Sharing information*

- 1.1.1. Any information passed to any employee/volunteer may be shared with other employees/volunteers strictly on a 'need to know' basis. From time to time it may be necessary for an employee/volunteer to share information in order to ascertain the correct procedure to follow regarding particular circumstances. If this occurs it must be made clear beforehand that all people concerned are bound by confidentiality and that these matters must not be discussed outside of FROTH.
- 1.1.2. Discussion about any client with other employees/volunteers should be purposeful and not trivialising.
- 1.1.3. Reasonable care should be taken to ensure that discussions, conversations, and telephone calls relating to confidential matters cannot be overheard.
- 1.1.4. Volunteers should make sure that no confidential information is in plain sight in areas where clients or employees/volunteers who are not required to see the information could see it.
- 1.1.5. Discussion about clients with people outside of FROTH should be purposeful and not identify any individual unless excepted in 4 below.
- 1.1.6. Information given to any volunteer about a client may be given to the client's family or friends, or to any other agency **only with the client's informed verbal or written consent**, unless exceptional circumstances prevail (see 4 below). This includes any information about whether or not someone uses the service. Where verbal consent is given, this must be recorded in writing by the person who received the consent.
- 1.1.7. Information given by a referral agent will be treated in the utmost confidence and will not be passed on to anyone outside the organisation, except for circumstances covered by 4 below.
- 1.1.8. Confidential information which is no longer needed must be shredded. It must not be thrown away or recycled with normal paper.

1.2. *Information Sharing*

- 1.2.1. Any records which are kept relating to and identifying clients must be stored securely, to prevent intentional or accidental viewing. Written records are kept in a locked cabinet.
- 1.2.2. Only employees/volunteers who need the information in order to carry out their role have access to client's records. These will only be kept for as long as necessary.

1.3. *Recording in particular*

- 1.3.1. Paper referral vouchers for Basics Bank will be kept for one year after the voucher was used.
- 1.3.2. Access to the online client database, is by password only. A limited number of trained employees/volunteers can access this information in the course of their work.
- 1.3.3. Referral agents must register for an account to use the online client database and set their own password. They are bound by the terms and conditions of use as set out in Appendix B.

- 1.3.4. Reports on safeguarding issues are kept in a locked cabinet and need to be kept indefinitely in case of criminal proceedings that are not time barred.
- 1.3.5. Statistics used for the purposes of monitoring or funding applications will be produced in such a way that no individual will be identified by them unless clear prior permission has been given. An explanation of how the information will be used must be given to any person agreeing to be identified.

1.4. Confidentiality and sharing information

1.4.1. Confidentiality may be breached and personal information shared outside of FROTH only in the following circumstances and after consultation with a Trustee, (unless someone is in imminent danger when confidentiality must be breached without prior consultation):

- 1.4.1.1. *Where there is a risk of physical harm to anyone.*
 - 1.4.1.2. *Where a child is judged to be at risk of sexual abuse, neglect or physical abuse (see Safeguarding Policy, available from the FROTH office).*
 - 1.4.1.3. *Where it is in the client's interest to do so and it is believed by FROTH that his or her consent would be given to share information but where it has not been possible to contact him or her for informed consent or to get his or her prior consent because of his or her restricted cognitive capacity.*
 - 1.4.1.4. *Where there is a legal obligation on FROTH to disclose information; in these circumstances FROTH will take all possible steps to ensure that information regarding other clients or employees/volunteers is not disclosed without their consent.*
 - 1.4.1.5. *Where it is absolutely necessary in order to maintain the reputation of FROTH for the benefit of the clients as a whole.*
- 1.4.2. In cases covered by 1.4.1.1, 1.4.1.2, 1.4.1.3 and 1.4.1.5 above, the client will be informed of the need to breach confidentiality prior to this happening or, in all instances, as soon as possible afterwards if prior notification is not possible.
 - 1.4.3. Relationships with other agencies will be as cooperative as this policy allows.
 - 1.4.4. All disclosures made under subsections 4.1.1 to 4.1.5 above will be documented.
 - 1.4.5. We may sometimes be asked to share partial and/or anonymised information about individuals accessing our services, for example, postcodes for the purpose of identifying areas of greatest usage/need. In these instances, FROTH will undertake a Privacy Impact Assessment before deciding whether to share information. A Non-Disclosure Agreement with the organisation requesting the information will be in place before information is shared.

1.5. Breaches of confidentiality

- 1.5.1. If a volunteer has breached confidentiality he/she will be asked to a meeting with a Trustee. If the volunteer cannot satisfactorily explain that the breach was covered by any of the exceptions at 1.4 above, following consultation with their he/she will be asked to be on probation or asked to withdraw from FROTH immediately. If he/she disagrees with the decision he/she should make a request in writing for the decision to be reviewed by the Chair of Trustees. The review should take place promptly and be completed within 10 working days. The findings of this review and any decision taken must be communicated to the volunteer in the following week.

2. Volunteers

2.1. *Sharing information*

- 2.1.1. Employees/volunteers' home addresses and telephone numbers and other non-work related information will not be disclosed to clients or other enquirers without permission from the employee/volunteer.
- 2.1.2. Information about employees/volunteers is only shared within the organisation on a need-to-know basis.
- 2.1.3. Confidentiality will only be breached in circumstances recited at section 1.1.4 above, where relevant, or if consent is given.
- 2.1.4. volunteers' personal information is kept in a locked cabinet.
- 2.1.5. Volunteers will have access to their own records upon request. If a volunteer wishes to access their personnel records they should ask the Chair of Trustees. References will only be disclosed if permission has been given by the referee.
- 2.1.6. Volunteer details and/or photos for publicity purposes or funding returns will only be used with the agreement of the volunteer concerned.
- 2.1.7. Reasonable care should be taken to ensure that discussions, conversations, and telephone calls relating to confidential matters cannot be overheard.
- 2.1.8. Volunteers should make sure that no confidential information is in plain sight in areas where clients or employees/volunteers who are not required to see the information could see it.
- 2.1.9. Confidential information which is no longer needed must be shredded. It must not be thrown away or recycled with normal paper.

3. Applicants

3.1. *Applications*

- 3.1.1. All potential volunteers will complete a FROTH application form. Potential Applicants are also asked to separately disclose information about criminal investigations and convictions. All information from applicants will be shredded after 6 months if they do not take up a volunteer role.
- 3.1.2. All information relating to applicants, including our application forms, completed Disclosure Applications and DBS disclosures, are kept in a locked cabinet.

4. Security of personal information

This section of the policy only addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.

FROTH undertakes periodic risk assessments of the security of the personal information it processes in order to identify risks and reduce these where possible. Responsibility for actions are assigned to trustees/employees and completed in a timely manner. Please see Appendix C.

5. Identity and Data Protection

When sharing personal information employees/volunteers first decide positively that the recipient(s) has a 'right to know'. Furthermore they must take care that the recipient(s) is who he/she says he/she is. It is worth asking the recipient to confirm their own details and checking these against any records held by FROTH. It is better to be safe than sorry. If the employee/volunteer is in any doubt about the identity of someone who is requesting personal information, they should request proof of identity before giving them the information. Doing this helps to prevent FROTH from being liable should any cases of identity theft or identity fraud occur.

6. Accuracy of information

FROTH will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- Electronic systems will be designed, where possible, to encourage and facilitate the entry of accurate data;
- Data on any individual will be held in as few places as necessary, and all volunteers will be discouraged from establishing unnecessary additional data sets
- effective procedures will be in place so that all relevant systems are updated when information about any individual changes.

7. Subject Access Requests

Any subject access requests will be handled by the Data Controller within the legal time limit of 40 days.

Subject access requests must be in writing. All volunteers are required to pass on anything which might be a subject access request to the Data Controller without delay.

Where the individual making a subject access request is not personally known to the Data Controller their identity will be verified before handing over any information.

The required information will be provided in permanent form unless the applicant makes a specific request to be given supervised access in person.

FROTH will make a charge of £10 for a subject access request.

8. Consent

1. Our Privacy Policy and Website Privacy Policy (Appendices A and B) set out how we will use the personal information shared with us. Users of our services are asked not to share personal information with us if they do not consent to us holding and processing their information in the ways set out in these policies.
2. Consent will normally not be sought for most processing of information about volunteers, with the following exceptions:
 - employees/volunteers' details will only be disclosed for purposes unrelated to their work for FROTH with their consent
 - information about employees/volunteers will be made public according to their role, and consent will be sought for (a) the means of contact they prefer to be made public, and (b) any publication of information which is not essential for their role.
3. Consent may be given verbally or in writing, including by email. Where consent is verbal, the person receiving consent should make a written note that consent has been given, including the date on which it was given.

Ratified by the Trustees at meeting on 25 September 2017

Effective from 1 October 2107

Signed (Chair/Secretary) Philip Rutt (Chair of Trustees)

Review due September 2018

APPENDIX A

Privacy statement

When you participate in our services, FROTH obtains information about you. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act to prevent your information falling into the wrong hands. We must also ensure that the data we hold are accurate, adequate, relevant and not excessive.

Normally the only information we hold comes directly from you. Whenever we collect information from you, we will make it clear which information is required in order to provide you with the service you need. You do not have to provide us with any additional information unless you choose to. We store your information securely within our electronic and manual systems, we restrict access to those who have a need to know and we ensure our volunteers understand how to handle the information securely. We normally only share your personal information with those outside FROTH if you have given us permission. There are a few limited circumstances where we may need to share information without your consent: these are listed in section 1.1.4 of our Confidentiality and Data Protection Policy.

You have the right to a copy of all the information we hold about you (apart from a very few things which we may be obliged to withhold because they concern other people as well as you). To obtain a copy, write to the Chariot Trustees at FROTH. There is a charge for a copy of your data (as permitted by law). We aim to reply as promptly as we can and, in any case, within the legal maximum of 40 days.

If you do not agree with this Privacy Policy you should not submit personal information to us.

APPENDIX B

Website Privacy Policy

This Privacy Policy is for the website www.friendsofthehomeless.or.uk operated by Friends of the Homeless in Fareham and Gosport, a registered charity 1041277.

FROTH is committed to protecting the privacy of users of these websites.

Scope of this Policy

This Policy only applies to the use that we make of data provided to us via this websites. Other uses may be made of data provided to FROTH in correspondence, by telephone or by other means not detailed in this Policy.

Our website hosts the FROTH Online Referral Database which is used to deliver the FROTH Basics Bank service. We invite referral agents to supply personal information on behalf of their service users in order for us to authenticate their identity, check eligibility and/or to provide them with services. Referral agents are also asked to provide limited personal information about themselves in order for us to contact them in relation to providing FROTH Basics Bank services.

In order to deliver such services, we will need to process and store this personal information.

By submitting your personal information, you consent to such processing in connection with the provision of our services and for any other purposes to which you consent at the time you provide the information or as provided in this privacy policy.

Data Protection

FROTH is registered in accordance with and seeks to comply with the UK Data Protection Act 1998.

We follow appropriate security procedures in the storage and disclosure of personal information so as to prevent unauthorised access by third parties. We do not transfer personal information to third parties without the consent of the person to whom it relates, except under the limited circumstances detailed in section 1.4 of our Confidentiality and Data Protection Policy.

We may provide aggregate statistics about our users, traffic patterns and related site information to our third-party partners (if any).

Every effort has been made to ensure a safe and secure form to email submission process. However, the Internet is not a totally secure medium and users submitting personal information via these websites do so at their own risk and acknowledge and agree that FROTH shall not be responsible for any unauthorised use, distribution, damage or destruction of personal data, except to the extent we are required to accept such responsibility by the Data Protection Act 1998.

Why we need to collect information from you

This section notifies you as to the types of information we may collect as well as the uses we intend to make of that information. We may use the information we collect about referral agents to notify you from time to time about important new features and changes to our online or other services, or to answer questions or queries you may have. In the normal course of providing our services, we do not contact FROTH Basics Bank service users directly after they have used our service, unless they have given permission.

We ask for the following personal information for potential service users: first name, last name, date of birth, address (and previous address if it has changed in the last 12 months). This is so that we can check the service user is eligible to receive help from FROTH Basics Bank. This information will be stored securely in our database for two years. We also ask for an indication of why a service user needs to use FROTH Basics Bank. This is for the purpose of reporting in aggregate the reasons why people need to use emergency food and clothing provision, and to help our staff and volunteers to sign post to further help, where appropriate.

Subject to what we said above under “Data Protection”, we will not pass on personal details provided to us via these websites to any third party, including site sponsors or advertisers, without your consent.

Communications

The www.friendsofthhomeless.org.uk website may, at some point, operate an email newsletter program used to inform subscribers about services offered by this website and by FROTH in general. Users can subscribe through an online automated process should they wish to do so, at their own discretion. Some subscriptions may be manually processed if prior written or oral agreement has been granted.

Subscriptions are taken in compliance with UK Spam Laws detailed in the Privacy and Electronic Communications Regulations 2003. All personal details relating to subscriptions are held securely and in accordance with the Data Protection Act 1998. No personal details are passed on to third parties nor shared with companies/people outside of FROTH.

Under the Data Protection Act 1998 you may request a copy of the personal information held about you. A small fee will be payable. If you would like a copy of the information held on you please write to the Chair of Trustees at the business address at the bottom of this policy.

Email campaigns published by this website or its owners may contain tracking facilities within the actual email. Subscriber activity is tracked and stored in a database for future analysis and evaluation. Such tracked activity may include; the opening of emails, forwarding of emails, the clicking of links within the email content, times, dates and frequency of activity (this is not a comprehensive list).

This information is used to refine future email campaigns and supply the user with more relevant content based around their activity.

In compliance with UK Spam Laws and the Privacy and Electronic Communications Regulations 2003 subscribers are given the opportunity to unsubscribe at any time through an automated system. This process is detailed at the footer of each email campaign. If an automated un-subscription system is unavailable, clear instructions on how to un-subscribe will be detailed instead.

The Use Of Cookies

Since 26 May 2011 the law has stated that cookies can only be used by a website with the specific consent of its users. Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. The table below explains the cookies we use and why.

Cookie	Purpose
Wp-settings-3 Wp-settings-time	This is used to customize your view of admin interface, and possibly also the main site interface

Most web browsers allow some control of most cookies through the browser settings. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.aboutcookies.org or www.allaboutcookies.org.

To opt out of being tracked by Google Analytics across all websites visit <http://tools.google.com/dlpage/gaoptout>.

Links and Third Party Advertising

Any links on these websites may take you to third party sites over which we have no control. Similarly, advertisements appearing on these websites may be posted by third parties who may use their own cookies and have their own privacy policies. When linking to another website you should read the privacy policy stated on that website.

This privacy policy covers the use made of cookies and personal data by FROTH and does not cover the use made of cookies and personal data by any third parties.

Linking to our website

You may not display the contents of these websites (or any pages from them) independently of the websites or allow them to be displayed surrounded or framed or otherwise surrounded by material not originating from us without our consent.

Links to other websites

On our websites you may be offered automatic links to other websites. While we hope you will be interested in those websites, the content on those pages is not subject to our control, their owners may be independent from us and we do not endorse or accept any responsibility for their content.

Feedback, Comments & Suggestions

If you have any queries about our Privacy Policy or any queries about the protection of personal information we hold about you, please do not hesitate to contact us: our address is Friends of the Homeless, Aspect House, Westbury Road, Fareham, Hampshire PO16 7XU. Telephone: 01329 822204.

Email: enquiries@friendsofthehomeless.org.uk

If you do not agree with this Privacy Policy you should not submit personal information on these websites.