



Your Learning Voice CIC

Data Protection Policy and GDPR Policy

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –

(a) at least one of the conditions in Schedule 2 is met, and

(b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

In practice, it means that Your Learning Voice must:

- have legitimate grounds for collecting and using the personal data;
- not use the data in ways that have unjustified adverse effects on the individuals concerned;
- be transparent about how we intend to use the data, and give individuals appropriate privacy notices when collecting their personal data;
- handle people's personal data only in ways that would reasonably expect; and
- make sure we do not do anything unlawful with the data.

2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

In practice, the second data protection principle means that Your Learning Voice must:

- be clear from the outset about why we are collecting personal data and what we intend to do with it;
- comply with the Act's fair processing requirements – including the duty to give privacy notices to individuals when collecting their personal data;
- comply with what the Act says about **notifying the Information Commissioner**; and

- ensure that if we wish to use or disclose the personal data for any purpose that is additional to or different from the originally specified purpose, the new use or disclosure is fair.

3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

In practice, it means Your Learning Voice CIC will ensure that:

- we hold personal data about an individual that is sufficient for the purpose we are holding it for in relation to that individual; and
- we do not hold more information than you need for that purpose.

So we should identify the minimum amount of personal data you need to properly fulfil your purpose. You should hold that much information, but no more. This is part of the practice known as "data minimisation"

4. Personal data shall be accurate and, where necessary, kept up to date.

To comply with these provisions Your Learning Voice CIC will:

- take reasonable steps to ensure the accuracy of any personal data we obtain;
- ensure that the source of any personal data is clear;
- carefully consider any challenges to the accuracy of information; and
- consider whether it is necessary to update the information.

5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

The Act does not set out any specific minimum or maximum periods for retaining personal data. Instead, it says that:

Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

This is the fifth data protection principle. In practice, it means that Your Learning Voice will need to:

- review the length of time you keep personal data;
- consider the purpose or purposes you hold the information for in deciding whether (and for how long) to retain it;
- securely delete information that is no longer needed for this purpose or these purposes; and
- update, archive or securely delete information if it goes out of date.

6. Personal data shall be processed in accordance with the rights of data subjects under this Act.

This is the sixth data protection principle, and the rights of individuals that it refers to are:

- a right of access to a copy of the information comprised in their personal data;
- a right to object to processing that is likely to cause or is causing damage or distress;
- a right to prevent processing for direct marketing;
- a right to object to decisions being taken by automated means;
- a right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed; and
- a right to claim compensation for damages caused by a breach of the Act.

7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

In practice, it means Your Learning Voice CIC must have appropriate security to prevent the personal data you hold being accidentally or deliberately compromised. In particular, we will need to:

- design and organise your security to fit the nature of the personal data you hold and the harm that may result from a security breach;
- be clear about who in your organisation is responsible for ensuring information security;
- make sure you have the right physical and technical security, backed up by robust policies and procedures and reliable, well-trained staff; and
- be ready to respond to any breach of security swiftly and effectively.

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