



ADVICE SUPPORT KNOWLEDGE INFORMATION (ASKI)

Data Protection Policy

March 2026

1. Introduction

This policy sets out the obligations of the Charity regarding data protection and the rights of customers, business contacts, employees, trustees, volunteers, participants, supporters, donors and any other data subjects engaged with the Charity in respect of their personal data, under Data Protection Legislation such as the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA) 2018.

It also sets our obligations regarding the collection, processing, transfer, storage, and disposal of personal data. The procedures and principles set out herein must be followed at all times by employees, trustees, volunteers, agents, contractors or any other parties working on behalf of the Charity.

Definitions

Data Owner – is the person or entity which can authorise or deny access to certain data and is responsible for its accuracy and integrity.

Data Subject – the individual who is the subject of personal and sensitive information. NB; the data protection act does not count as a data subject a deceased individual or a n individual who cannot be distinguished from others.

Personal Data - any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Data Controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

Data Processor – a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Personal Information - information that identifies someone as an individual, such as

- personal details
- family details
- lifestyle and social circumstances
- financial details
- education and employment
- visual images

Sensitive Personal Information - information about:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs of a similar nature
- offences and alleged offences
- criminal proceedings, outcomes and sentences

2. Data protection principles

The General Data Protection Regulation, regulates the data processing relating to living and identifiable individuals. This includes the obtaining, holding, using or disclosing of such information, and covers computerised records as well as manual filing systems. The principles apply to "personal and sensitive personal data" from which the subjects of that data are identifiable.

The Charity's data users must comply with the data protection principles of good practice which underpin the Data Protection Act. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

Employees, volunteers, freelancers and trustees who process, use or have access to any personal information in the course of their duties, will ensure that these principles are followed at all times:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected only 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 UK-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 Rights of Data Subjects

9.1. The Right to Be Informed

When collecting personal information the Charity will provide to the data subject free of charge, a Privacy Policy written in clear and plain language which is concise, transparent, intelligible and easily accessible containing the following information:

- Identity and contact details of the controller Note: where the organisation has a controller's representative and/or a data protection officer, their contact details should also be included

- Purpose of the processing and the lawful basis for the processing
- The legitimate interests of the controller or third party, where applicable
- Categories of personal data; Not applicable if the data are obtained directly from the data subject
- Any recipient or categories of recipients of the personal data
- Details of transfers to third country and safeguards
- Retention period or criteria used to determine the retention period
- The existence of each of data subject's rights
- The right to withdraw consent at any time, where relevant.

2.2 The Right of Access

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him/her are being processed, and, where that is the case, access to his/her personal data and the information detailed in the Charity's relevant Privacy Policy.

2.3 The Right to Rectification

Data subjects have the right to rectify any of their personal data that is inaccurate or incomplete. The Charity will rectify the personal data in question and inform the data subject of that rectification, as quickly as possible, but within one month of the data subject informing the Charity of the issue. The period can be extended by up to two months in the case of complex requests. If additional time is required, the data subject shall be informed.

2.4 The Right to Erasure ('the right to be forgotten')

Data subjects have the right to request that the Charity erases the personal data we hold about them in the following circumstances:

- It is no longer necessary for us to hold that personal data with respect to the purpose(s) for which it was originally collected or processed;
- The data subject wishes to withdraw their consent to the Charity holding and processing their personal data;
- The data subject objects to the Charity holding and processing their personal data (and there is no overriding legitimate interest to allow the Charity to continue doing so)
- The personal data has been processed unlawfully;
- The personal data needs to be erased in order for the Charity to comply with a particular legal obligation;
- The personal data is being held and processed for the purpose of providing information services to a child.

Unless the Charity has reasonable grounds to refuse to erase personal data, all requests for erasure shall be complied with and the data subject informed of the erasure, within 30 calendar days of receipt of the data subject's request. The period can be extended by up to two months in the case of complex requests. If additional time is required, the data subject shall be informed.

2.5 The Right to Restrict Processing

Data subjects may request that we cease processing the personal data we hold about them. If a data subject makes such a request, the Charity will retain only the amount of personal data concerning that data subject (if any) that is necessary to ensure that the personal data in question is not processed further.

2.6 The Right to Data Portability

Where data are held for purposes of consent or contract the data subject shall have the right to require the controller to provide him/her with a copy in a structured, commonly used and machine-readable format of the data which he/she has provided to the controller, and have the right to transmit those data to another controller without hindrance.

2.7 The Right to Object

- a) The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him/her which is based Public Task or Legitimate Interest, including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- b) Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him/her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- c) Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- d) At the latest at the time of the first communication with the data subject, the right referred to in paragraphs a) and d) shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information.

2.8 Rights with Respect to Automated Decision Making and Profiling

The Charity does not usually use personal data in any automated decision-making processes.

Where such decisions have a legal (or similarly significant effect) on data subjects, those data subjects have the right under the GDPR to challenge such decisions, requesting human intervention, expressing their own point of view, and obtaining an explanation of the decision from the Charity. The right described above does not apply in the following circumstances:

- The decision is necessary for entry into, or the performance of, a contract between the Charity and the data subject;
- The decision is authorised by law; or
- The data subject has given their explicit consent.

The Charity may use personal data for profiling purposes. When personal data is used for profiling purposes, the following shall apply:

- Clear information explaining the profiling shall be provided to data subjects, including the significance and likely consequences of the profiling; Appropriate mathematical or statistical procedures shall be used;
- Technical and organisational measures shall be implemented to minimise the risk of errors. If errors occur, such measures must enable them to be easily corrected;
- All personal data processed for profiling purposes shall be secured in order to prevent discriminatory effects arising from profiling.

3 Data Security

3.1 The Charity will ensure that the following measures are taken with respect to all communications and other transfers involving personal data:

- Personal data must never be included within the subject line or message body of an email;
- All personal data documents legitimately transmitted via IT systems (e.g. email) must be protected using a strong password and marked "confidential"
- Personal data may be transmitted over secure networks only. Transmission over unsecured networks is not permitted in any circumstances
- Personal data contained in the body of an email, whether sent or received, should be copied from the body of that email and stored securely. The email itself should be deleted. All temporary files associated must also be deleted
- Where personal data is to be transferred in hardcopy form it should be passed directly to the recipient or sent using Special Delivery post
- All personal data to be transferred physically, whether in hardcopy form or on removable electronic encrypted media shall be transferred in a suitable container marked "confidential".

3.2 The Charity will ensure that the following measures are taken with respect to the storage of personal data:

- All electronic copies of personal data should be stored securely either by using passwords or restricted permissions on folders
- All hardcopies of personal data, along with any electronic copies stored on physical, removable media should be stored securely in a locked box, drawer, cabinet, or similar
- All personal data stored electronically should be backed up daily with backups encrypted and stored offsite
- No personal data should be transferred to any personal device belonging to an employee, and personal data may only be transferred to devices belonging to agents, contractors, or other parties working on behalf of the Charity where the party in question has agreed to comply fully with this policy and all Data Protection Legislation
- When any personal data is to be erased or otherwise disposed of for any reason (including where copies have been made and are no longer needed), it should be securely deleted and disposed of.

3.3 The Charity shall ensure that the following measures are taken with respect to the use of personal data:

- Personal data processed by the Charity must only be used for the purpose it was collected for
- No personal data may be shared informally and/or transferred to an employee, trustees, volunteers, agent, sub-contractor, or other party working on behalf of the Charity. If they require access to any personal data that they do not already have access to, such access should be formally requested from the relevant member of the Leadership Team
- Personal data must be handled with care at all times and should not be left unattended or on view to unauthorised employees, trustees, volunteers, agents, sub-contractors, or other parties at any time
- Where personal data held by the Charity is used for marketing purposes, it shall be the responsibility of the nominated person in each department to ensure that the appropriate consent is obtained, documented for as long as deemed necessary and that no data subjects have opted out.

3.4 The Charity shall ensure that the following measures are taken with respect to IT and information security:

- All passwords used to protect personal data do not use words or phrases that can be easily guessed or otherwise compromised. All passwords must contain a combination of uppercase and lowercase letters, numbers, and symbols.
- Under no circumstances should any passwords be written down or shared between any employees, trustees, volunteers, agents, contractors, or other parties working on behalf of the Charity, irrespective of seniority or department. If a password is forgotten, it must be reset using the applicable method. Operations staff do not have access to passwords.
- All software (including, but not limited to, applications and operating systems) will be kept up-to-date. Operations staff shall be responsible for installing all security-related updates as soon as reasonably and practically possible.
- No software may be installed on any computer or device owned by the Charity without the prior approval of the Chief Executive.

3.5 The Charity shall ensure that the following measures are taken with respect to the collection, holding, and processing of personal data:

- All employees, trustees, volunteers, agents, contractors, or other parties working on behalf of the Charity:
 - shall be made fully aware of both their individual responsibilities and the Charity's responsibilities under Data Protection Legislation and under this Policy and shall be provided with a copy of this Policy;
 - Who only need access to, and use of, personal data in order to carry out their assigned duties correctly shall have access to personal data held by the Charity and will be appropriately trained to do so;
 - shall be required and encouraged to exercise care, caution, and discretion when discussing work-related matters that relate to personal data, whether in the workplace or otherwise.
- Methods of collecting, holding, and processing personal data shall be regularly evaluated and reviewed.
- All personal data held by the Charity shall be reviewed regularly.

4 Data Breach

In the event of a data breach coming to the attention of the Data Controller the Trustees will immediately notify the Information Commission's Office. In the event that full details of the nature and consequences of the data breach are not immediately accessible (e.g.: because Data Processors do not work on every normal weekday) the Trustees will bring that to the attention of the Information Commissioner's Office and undertake to forward the relevant information as soon as it becomes available.

5 Data Retention

Personal data shall not be retained for longer than:

- a) in the case of data held by subject consent: the period for which the subject consented to the Charity holding their data;
- b) in the case of data held by legitimate interest of the charity: the period for which that legitimate interest applies. For example: in the case of data subjects who held a role, such as a volunteer, with the Charity the retention period is that for which the Charity reasonably has a legitimate interest in being able to identify that individual's role in the event of any retrospective query about it;
- c) in the case of data held by legal obligation: the period for which the Charity is legally obliged to retain those data. The Charity shall regularly – not less than every 6 months – review the personal data which it holds and remove any data where retention is no longer justified. Such removal shall be made as soon as is reasonably practical, and in any case no longer than 20 working days (of the relevant Data Processor) after retention of the data was identified as no longer justified.

6 Responsibilities

Trustees:

- Overall responsibility for a policy which ensures compliance with the relevant statute

Chief Executive & Leadership Team:

- Development and maintenance of such procedures as are necessary to ensure implementation of the policy
- Maintenance of the policy
- Design of procedure

Senior Managers:

- Implementation of procedures
- Dissemination throughout their team
- Ensuring day to day operational compliance
- Reporting to the Chief Executive & Leadership Team
- Reporting data incidents and near misses to the Data Protection Office

7 Training

It is the aim of the Charity that all staff will be fully informed of their Data Protection obligations and as a minimum we will provide annual training. An online tutorial is included in new starter inductions and Senior Managers provide department specific training. Periodic refresher sessions are also undertaken additional training can be provided.

8 Review

This document will be reviewed and updated to reflect changes in legislation that would require the Charity to amend its policy and procedures. As a minimum, it will be reviewed annually.