

Nailsea Shedders GDPR Policy

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[1. Brief explanation](#) - **What is Data Protection**

When organisations keep personal data regarding its members, then that data must be handled in a specific way. The General Data Protection Regulation (GDPR) is the new, Europe-wide law that supersedes the Data Protection Act 1998 in the UK. The GDPR describes the requirements for how organisations must handle personal data. It has been in effect since 25th May 2018. The Information Commissioner's Office (ICO) is the UK authority on data protection and upholds information rights in the public interest.

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Who does GDPR apply to?

Essentially GDPR applies to any group which handles any type of information relating to someone else. This applies to people within or outside the specific group and to both electronic and manual records (eg the book where we record individual's details when they bring items to us for repair).

Nailsea Shedders (NS) being such a group, manages GDPR requirements through 'controllers' and 'processors'. If NS had in excess of 250 members the ICO would require us to have a Data Protection Officer (DPO). However, for reasons of good governance, we have adopted the ICO approach and think it is important that anyone one who has an issue with the data we keep, handle or process, deserves clarity about how we handle it and where they need to go to get any issues addressed.

In NS case, [the Data Controller \(DC\)](#) is the group itself, i.e. NS.

[The DPO](#) will be the NS Chair and In the Chair's absence, the NS Secretary. The role of the DPO therefore is one of direction of process within [Nailsea Shedders](#).

To support information handling on behalf of the DC and the direction of the DPO, there are designated [Data Processors \(DPs\)](#)

A DP is any 'person' who processes data on behalf of the DC.

Volunteers who handle information on behalf of NS would be DPs, but they are not recognised separately as such under the regulation because they are part of the DC , i.e. the group itself (NS)

Examples of a [DP](#) would be where nominated volunteers in NS handle information in a certain way. For example, this could involve members contact details and voluntary medical information which members might want others in the group to know about; email contact distribution lists both internal and external and other topics such as financial donations, membership subscriptions and the frequency of attendance for example.

[2. Our statement](#)

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Our Data Protection Statement needs to be read in conjunction with our Privacy notice. The PRIVACY notice explains what data we collect, why we collect it and what we do with it.

NS is classified as a DC under GDPR This policy outlines the NS commitment to protect the personal data of people in relation to our organisation's work in accordance with GDPR – as regulated by The Information Commissioner's Office (ICO), the UK authority on data protection and carrying out any data processing with transparency, accountability and good governance.

Data Processors (DPs) are described for the purpose of this policy as: *"Any member of the currently elected constituted Committee and any other member dealing with information on behalf of the Data Controller (DC)".*

3. Main contacts

Main Contacts

Data Protection Officer (DPO) will be the Chair of the Group:

Currently: [Phill Wheatley](#) Tel: 07795117944

DPO Email: phillwheatley1@gmail.com

Initial Enquiries Vice Data Protection Officer (DPO) will be the Vice Chair of the Group:

Currently: [Andrew Morrison](#) Tel: 07902203960

DPO Email: Nailseashedders2@btinternet.com

Other constituted members of the Committee are defined and specified within the documented minutes of the most recent AGM. Any other interim positions, appointments, resignations and or replacements are addressed within the last appropriate minutes as specified by the Committee.

Nailsea Shedders (NS) as the DC, has responsibility for ensuring personal data is collected and processed lawfully in line with this GDPR policy and is kept secure.

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4. GDPR terms of reference, definitions and what we collect

Definitions

This policy uses the GDPR's definitions for the following key terms.

Personal data – any information relating to an identified or identifiable natural person, both 'direct' and 'indirect' identification.

Natural Person - an identifiable (or natural) person is one who can be identified, directly or indirectly, by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

Data Controller (DC) - a 'person' who determines the purposes for information processing and the manner in which it is done. A DC will be a 'person' recognised by law i.e. individuals, organisation and corporate bodies.

Data Processor (DP) - any 'person' (again, a person as recognised by law), other than an employee of a DC, who processes the data on behalf of the DC.

Other key terms are defined within their sections.

Data Collection – What we collect

From time to time, we will need to process the following examples of personal data from volunteers, service users and other natural persons related to our work. We may also, at times, need to collect and process personal data not listed here. The following are some examples of the types of personal data we may collect and process.

- Name
- Contact information e.g. address, telephone numbers, email addresses
- Information about members' age, ethnicity, gender, nationality, disability status
- Role within NS, job title
- Information about members' skills, qualifications and expertise
- Information relevant to our human resources procedures

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We may use this information to:

- Manage memberships
- Understand the views and opinions of Shedders and other related persons
- Handle complaints
- Monitor the impact of our work e.g., through case studies or consultation
- Improve our services
- Carry out administration functions
- Get help if somebody is in danger e.g., contact next of kin if an accident or emergency occurs
- Send information we think might be of interest to members
- Comply with legal obligations

In line with GDPR, NS will ask for and record individuals' consent prior to collecting and processing data for certain purposes and provide clear and concise privacy notices to provide information on how and why we are collecting and processing particular data.

NS will ensure it provides ongoing opportunities to give or revoke consent where appropriate and necessary in line with the GDPR.

NS privacy notices will also state clearly our lawful basis or bases for collecting the data in each instance that we collect and process it. This will be in line with the six documented legal bases of the GDPR; consent, contract, legal obligation, vital interests, public tasks or legitimate interest. NS will maintain a live log of the exact types of data, reasons and lawful basis for collection and processing which allows us to demonstrate our compliance with the GDPR with the ICO, should it be required.

NS will never, under any circumstances, use personal data to discriminate against a person for any reason.

NS will regularly audit personal data kept on our files to ensure it is still relevant, needed and that it is lawfully held.

NS will consider carrying out a Data Protection Impact Assessment (DPIA) prior to implementing new data handling technology and/or where processing personal data is likely to significantly affect individuals.

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Other Data Collection Requirements– What we may collect

NS may from time to time need to respond to incidents where we suspect a crime, or several crimes may have been committed. In this respect, if the quorate of Trustees feel it is both necessary and proportionate to protect the reputation of NS, to prevent and or detect incidents or crimes, for the sole purpose of preventing the 'Public Harm' benefit of our activities, overt or covert camera/CCTV recording may be authorised for a time limited period. The purpose and time limitation of such recording(s) shall be always recorded and kept secure. Any disclosure and/or destruction thereof, will be determined by the Trustees as deemed appropriate and proportionate to the circumstances. **The information we keep and the reasons for it will need to be reviewed as soon as practicable and on a regular basis. This will need to be overseen by the DPO or as otherwise directed.**

5. How we handle Data and Individuals rights

Data Handling

NS understands its obligations under GDPR, when collecting, controlling and managing personal data. As such, we will therefore ensure we:

- process data lawfully, fairly and in a transparent manner.
- collect data only for specified, explicit and legitimate purposes and not further processing in a manner that is incompatible with those purposes.
- process data adequately, relevant and limited to only what is necessary.
- ensure personal data is accurate and kept up to date, rectifying and erasing any errors or inaccuracies without delay.
- will keep personal data in a form that permits identification of individuals for no longer than is necessary for the purpose.
- process personal data in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against loss, destruction or damage.

As a DC and in line with the GDPR, we will keep a record of our processes, consistent with the above and be able to demonstrate our compliance at any given time.

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Individual Rights

NS is aware of the rights of individuals whose personal data we hold. In line with those rights, NS will ensure it processes data in accordance with these rights. We will:

- Be transparent and inform individuals how and why we will process their personal data, as well as the lawful basis for doing so.
- Respond within 30 days if people ask to access their personal data, allowing them to verify its lawful collection and processing.
- Rectify any inaccurate or incomplete personal data without delay.
- Erase any personal data when it is no longer needed or there is no lawful reason for it being held.
- Take immediate action if an individual requests that we suppress the processing of their data or objects to its collection, retaining just enough to respect their wishes in future.
- Never process personal data for more than its lawful, documented purpose(s).
- Obtain clear, active consent from each individual where we are lawfully obliged to do so.

Members, Associates responsibilities & their duties

Drawn from paragraph 9 and slightly expanded on, from our written constitution:

Duty of Members

It is the duty of each Member of NS to exercise his or her powers as a Member of our community group in the way he or she decides in good faith that would be most likely to further the purposes of the community group. This includes the data they collect, keep and for how long, it is kept including where and how they store it and in what format. The Data should be necessary, proportionate and secured against accidental theft and or loss.

Any member or other associate or person asked to act on behalf of NS by the committee or one of its members either verbally or in writing, who when undertaking an activity on behalf of NS, understands that any creation of copyright, intellectual property or any other tangible or intangible property, asset or other transferable or non-transferable interest, belongs to NS and NOT the individual member or members undertaking the activity.

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At the verbal or written request of the committee, quorate or representative of such, any such asset, interest or property which is subject to surrender, must be surrendered to any member of the Committee with immediate effect and must be done in a way NS can access and use it without hindrance.

6. Data Storage & Security

Data Storage and Security

NS takes the matter of safety of personal data very seriously and will always ensure it puts in place robust safety measures, appropriate to the type of information it holds and subsequently processes.

To secure personal data kept by NS, a mixture of the following methods, appropriate to the data held will be used :-

- On membership forms subject to being transferred into an electronic format and then destroying the original forms
- Physical security including [good quality doors and locks, alarms, security lighting](#).
- Computer security including [passwords, encryption](#).
- Any CCTV (Covert or overt recording) is done so for specific time limited purposes with a clear rationale for doing so.

We will check our storage and security practices regularly to ensure they are in line with regulation and appropriate for the personal data held. We will build a culture of awareness and security within the “Shed” ensuring good communication with key people, and we will only ever provide access to personal data for people that need it for lawful processing.

The exact way we store personal data for each purpose will be documented in our Data Protection Log

7. If Breaches occur, who should be approached

Data Breaches

NS recognises the GDPR’s guidelines to record, rectify and report, where necessary, data breaches; where a breach of security leads to the destruction, loss, alteration or unauthorised disclosure of, or access to, personal data.

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NS DPOs are allocated the responsibility for minimising the likelihood of breaches and taking prompt action if ever they happen. NS will ensure it notifies the individuals whose data is involved if there is any adverse risk to them as a result of the breach, and where necessary notify the Information Commissioner's Office (ICO).

Accessing Information

Under the GDPR, individuals have the right to access the information held about them. If you would like to request to see whether any information is kept or be reminded of the reasons, lawful basis and methods of keeping your personal data, please send a request in writing to: the Chair of NS.

The Chair or Vice Chair will attempt to respond to all requests within 30 days or otherwise to let the person or organisation requesting the Data, know what is happening with their request.

In most cases you cannot **charge a fee** to comply with a **subject access request**. However...where the **request** is manifestly unfounded or excessive you may **charge a "reasonable fee"** for the **administrative costs** of complying with the **request**.

<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

8. Information Commissioners Office contact details

The Information Commissioner's Office (ICO)

The ICO is "the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals" (ICO website). It is responsible for administering the provisions of the GDPR. Under the GDPR, organisations must register with the ICO unless exempt.

NS is exempt from registering with the ICO because [it is a non-profit making organisation](#).

NS will therefore only:

- process information necessary to establish or maintain membership or support.
- process information necessary to provide or administer activities for people who are members of the organisation or have regular contact with it.

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- share the information with people and organisations necessary to carry out the organisation's activities unless given permission otherwise.
- keep the information while the individual is a member or supporter or as long as necessary for member/supporter administration.

Signed: Phill Wheatley



Chair of the Charity Trustees

Dated: March 22