

Phab Data Protection Policy

Introduction

Phab is fully committed to compliance with the requirements of the Data Protection Act 1998 (“the Act”), and will therefore follow procedures that aim to ensure that all employees and volunteers who have access to any personal data held by or on behalf of Phab are fully aware of and abide by their duties and responsibilities under the Act.

Statement of policy

In order to operate efficiently, Phab has to collect and use information about people with whom it works. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means.

Phab regards the lawful and correct treatment of personal and sensitive information as very important to its successful operations, and to maintaining confidence between Phab and its members, suppliers, partners, supporters and funders. Phab will ensure that it treats personal information lawfully and correctly.

To this end Phab fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

The Information Commissioner maintains a public register of data controllers. Phab is registered as such. The Data Protection Act 1998 requires every data controller who is processing personal data, to notify and renew their notification, on an annual basis. To this end, the designated officer (Martin Holdsworth) will be responsible for notifying and updating the Information Commissioner’s Office of the processing of personal data, and for renewing registration each year.

The principles of data protection

The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.

The Principles require that personal information:

1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
2. 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;
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;

4. Shall be accurate and where necessary, kept up to date;
5. Shall not be kept for longer than is necessary for that purpose or those purposes;
6. Shall be processed in accordance with the rights of data subjects under the Act;
7. Shall be kept secure i.e. protected by an appropriate degree of security;
8. Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between personal data and sensitive personal data.

Personal data is defined as, data relating to a living individual who can be identified from:

- That data;
- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an 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.

Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions.

The nature of Phab's work means that much of the information held on club members and participants on projects will be considered "sensitive" and should be stored very securely.

Handling of personal/sensitive information

Phab will, through appropriate management and the use of strict criteria and controls:-

- Observe fully conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;

- Apply strict checks to determine the length of time information is held;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within the statutory 40 days;
- The right to prevent processing in certain circumstances;
- The right to correct, rectify, block or erase information regarded as wrong information.

In addition, Phab will ensure that:

- There is someone with specific responsibility for data protection in the organisation;
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do;
- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance with handling personal information is regularly assessed and evaluated;
- Data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

All Phab paid staff and volunteers who are handling personal information must be aware of, and adhere to, this policy – any questions should be directed to the Data Protection Officer (Martin Holdsworth). Staff members and club leaders who handle sensitive personal information must be fully aware of the greater level of security needed.