



## **Boleskine Community Care, Data Protection Policy, March 2026**

### **Aim and scope of policy**

BCC underscores a commitment to handling all data of staff, Trustees, members and external contractors and stakeholders with the utmost care and confidentiality. The policy ensures that we gather, store, and handle data fairly and transparently, with due regard to the law, current official data guidance, and respect for individual rights.

Generally, our policy refers to anyone we collaborate with or act on our behalf and may need occasional access to data. Where third parties process data on behalf of BCC, BCC will ensure that the third party takes such measures in order to maintain the charity's commitment to protecting data. In line with the UK Data Protection Act (2018), BCC understands that it will be accountable for the processing, management and regulation, and storage and retention of all personal data held in the form of manual records and on computers.

This policy applies to the processing of personal data in manual and electronic records kept by BCC as described below. It also covers the charity's response to any data breach and other rights.

This policy applies to the personal data of Trustees, job applicants, existing and former staff members, members, volunteers and external contractors. These are referred to in this policy as relevant individuals.

### **Definitions**

"Personal data" is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person's name, identification number, location, online identifier.

"Special categories of personal data" is data which relates to an individual's health, sex life, sexual orientation, race, ethnic origin, political opinion, religion, and trade union membership. It also includes genetic and biometric data (where used for ID purposes).

"Criminal offence data" is data which relates to an individual's criminal convictions and offences.

"Data processing" is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **How do we gather data?**

We gather data through emails, membership forms, face-to-face conversations and online forms.

## **Types of data held**

The personal data we handle is to support the delivery of our services. We collect and handle the following data for our members:

- Name
- Date of Birth
- Email Address
- Postal address
- Phone numbers
- Health conditions, if relevant
- Personal family circumstances, if relevant

Staff data is kept in personnel files or within BCC's online systems. The following types of data may be held by BCC, as appropriate, on relevant individuals:

- name, address, phone numbers - for individual and next of kin
- CVs and other information gathered during recruitment
- references from former employers
- national insurance numbers
- job title, job descriptions and pay grades
- conduct issues such as letters of concern, disciplinary proceedings
- holiday records
- right to work proof
- PVG check information
- internal performance information
- medical or health information
- sickness absence records
- bank details and tax codes
- terms and conditions of employment
- training details.

Relevant individuals should refer to BCC's privacy advice for more information on the reasons for its processing activities, the lawful bases it relies on for the processing and data retention periods.

## **How do we store data?**

Data is stored in several ways:

- On our Google drive which is password protected - these files are only accessible to identifiable staff and Trustees
- In secure filing cabinets within the Hub, which are locked at all times

## **How do we keep data safe?**

BCC has taken the following steps to protect the personal data of relevant individuals, which it holds or to which it has access:

- it appoints Trustees or employs employees with specific responsibilities for:
  - a. the processing and controlling of data.
  - b. the comprehensive reviewing and auditing of its data protection systems and procedures
  - c. overseeing the effectiveness and integrity of all the data that must be protected.

BCC adopts procedures designed to maintain the security of data when it is stored and transported.

- we ensure that all files or written information of a confidential nature are stored in a secure manner and are only accessed by people who have a need and a right to access them
- we ensure that all files or written information of a confidential nature are not left where they can be read by unauthorised people
- we always use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them
- we ensure that personal data is not left on screen when not in use.
- Personal data relating to employees should be kept securely and not transported on USB sticks, or similar devices, unless authorised by the Chair or person responsible for the Charity's Data Protection
- we use an encrypted system
- we train our staff about online privacy and secure storage

Staff failure to follow BCC's rules on data security may be dealt with via BCC's disciplinary procedure. Appropriate sanctions include dismissal with or without notice dependent on the severity of the failure.

BCC also has clear lines of responsibility and accountability for these different roles.

- BCC provides information to staff on their data protection rights, how it uses their personal data, and how it protects it. The information includes the actions relevant individuals can take if they think that their data has been compromised in any way.
- BCC provides its Trustees and employees with information and training to make them aware of the importance of protecting personal data and to understand how to treat such information confidentially.
- BCC can account for all personal data it holds, where it comes from, who it is shared with and also who it might be shared with
- BCC recognises the importance of seeking individuals' consent for obtaining, recording, using, sharing, storing and retaining their personal data, and regularly reviews its procedures for doing so, including the audit trails that are needed and are followed for all consent decisions. The Charity understands that consent must be freely given, specific, informed and unambiguous. The Charity will seek consent on a specific and individual basis where appropriate. Full information will be given regarding the activities for which such consent is sought. Relevant individuals have the absolute and unimpeded right to withdraw that consent at any time.
- BCC has the appropriate mechanisms for detecting, reporting and investigating suspected or actual personal data breaches, including security breaches. It is aware of its duty to report significant breaches that cause significant harm to the affected individuals to the Information Commissioner and is aware of the possible consequences.

## **How do we use data?**

BCC uses data in a number of ways. For example, to develop and deliver services to our members, to apply for grants and to show the impact of our work. For example, we might need to pass on information about an individual's health conditions to someone providing them with care, with their consent, or we might use the number of individuals taking part in a service to show the impact of our work on a future grant application, but we would not identify individuals in this work.

## **Principles**

BCC collects data in a transparent way and only with the full cooperation and knowledge of individuals. All data obtained and held by the Charity will:

- be accurate and kept up to date
- be processed fairly, lawfully and in a transparent manner
- be collected for specific, explicit, and legitimate purposes
- be adequate, relevant and limited to what is necessary for the purposes of processing
- be kept accurate and up to date. Every reasonable effort will be made to ensure that inaccurate data is rectified or erased without delay.
- not be kept for longer than is necessary for its given purpose
- be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- comply with the relevant Data Protection legislation

Our data will not be:

- Communicated informally
- Stored for more than a specific amount of time
- Transferred to other organisations without relevant consent

In addition, personal data will be processed in recognition of an individuals' data protection rights, as follows:

- the right to be informed
- the right of access
- the right for any inaccuracies to be corrected (rectification)
- the right to have information deleted (erasure)
- the right to restrict the processing of the data
- the right to portability
- the right to object to the inclusion of any information
- the right to regulate any automated decision-making and profiling of personal data.

## **Subject Access Request/Access to data**

Individuals have a right to be informed whether BCC processes personal data relating to them and to access the data. Requests for access to this data will be dealt with under the following guidelines:

- a subject access request should be made in writing to BCC.
- BCC will not charge for the supply of data unless the request is manifestly unfounded, excessive or repetitive, or unless a request is made for duplicate copies to be provided to parties other than the employee making the request

- BCC will respond to a request without delay. Access to data will be provided, subject to legally permitted exemptions, within one month as a maximum. This may be extended by a further two months where requests are complex or numerous.

Relevant individuals must inform BCC immediately if they believe that the data is inaccurate, either as a result of a subject access request or otherwise. BCC will take immediate steps to rectify the information.

### **Data disclosures**

In certain circumstances, BCC may be required to disclose certain data/information. The circumstances leading to such disclosures include:

- in an emergency, if the individual is at serious risk of harm
- individuals' health data - to comply with health and safety or occupational health obligations towards the employee or allow the provision of care to an individual
- any staff benefits operated by third parties
- disabled individuals - whether any reasonable adjustments are required to assist them at work
- HR management and administration

These kinds of disclosures will only be made when strictly necessary for the purpose.

### **International Data Transfers**

BCC does not transfer personal data to any recipients outside of the UK.

### **Data Breach**

In the first instance, if you believe there has been a data breach (or something has gone wrong) where information is available to unauthorised persons, please contact BCC on [admin@boleskinecc.com](mailto:admin@boleskinecc.com) or phone 01456 486247 or follow our complaints process.

Where a data breach is likely to result in a significant risk to the rights and freedoms of individuals, it will be reported to the Information Commissioner (IC) within 72 hours of BCC becoming aware of it and may be reported in more than one instalment.

Individuals will be informed directly in the event that the breach is likely to result in a high risk to the rights and freedoms of that individual.

If the breach is sufficient to warrant notification to the public, BCC will do so without undue delay.

### **How to remove your data**

If you are a member of BCC and consented to your data being shared with us, then you have the right to be deleted from our systems at a later date. You can do this by contacting [admin@boleskinecc.com](mailto:admin@boleskinecc.com).

### **Subject Access Request**

You have the right to ask our organisation if we are using or storing your personal information and this can be done through a Subject Access Request (SAR). Anyone can request their data from BCC, and we will get back to you within one month of you submitting your request.

You can email us as [admin@boleskinecc.com](mailto:admin@boleskinecc.com) and include the following:

- a subject line or header which says 'subject access request'
- the date you are making the request
- Your name, and any other names where relevant, such as your name before you were married
- your email address, home address and phone number
- what personal information you want, please be specific and relevant dates if appropriate
- how you would like to receive the information including any accessibility requirements such as large font
- anything else relevant such as an NHS number or dates of activities

### **Data Protection Compliance**

The Trustee Treasurer is the Charity's appointed compliance officer in respect of its data protection activities.

***This policy will be reviewed every two years.***

### **Version control**

| <b>Version number</b> | <b>Prepared by</b> | <b>Date approved by Trustees</b> |
|-----------------------|--------------------|----------------------------------|
| 1.0                   | Rachel Burn        | 15th April 2026                  |
|                       |                    |                                  |
|                       |                    |                                  |



## Employee Data Privacy Advice

EMPLOYEE PRIVACY NOTICE  
(compliant with the UK Data Protection Act (2018))

The Charity is aware of its obligations under the UK Data Protection Act (2018) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with data handling provisions, the types of data that we hold on you as an employee of the Charity. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former employees, workers and contractors.

## DATA CONTROLLER DETAILS

The Charity is a data controller, meaning that it determines the processes to be used when using your personal data. Any contacts on such may be made through the Charity's Trustee Treasurer.

## DATA PROTECTION PRINCIPLES

In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you only use it in the way that we have told you about ensure it is correct and up to date keep your data for only as long as we need it process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed.

## TYPES OF DATA WE MAY PROCESS

We may hold many types of data about you that may include:

- your personal details including your name, address, date of birth, email address, phone numbers
- your photograph
- gender
- marital status
- dependants, next of kin and their contact numbers
- medical or health information including whether or not you have a disability
- information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin
- information included on your CV including references, education history and employment history
- documentation relating to your right to work in the UK
- driving licence
- bank details
- tax codes
- National Insurance number
- current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us
- letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings according to the Charity's procedures
- internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms
- leave records including annual leave, family leave, sickness absence etc
- details of your criminal record
- training details
- CCTV footage
- any building entry records (as appropriate).

## HOW WE COLLECT YOUR DATA

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our recruiting Trustees/Managers during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies and former employers (as appropriate and so defined)

Personal data is kept in specifically designated files with the relevant Trustees, Line Managers and IT systems.

## WHY WE HOLD AND PROCESS YOUR DATA

The law on data protection allows us to hold and process your data for certain reasons only:

- in order to perform the employment contract that we are party to
- in order to carry out legally required duties
- in order for us to carry out our legitimate interests
- to protect your interests and
- where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carry out the employment contract that we have entered into with you and
- ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- ensuring tax and National Insurance is paid
- carrying out checks in relation to your right to work in the UK and
- making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Charity. We have set these out below:

- making decisions about who to offer initial employment to, and subsequent internal appointments, job changes, promotions etc
- making decisions about salary and other benefits
- providing contractual benefits to you
- maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises
- offering a method of recourse for you against decisions made about you via a grievance procedure
- assessing training needs
- implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments
- gaining expert medical opinion when making decisions about your fitness for work
- managing statutory leave and pay systems such as maternity leave and pay etc
- business planning and restructuring exercises

- dealing with legal claims made against us
- preventing fraud
- ensuring our administrative and IT systems are secure and robust against unauthorised access
- maintenance of qualifications and registrations required to undertake your work eg. Driving Licence & PVG as so applicable.

### **SPECIAL CATEGORIES OF DATA**

The Charity is required to advise you as to what may be considered as Special categories of data but restricts collation of such to information that may affect your welfare or may impact upon your ability to carry out your job:

- health
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- you have given explicit consent to the processing
- we must process the data in order to carry out our legal obligations
- we must process data for reasons of substantial public interest
- you have already made the data public.

We will use your special category data:

- for the purposes of equal opportunities monitoring
- in our sickness absence management procedures
- to determine reasonable adjustments

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

### **CRIMINAL CONVICTION DATA**

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data because of our legal obligation to ensure all staff comply with the statutory requirements for compliance for work within the Constitution of our Charity.

### **IF YOU DO NOT PROVIDE YOUR DATA TO US:**

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of employment.

If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g., ensuring you are paid correctly. We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide

us with this information e.g., confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a criminal records check.

## SHARING YOUR DATA

Your data will be shared with colleagues within the Charity only where it is necessary for them to undertake their duties. This includes, for example, your line manager for their management of you, for the maintenance of personnel records and for administering payment under your contract of employment.

We share your data with third parties in order to collate payroll details including your Pay, National Insurance, Tax and Pension.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us.

We do not share your data with bodies outside of the United Kingdom.

## PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such by defining the control measures for the security of such data and restricting access to such data only to those in need for your employment and for Legal and Compliance to meet the constitutional needs of our Charity.

Where we share your data with third parties, we have written confirmation that your data is held securely and in line with DPA requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

## HOW LONG DO WE KEEP YOUR DATA FOR?

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Retention periods can vary depending on why we need your data to meet legal requirements for our audit, financial and employment record purposes.

## AUTOMATED DECISION MAKING

No decision will be made about you solely on the basis of automated decision making.

## YOUR RIGHTS IN RELATION TO YOUR DATA

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- **the right to be informed.**

This means that we must tell you how we use your data, and this is the purpose of this privacy notice.

- **the right of access.**

You have the right to access the data that we hold on you. To do so, you should make a subject access request.

You can read more about this in our Subject Access Request policy which is available through your line manager.

- **the right for any inaccuracies to be corrected.**

If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it

- **the right to have information deleted.**

If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it

- **the right to restrict the processing of the data.**

For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct

- **the right to portability.**

You may transfer the data that we hold on you for your own purposes.

- **the right to object to the inclusion of any information.**

You have the right to object to the way we use your data where we are using it for our legitimate interests.

- **the right to regulate any automated decision-making and profiling of personal data.** You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

### **Consent**

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact either your Line Manager or the Trustee Treasurer.

## **MAKING A COMPLAINT**

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

## **DATA PROTECTION ENQUIRIES**

As a small business this Charity does not employ a formal Data Protection Officer however it does register the Trustee Treasurer with the ICO as being responsible for the Data Protection provision service to Boleskine Community Care. The Trustee Treasurer is therefore required to respond to any relevant enquiries that you may have.