

**Data Protection Policy**

Boleskine Community Care (BCC) is committed to meetings its responsibilities under the UK Data Protection Act 2018 (UKDPA) and subsequent amendments therein enacted.

A responsible person shall be appointed by the Trustees with the authority to maintain the Charity’s on-going compliance with this policy and relevant legislation as so defined.

**DATA PROTECTION PRINCIPLES**

BCC shall process data in accordance with the current UKDPA legislation. This requires that personal data shall be:

* Processed lawfully, fairly and in a transparent manner in relation to individuals.
* Collected 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.
* Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
* Accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data which is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay;
* Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is 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 appropriate legislation in order to safeguard the rights and freedoms of individuals; and
* 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.

**GENERAL PROVISIONS**

* This policy applies to all personal data processed by BCC.
* The policy shall be reviewed annually.
* BCC shall register with the Information Commissioner’s Office (ICO) as an organisation that processes personal data and maintain such active registration whilst continuing to collate and/or retain such data.

**LAWFUL, FAIR and TRANSPARENT PROCESSING**

* To ensure its processing of data is lawful, fair and transparent, BCC shall maintain a Register of Data Collation and Storage Systems.
* The Register of such Systems shall be reviewed annually.
* Individuals have the right to access their personal data and any such requests made to BCC shall be dealt with in a timely manner.

**LAWFUL PURPOSES**

* All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests.
* BCC shall note the appropriate lawful basis in the Register of Systems.
* Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
* Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in BCC’s systems.

**DATA ADMINISTRATION**

* BCC shall ensure that personal data is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.

**ACCURACY**

* BCC shall take reasonable steps to ensure that personal data is accurate.
* Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

**REMOVAL OF DATA**

* To ensure that personal data is kept for no longer than necessary, BCC shall securely destroy or archive records held in line with statutory requirements for data retention.
* Data which is no longer live shall only be retained for statutory purposes such as financial record-keeping for HMRC.
* The removal of data from archived records must be advised to and, where relevant, authorized by the Responsible Person.

**SECURITY**

* BCC shall ensure that personal data is stored securely using suitably updated software.
* Access to personal data shall be limited to personnel who need access and appropriate security shall be in place to avoid unauthorised sharing of information.
* When personal data is deleted this shall be done safely so that the data is irrecoverable.
* Appropriate back-up and disaster recovery solutions shall be in place.

**BREACH**

* Any breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data shall, without intervention be reported to the Charity’s Chair and/or Responsible Person to determine action as required with due regard for people’s rights, charity policies, business law and legislative compliance requirements.
* If appropriate, this may require that the breach is reported to the ICO

**Appendix 1** – CP14/1 Webpage Privacy Policy