

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

## **Policy Statement**

InterACT Church and Community Partnership collects and uses information about people with whom it communicates.

This personal information must be dealt with properly and securely however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material.

InterACT regards the lawful and correct treatment of personal information as very important to the successful and efficient performance of its functions, and to maintain confidence between those with whom it deals.

To this end InterACT fully endorses and adheres to the principles of current data protection law, namely the General Data Protection Regulation.

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## **Purpose**

The purpose of this policy is to ensure that the staff, volunteers, management and trustees of InterACT are clear about the purpose and principles of data protection and to ensure that it has guidelines and procedures in place which are consistently followed.

Failure to adhere to the GDPR is unlawful and could result in legal action being taken against InterACT or its staff, volunteers or trustees.

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## **Principles**

The GDPR regulates the processing of information relating to living and identifiable individuals (data subjects). This includes the obtaining, holding, using or disclosing of such information, and covers computerised records as well as manual filing systems and card indexes.

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

To do this, InterACT follows the six principles outlined in the GDPR, which are summarised below:

### **1. Lawful, fair and transparent**

In practice: There has to be legitimate grounds for collecting the data and it must not have a negative effect on the person or be used in a way they wouldn't expect.

### **2. Limited for its purpose**

In practice: Data should be collected for specified and explicit purposes and not used in a way someone wouldn't expect.

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

## **3. Adequate and necessary**

In practice: It must be clear why the data is being collected and what will be done with it. Unnecessary data or information without any purpose should not be collected.

## **4. Accurate**

In practice: Reasonable steps must be taken to keep the information up to date and to change it if it is inaccurate.

## **5. Not kept longer than needed**

In practice: Data should not be kept for longer than is needed, and it must be properly destroyed or deleted when it is no longer used or goes out of date.

## **6. Integrity and confidentiality**

In practice: Data should be processed in a way that ensures appropriate security, including protection against unauthorised or unlawful processing, loss, damage or destruction, and kept safe and secure.

The principles apply to “personal data”, which is information held on computer or in manual filing systems from which an individual is identifiable. InterACT’s employees, volunteers, management and trustees who process or use any personal information in the course of their duties will ensure that these principles are followed at all times.

## **Safeguarding**

It may be considered that exclusions apply to elements of this policy for the purposes of safeguarding individuals. It is essential that all such assessments be properly recorded and revisited regularly.

InterACT accepts responsibility for proving that the legitimacy of such exclusions have been carefully considered and that, notwithstanding this assessment, the 6 key principals of the GDPR will be maintained as much as possible.

## **Consent by proxy**

Carers will be given permission to give consent on behalf of others whenever they are legal allowed or obliged to do so. However, InterACT also acknowledges the privacy of those individuals unable to give consent and will, as much as is practicable, seek to identify and respect their wishes. In all other ways, their data will be treated as per the guidelines of this policy.

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## **Procedures**

The following procedures have been developed in order to ensure that InterACT meets its responsibilities in terms of GDPR. For the purposes of these procedures data collected, stored and used by InterACT falls into 2 broad categories:

- 1. InterACT’s internal data records:** Staff and volunteers, including management and freelancers

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

## 2. InterACT's external data records: Members and associates

InterACT as a body is a DATA CONTROLLER under the GDPR, and the trustees are ultimately responsible for the policy's implementation. In practice, this responsibility should be assumed by the Management Team and the Coordinator.

We are exempt from the need to register with the Information Commissioner's Office as a not-for-profit organisation that processes data only for its own internal purposes, that is we:

- only process information necessary to establish or maintain membership or support;
- only process information necessary to provide or administer activities for people who are members of the organisation or have regular contact with it;
- only share the information with people and organisations necessary to carry out the organisation's activities. Important - if individuals give you permission to share their information, this is OK (you can still answer 'yes'); and
- only keep the information while the individual is a member or supporter or as long as necessary for member/supporter administration.

The data held by InterACT will be subject to an annual audit, which will assess the following:

- Description of data
- Why is the data held and what is it used for
- Basis for processing data (e.g. consent, legal obligation, etc)
- Who holds the data and who can access it?
- What security controls are in place?
- How long is the data kept for?
- Is this covered by our privacy notice?
- ACTION REQUIRED

## Internal data records

### Purposes

InterACT obtains personal data (names, addresses, phone numbers, email addresses), application forms and references, and in some cases other documents from staff, volunteers and trustees. This data is stored and processed for the following purposes:

- Recruitment • Equal Opportunities monitoring • Volunteering opportunities
- To distribute relevant organisational material e.g. meeting papers • Payroll
- Information required by our insurance company, the Charity Commission, Inland Revenue, grant givers and any such other institutions that require certain data for the purposes of providing a service to us.

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

By virtue of their recruitment to InterACT, contact details of staff, volunteers and trustees, along with other information deemed relevant for the purposes of their role, will be stored for the duration of their involvement in that role.

## Access

The contact details of staff, volunteers and trustees will only made available to others where information is required for legitimate purposes, such as banking, insurance, DBS checks and accounting, and then only in accordance with the principals and practice guidelines of this policy.

Any other information, for example personal information supplied on application for a role in the organisation, will be kept in a secure paper or electronic filing system and not accessed during the day-to-day running of the organisation.

Contact details of staff, volunteers and trustees will not be passed on to anyone outside the organisation without their explicit consent or unless this contact is already publicly available (for example as minister of a church).

Staff, volunteers and trustees will be supplied with a copy of their personal data held by the Organisation, as well as details of any third party (as cited above) with whom their details have been shared, if a request is made.

All confidential post must be opened by the addressee only.

## Accuracy and Timescales

InterACT will take reasonable steps to keep personal data up to date and accurate.

Personal data will be stored for 6 years after an employee, volunteer or Trustee has worked for the organisation, unless there is a specific and legitimate reason for it to be kept on record (which shall be recorded). The trustees have responsibility for destroying personnel files.

## Means of Storage

Personal data may be kept in paper-based systems and on a password-protected electronic system.

Paper-based data will be stored in organised and secure systems. When being moved from one office/venue to another, such data must be transferred to an organised and secure system at each venue. Moving data in this way should be kept to a minimum and there should be good reason for doing so. Ideally, paper-based data should be scanned to a computer at source and saved to a secure file online or onto a secure external memory device.

Electronic data will be stored in a password protected folder online or on a secure external memory device. If confidential information needs to be shared electronically among staff, this should be done via this folder or device and not by email.

## Use of Photographs

Consent to the use of photographs, videos and sound recordings of staff, freelances, volunteers and trustees on the InterACT website, social media and evaluations/reports will be sought via a signed agreement at the commencement of their role. Permission will not be sought each time and will

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

remain valid for the duration of that contract. Nevertheless, individuals will be given the right to refuse with no consequence to their contract or relationship with us. In all other ways, photographs/recording will be subject to the same procedures as outlined elsewhere in this document.

## External data records

### Purposes

InterACT obtains personal data (such as names, addresses, and phone numbers) from members/clients/associates. This data is obtained, stored and processed solely to provide the services for which the member/client/associate has joined or, after receiving specific consent, in order to inform the member/client/associate of other services they may have an interest in. The member/client/associate will be provided with a privacy statement outlining the purposes for which we are collecting data, the means by which it will be stored, the length of time it will be stored and their rights according to the GDPR.

### Consent

Personal data will not be passed on to anyone outside the organisation without explicit consent from the data owner, unless there is a legal duty of disclosure under other legislation.

### Access

Only those directly involved in delivering the above services and the trustees will have access to this data, which will be kept in a secure filing, paper or electronic system.

All members of staff, management team, freelancers and trustees are made aware of this GDPR policy and their obligation not to disclose personal data to anyone who is not supposed to have it. Information will not be passed on to anyone outside the organisation without their explicit consent, excluding to statutory bodies e.g. the Inland Revenue or for any other legal purpose outlined in other legislation.

Individuals will be supplied with a copy of any of their personal data held by the organisation if a request is made.

All confidential post must be opened by the addressee only.

### Accuracy and Timescales

InterACT will take reasonable steps to keep personal data up to date and accurate.

Personal data will be stored for as long as the data owner/ client/ member uses our services, or longer if a legitimate purpose can be argued in accordance with the GDPR. The keeping of these records and the legitimacy of purpose will be reviewed on an annual basis.

If a request is received from an organisation/ individual to destroy their records, we will remove their details from the database and request that all staff holding paper or electronic details for the organisation destroy them. This work will be overseen by the Coordinator.

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

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Electronic data will be stored in a password protected folder online. If confidential information needs to be shared electronically among staff, this should be done via this folder or device and not by email.

## Use of photographs and other media

Photographs, videos and sound recordings of individuals will be treated as identifiable data whenever they show faces or other highly distinguishable features of an individual. InterACT will seek the consent of individuals before photographs are taken/ recordings made via the acceptance of the privacy statement.

The activity coordinator will be responsible for ensuring that identifiable photographs/recordings will only be taken of those who have given express consent. All other photographs/recordings must exclude faces or other highly distinguishable features of the individual. In all other ways, photographs/recordings will be subject to the same procedures as outlined elsewhere in this document

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## Disclosure and Barring Service

InterACT will act in accordance with the DBS's code of practice.

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**This policy will be reviewed on an annual basis.**

# InterACT Data Protection Policy

Reviewed June 2022. Next review June 2023.

## **Responsibilities of staff, freelancers, volunteers and trustees**

During the course of their duties with InterACT, staff, freelancers, volunteers, management and trustees will be dealing with information such as names/addresses/phone numbers/e-mail addresses of members/clients/volunteers. They may be told or overhear sensitive information while working for InterACT. The GDPR gives specific guidance on how this information should be dealt with. In short, to comply with the law, personal information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. Staff, paid or unpaid, must abide by this policy.

To help staff, freelancers, volunteers, management and trustees meet the terms of GDPR, the following confidentiality statement has been produced. They are asked to read and sign this statement to say that they have understood their responsibilities as part of the induction programme and then annually through the internal reporting and evaluation process of the organisation's key policy and procedures.

## **Data Protection and Confidentiality Statement**

Compliance with the General Data Protection Regulation is the responsibility of all trustees, management, freelancers and staff, paid or unpaid.

InterACT will regard any unlawful breach of any provision of the GDPR by any trustees, management, freelancers and staff, paid or unpaid, as a serious matter which will result in disciplinary action.

Any employee who breaches this policy statement will be dealt with under the disciplinary procedure, which may result in dismissal for gross misconduct. Any such breach could also lead to criminal prosecution.

Questions or concerns about the interpretation or operation of this policy statement should in the first instance be referred to the line manager.

[  ] I have read and understood the terms of this policy and my responsibilities within it

Signed \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_

## **Consent for use of data**

[  ] I understand that InterACT will keep information about me in accordance with the principles and practice of this data protection policy and specifically for the reasons outlined in the "Internal Records" section.

[  ] I consent to the possible use of photographs, videos and/or sound recordings of me on the InterACT website, social media and reports/ evaluations. I understand that this consent will remain valid for the duration of this role with InterACT. I also understand that I can withdraw this consent at any time, although it may not be possible to withdraw historical use of data at this point.

Signed \_\_\_\_\_ Print Name \_\_\_\_\_

Date \_\_\_\_\_