

# Data Protection Policy

## **Compass Disability Services**

Units 11 – 12 Belvedere Trading Estate  
Taunton, TA1 1BH

May 2015  
Review date: April 2020

### **Introduction**

Compass Disability Services places great importance on ensuring the integrity, confidentiality and accuracy of data of all kinds, particularly personal information.

We collect and use certain types of information about our members, customers, staff and other individuals who come into contact with the organisation, in order to be able to provide our services and keep in touch with our users. This personal information will be dealt with properly however it is collected, recorded and used, in line with the Data Protection Act 1998.

### **Scope and Purpose**

This policy applies to:

- All staff and volunteers working for Compass Disability Services and its projects
- All paper and electronic information relating to identifiable individuals

The purpose of this policy is to enable Compass Disability Services to:

- Comply with the law in respect of the data it holds about individuals
- Follow good practice
- Protect Compass Disability Services' customers, staff and other individuals
- Protect the organisation from the consequences of a breach of its responsibilities

### **Definition of Personal Information**

Personal information is data that relates to a living individual who can be identified a) from that information, or b) from that information and other information which is in the possession of the organisation. This includes any expression of opinion about the individual and any indication of the intentions of the organisation in respect of the individual.

### **Policy Statement**

Compass Disability Services regards the lawful and correct treatment of personal information as paramount to successful operations. We will meet our legal obligations to comply with the act and apply the 8 principles of good information handling to all information that we collect, use, store and destroy.

The 8 Principles of the Data Protection Act.

Data must be:

1. Processed fairly and lawfully
2. Processed for specified and lawful purposes
3. Adequate, relevant and not excessive
4. Accurate, and where necessary kept up to date

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5. Not kept longer than is necessary
6. Processed in accordance with the rights of the data subject
7. Kept secure
8. Transferred only to countries with adequate security

Compass Disability Services will:

- Comply with both the law and good practice
- Respect individuals' rights
- Be open and honest with individuals whose data is held
- Provide training and support for staff and volunteers who handle personal data, so that they can act confidently and consistently
- Seek to give data subjects as much control as is possible and reasonable over what data is held and how it is used.

## Key Risks

Compass Disability Services has identified the following key potential risks, which this policy is designed to address:

- Information about individuals getting into the wrong hands;
  - through poor security
  - through inappropriate disclosure of information
- Individuals being harmed;
  - through data being inaccurate
  - through data being insufficient
- A lack of clarity regarding data protection issues and how to ensure compliance with the Act.

The organisation will carry out annual risk assessments in respect of the different types of data, the storage of it, how it is transferred and current protection methods used. Following the completion of the risk assessment an action plan will be written to address any areas for improvement and any changes needed will be adopted as procedures to ensure that all reasonable steps are taken to protect the data we hold and use. This will include information stored and transferred electronically to assess the risk involved as technology advances.

## Responsibilities

The Board of Trustees recognises its overall responsibility for ensuring that Compass Disability Services complies with its legal obligations, which is overseen by the Chief Executive Officer (Data Manager). The CEO is also responsible for the review and implementation of our Data Protection Policy, which is authorised by the Board of Trustees.

The Data Controller is the Finance and HR Manager and in his/her absence the Assistant Data Controller is the Operations Manager.

Responsibilities of the Data Controller (and Assistant) are:

- Briefing the board on Data Protection responsibilities
- Reviewing Data Protection and related policies and procedures to ensure they comply with the Act, are workable and are adhered to
- Advising other staff on Data Protection issues

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- Ensuring that Data Protection induction and training takes place and all staff and volunteers are made explicitly aware of their responsibilities
- Ensuring a data audit takes place annually
- Notification – ensuring that the organisation registration with the Information Commissioner’s Office is renewed annually
- Handling subject access requests (see Subject Access Request Policy and Procedure)
- Approving unusual or controversial disclosures of personal data
- Approving contracts with organisations that handle data on behalf of Compass Disability Services

Data Processors are employees, volunteers or trustees that handle or come into contact with personal information.

Data Processors are required to:

- Read, understand and accept any policies and procedures that relate to personal data they may handle in the course of their work
- Be vigilant when handling information
- Suggest improvements to the current policy and processes as appropriate

Project Manager, Coordinators and any member of staff responsible for the creation of documents, publicity material, letters, forms and any other correspondence must ensure that they are checked for data protection compliance and the relevant data-protection related statements are used where appropriate, seeking guidance from the Data Controller or Assistant when necessary.

Significant breaches of this policy will be handled under Compass Disability Services’ disciplinary procedures.

## **Confidentiality**

Confidentiality applies to a much wider range of information than data protection; refer to Compass Disability Services Confidentiality Policy.

Compass Disability Services has a privacy statement for data subjects, setting out how their information will be used. This is available on request, and a version of this statement is also available on the web site ([www.compassdisability.org.uk/index.php?page=privacy-policy](http://www.compassdisability.org.uk/index.php?page=privacy-policy)).

## **Security**

The security of personal information is very important to ensure the data remains safe and Compass Disability Services is compliant with the Act. This section of the policy only addresses security issues relating to personal data. It does not cover security of the building for example – for further details refer to the Security Policy.

Compass Disability Services operates a number of security measures to minimise the potential of a security breach, including:

- Keeping paper records containing personal information in locked facilities when they are not being used by a Data Processor
- Ensuring paper records are disposed of in a secure manner

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- The use of technical security measures such as firewalls, anti-virus, and server back-ups
- Restricting access to office areas and IT equipment to employees, and visitors entering a work area or using IT equipment are accompanied at all times by a member of staff
- Encouraging a clear desk policy and the use of incoming mail/message folders for all staff and volunteers
- Password protecting IT equipment (which locks after any short period of inactivity) and databases, as well as restricting access to certain information on the server by role or seniority of staff
- Reviewing the methods we use to collect, handle and store personal information regularly and implement the data protection action plan as required

Compass Disability Services' acknowledges that a potential threat to data security could be the staff themselves. Our recruitment procedure dictates that two references must always be taken up on the offer of any role. The referee is asked to comment upon the honesty and trustworthiness of the potential employee.

Compass Disability Services encourages a culture of openness, honesty and accountability in which positive challenges to inappropriate behaviour is part of normal practice. Consequently, all staff are encouraged to air any concerns they have, this stance is supported by our Whistle Blowing Policy and Procedures which are in place to protect any employee who suspects wrongdoing, such as an internal security breach.

Compass Disability Services contracts an outside specialist agency to satisfy our IT and software requirements, this is a reputable IT firm based locally, with whom we have a service contact and non-disclosure agreement. This contract explicitly stipulates the need for secure and confidential treatment of the data we store, and this agency is also registered with the Information Commissioner's Office as a Data Controller.

The transfer and transport of personal information is inevitable in the nature of the work that Compass Disability Services undertakes, however we are cautious to keep this to a minimum wherever possible. Information held and used by Compass Disability Services will never be transferred outside of the UK.

Laptops are used by some of our employees and they are made aware of the need to apply strict controls to the storage of their laptop at home, to the same extent as if it were in the office, for example keeping it stored in a locked drawer or filing cabinet. All personal data will be stored on the server at all times (NOT on the laptop hard drive) and all devices are password protected. Passwords are personal to the individual member of staff and are not recorded. Employees must also use their passwords to open up their email accounts where personal information might be stored. All staff are also made aware of the need to keep written instructions (e.g. how to log onto their emails) separate from their laptops.

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## Training

Data protection is of relevance to all members of staff and volunteers at Compass Disability Services, therefore it is imperative that all staff are aware of their responsibilities under the Act, understand the importance of personal information being kept secure and the potential distress that could be caused as a result of loss of personal information or a breach of security.

All staff and volunteers are given time to make themselves familiar with this policy (and other related policies such as security, confidentiality, etc) and will have their responsibilities outlined with regard to data protection upon induction to the organisation. Staff are required to 'sign off' this section of the induction checklist once it is completed and this is then stored on their personnel file.

Information about data protection is included in the staff handbook which is issued to all staff and volunteers upon commencement of their role and whenever it is subsequently reviewed.

The Data Controller and Assistant both receive formal training from an outside specialist regarding the Act and best practice, this training is then disseminated in formal sessions to all staff. During these sessions staff are updated on data protection issues, such as:

- How to handle and protect personal information
- Critiquing our current information systems at all levels of the organisation and other potential security issues
- Considering some of the strategies that a fraudster might employ to facilitate data theft
- The potential legal consequences to both the organisation and individuals in the event of a security breach

In terms of continuous training, the data protection policy and staff responsibilities are reaffirmed across the organisation in the following ways:

- A data protection statement or reminder is included in the weekly staff update at least monthly
- Formal group training is conducted annually at team meetings
- Staff are asked to contribute to the policy review process

## Subject Access Requests

Compass Disability Services will comply with its legal obligations regarding subject access requests under the act. Refer to the Subject Access Request Policy and Procedure.

## Data Recording and Storage

Compass Disability Services aims to streamline its databases, helping to ensure that user's personal information is accurate and duplication is avoided.

Compass Disability Services will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- Systems will be designed, where possible, to encourage and facilitate the entry of accurate data

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- Data on any individual will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets
- Effective procedures will be in place so that all relevant systems are updated when information about any individual changes
- Staff or volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping

A system of checking, updating and discarding old data takes place annually during the data audit. The data storage list holds details of how all information is gathered, where it is stored, and when/how it needs to be updated/discarded/archived; ensuring this list is updated annually forms an integral part of the data audit.

## Consent

Consent will normally not be sought for processing information about staff with the following exception:

- Staff details will only be disclosed for purposes unrelated to their work for Compass Disability Services (e.g. financial references) with their consent.

Information about volunteers will be made public according to their role, and consent will be sought for (a) the means of contact they prefer to be made public, and (b) any publication of information which is not essential for their role.

Information about customers will only be made public with their consent (this includes photographs).

‘Sensitive’ data about members and supporters (including health information) will be held only with the knowledge and consent of the individual. Consent must be given in writing. We acknowledge that, once given, consent can be withdrawn, but not retrospectively, therefore there may be occasions where Compass Disability Services has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.

## Direct Marketing

Compass Disability Services will treat the following unsolicited direct communication with individuals as marketing:

- Seeking donations and other financial support
- Promoting services, events and membership
- Marketing on behalf of any other external company or voluntary organisation

Whenever data is collected we will offer the option to ‘opt out’ of receiving further information from Compass Disability Services and related projects, making it clear that this will remove their details from all of our databases.

Compass Disability Services does not share lists (or carry out joint or reciprocal mailings) only on very occasional and tightly-controlled basis’ where we consider there would be a benefit to the data subject. In these circumstances each data subject will be telephoned individually for their consent.

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Compass Disability Services occasionally undertakes to obtain external lists, but will only do this where it can be guaranteed that the list is up to date and those on the list have been given an opportunity to opt out.

Whenever e-mail addresses are collected, any future use for marketing will be identified, and the provision of the address made optional.

### **Policy Revisions**

This policy will be reviewed and amended every five years or as necessary, to reflect best practice in data protection and management, and to ensure compliance with any changes or amendments to the Data Protection Act 1998.

All staff or volunteers should pass suggestions or recommendations for the revision of any aspect of the policy through normal channels to the Chief Executive Officer.

### ***Additional Information:***

- Data Protection Risk Assessment
- Security Policy
- Confidentiality Policy
- Business Continuity Policy
- Subject Access Request Policy and Procedure
- Whistle Blowing Policy and Procedure

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### Data Protection Good Practice Guidelines

- We will treat all people justly and fairly regardless of their age, religion or belief, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, sexual orientation or race/nationality
- When obtaining information we will always tell people:
  - Who we are, and
  - Why we are collecting the information, and
  - What it will be used for
- Data will only be used for the specific purpose for which it was collected
- We will only obtain personal information from an individual when:
  - We have the consent of the individual, or
  - There is a contractual obligation, or
  - We have a legal reason to do so
- We will make every effort to ensure that all information we hold is accurate and up to date
- We will review information at regular intervals and securely dispose of any information, which is no longer required
- Data will not be disclosed to other parties without the consent of the individual whom it is about, unless there is legislation or other overriding legitimate reason to share the information (for example, the prevention or detection of crime)
- We will promptly provide people with the information that we hold about them in the requested format, if they wish to see it, and we will amend details if they inform us that we hold incorrect information
- We will remove individual's details from our databases/stores if requested
- Technical and organisational security measures are in place to protect personal information
- These security measures are reviewed and updated on a regular basis
- All staff are aware of the Data Protection Act 1998 and this policy, and understand the implications of the law in their work
- All personal information stored, used, disclosed and destroyed by Compass Disability Services will be done so within the United Kingdom.

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