



growing points

## Data Protection in Brief

Under the Data Protection Act any organisation using personal data and processing it in the course of its business is required to ensure the following:

- that only data that is necessary for the purposes of the business is collected
- that it is kept safe and not shared without the consent of the person whose data is held
- that the data is accurate
- that data is not stored for any longer than is necessary for the purposes of the business.

With the Introduction of the General Data Protection Regulation in May of this year it is timely to review our arrangements and ensure we are fit for purpose without embarking on a raft of inappropriate and costly bureaucracy. The General Data Protection Regulation (GDPR) is a new, Europe-wide law that replaces the Data Protection Act 1998 in the UK. It is part of the wider package of reform to the data protection landscape that includes the Data Protection Bill. The GDPR sets out requirements for how organisations will need to handle personal data from 25 May 2018.

Advice from the Information Commissioners Office is that as a not-for-profit organisation we still do not need to register (or pay a fee) as we meet the following:

*You do not have to register if organisation was established for not-for-profit making purposes and does not make a profit or if your organisation makes a profit for its own purposes, as long as the profit is not used to enrich others. You must:*

- *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*

For the purposes of this paper the Director is nominated as the Data Controller which means that s/he is responsible for ensuring that we comply with regulation. In order to comply more fully with the new regulations, the following actions are recommended:

- Publication of our privacy notice on our website setting out in plain English what information we will collect about customers; how we will use it and when it will be destroyed.
- A note to Guardians will be circulated setting out their responsibilities under the Regulations
- A question will be included on our referral forms to ask explicitly whether customers are willing for their information to be shared with their Guardian only.
- The referral form will be reviewed to ensure that we only ask for information that is absolutely necessary for us to support our customer. It is likely that the question about entry into the UK will be removed as it is no longer relevant.

### **Note to Guardians about Data Collection**

The referral form contains all the information necessary for you to contact your customer. The only things you must record are whether contact details change – at which point you should let the Director know immediately.

You may wish to keep some contemporaneous notes about your customer in terms of their ambitions eg if their expressed outcomes change; the plans you have agreed with them to achieve their ambition and what actions you have taken to support them. Any other data eg back stories; religion; sexuality; should not be recorded and should not be shared. If in any doubt refer to the Director.

Once your professional relationship with the customer has ended you should destroy your notes as you would your own personal data ie by shredding. If customers are referred to Growing Points again then they will have a new referral form and they may well have a different Guardian.

If at any point you need to share information with a third party, you should get express permission from your customer eg sharing contact details cvs etc. If you want to make general enquiries to third parties about a customer you can make them in a general and anonymised way so that the customer cannot be

identified.

In any doubt please refer to the Director.

### **Privacy Notice for Customers – to be put on the website**

We collect the minimum amount of data we need in order to support you ie your contact details, date of birth, and details of what you want to achieve when you work with us. We will only share your information with the Guardian who is going to work with you. If they want to share it with anyone else, you must give them permission to do this beforehand.

### **Review**

The effectiveness of this policy will be reviewed on annual basis by the Board of Trustees under the supervision of the Operation Director.

**Next Review Date: April 2020**