



Registered Charity No: 1206922

Data Protection Policy

Introduction

We are committed to a policy of protecting the rights and privacy of individuals. We need to collect and use certain types of Data in order to carry on our work of managing Fairlight Pavilion. This personal information must be collected and handled securely.

The Data Protection Act 1998 (DPA) and General Data Protection Regulations (GDPR) govern the use of information about people (personal data). Personal data can be held on computers, laptops and mobile devices, or in a manual file, and includes email, minutes of meetings, and photographs.

The charity, Fairlight Pavilion will remain the data controller for the information held. The trustees, staff and volunteers are personally responsible for processing and using personal information in accordance with the DPA and GDPR. Trustees, staff and volunteers who have access to personal information will therefore be expected to read and comply with this policy.

Purpose

The purpose of this policy is to set out Fairlight Pavilion's commitment and procedures for protecting personal data. Trustees regard the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal with. We recognise the risks to individuals of identity theft and financial loss if personal data is lost or stolen.

The following are definitions of the terms used:

Data Controller - the trustees who collectively decide what personal information Fairlight Pavilion will hold and how it will be held or used.

Act means the Data Protection Act 1998 and General Data Protection Regulations - the legislation that requires responsible behaviour by those using personal information.

Data Protection Officer – the person responsible for ensuring that the charity follows its data protection policy and complies with the Act. Fairlight Pavilion is not required to appoint a DPO and has not done so.

Data Subject – the individual whose personal information is being held or processed by Fairlight Pavilion, for example a hirer, contractor, Trustee.

'Explicit' consent – is a freely given, specific agreement by a Data Subject to the processing of personal information about her/him.

Explicit consent is needed for processing “sensitive data”, which includes:

- a) Racial or ethnic origin of the data subject
- b) Political opinions
- c) Religious beliefs or other beliefs of a similar nature
- d) Trade union membership
- e) Physical or mental health or condition
- f) Sexual orientation
- g) Criminal record
- h) Proceedings for any offence committed or alleged to have been committed

Information Commissioner's Office (ICO) - the ICO is responsible for implementing and overseeing the Data Protection Act 1998.

Processing – means collecting, amending, handling, storing or disclosing personal information.

Personal Information – information about living individuals that enables them to be identified – e.g. names, addresses, telephone numbers and email addresses. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers.

The Data Protection Act

This contains 8 principles for processing personal data with which we must comply.

Personal data:

- 1) Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
- 2) Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes,
- 3) Shall be adequate, relevant and not excessive in relation to those purpose(s).
- 4) Shall be accurate and, where necessary, kept up to date,
- 5) Shall not be kept for longer than is necessary,
- 6) Shall be processed in accordance with the rights of data subjects under the Act,
- 7) Shall be kept secure by the Data Controller, who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information,
- 8) Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information.

Applying the Data Protection Act within the charity

We will let people know why we are collecting their data, which is for the purpose of managing the hall, its hirings and finances. It is our responsibility to ensure the data is only used for this purpose. Access to personal information will be limited to trustees, staff and volunteers.

Correcting data

Individuals have a right to make a Subject Access Request (SAR) to find out whether the charity holds their personal data, where, what it is used for and to have data corrected if it is wrong, to prevent use which is causing them damage or distress, or to stop marketing information being sent to them. Any SAR must be dealt with within 30 days. Steps must first be taken to confirm the identity of the individual before providing information, requiring both photo identification e.g. passport and confirmation of address e.g. recent utility bill, bank or credit card statement.

Responsibilities

Fairlight Pavilion is the Data Controller under the Act, and is legally responsible for complying with Act, which means that it determines what purposes personal information held will be used for.

The Management Committee ⁽¹⁾ will take into account legal requirements and ensure that it is properly implemented, and will through appropriate management, strict application of criteria and controls:

- a) Collection and use of information fairly.
- b) Specify the purposes for which information is used.
- c) Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements.
- d) Ensure the quality of information used.
- e) Ensure the rights of people about whom information is held, can be exercised under the Act.

These include:

- The right to be informed that processing is undertaken.
 - The right of access to one's personal information.
 - The right to prevent processing in certain circumstances, and the right to correct, rectify, block or erase information which is regarded as wrong information.
- f) Take appropriate technical and organisational security measures to safeguard personal information.
 - g) Ensure that personal information is not transferred abroad without suitable safeguards.
 - h) Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.
 - i) Set out clear procedures for responding to requests for information.

¹ The Trustees acting collectively

All trustees, staff and volunteers are aware that a breach of the rules and procedures identified in this policy may lead to action being taken against them.

At this stage, Fairlight Pavilion has not appointed a Data Protection Officer. If at some point it chooses to do so then that person will be named here in the policy document.

This policy and associated procedures will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998. It will be formally reviewed no less than biennially.

Date adopted by the Management Committee: 4th April 2024