

## GDPR DATA PROTECTION POLICY

### 1. Aims of this Policy

- 1.1 **East End Community Foundation**, hereafter referred to as **EECF**, needs to keep certain information on its employees, grantees, donors, volunteers, service users, trustees and other third parties to carry out its day to day operations, to meet its objectives and to comply with legal obligations.
- 1.2 EECF is committed to ensuring any personal data will be dealt with in line with the **General Data Protection Regulations**. To comply with the law, personal information will be collected and used fairly, stored safely and not disclosed to any other person unlawfully. EECF will ensure that personal data will:
- Be obtained fairly and lawfully and shall not be processed unless certain conditions are met
  - Be obtained for a specific and lawful purpose
  - Be adequate, relevant but not excessive
  - Be accurate and kept up to date
  - Not be held longer than necessary
  - Be processed in accordance with the rights of data subject(s)
  - Be subject to appropriate security measures
  - Not to be transferred outside the European Economic Area (EEA)
- 1.3 EECF is also committed to ensuring its marketing communications are dealt with in line with **The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR)** which provide rules about sending marketing and advertising by electronic means.
- 1.4 The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and regulations in accordance with data protection procedures. This document also highlights key data protection procedures within the foundation.
- 1.5 This policy covers employed staff (including full, part time and temporary appointments) trustees and volunteers.

### 2. Definitions

- 2.1. Definitions of the terms within this policy are provided in **Appendix 1**

### 3. Type of information processed

- 3.1. EECF processes personal data from employees, grantees, donors, volunteers, service users and trustees and other third parties.
- 3.2 This personal data is collected when individuals contact us or otherwise provide EECF with information, including in the process of: making a donation, becoming a member, taking part in an event, signing up to a newsletter, completing a survey, volunteering, applying for funding or making a general enquiry.

3.3 Personal data collected will include information such as contact details, bank account numbers, or, with specific reference to employees, payroll information and appraisal notes.

3.4 Personal data is stored

- On EECF's password-protected database (only accessed by an authorised user)
- In files which are kept secure in filing cabinets after use
- On EECF's password-protected computers and other systems (only accessed by an authorised user)

3.5 Only employed staff, trustees, trained volunteers, authorised data processors and authorised third parties will process personal data.

#### **4. Notification**

4.1 The needs we have for processing personal data are recorded on the public register maintained by the Information Commissioner. We notify and renew EECF's notification on an annual basis as the law requires. If there are any interim changes, these will be notified to the Information Commissioner within 28 days. The name of the Data Controller as specified in EECF's notification to the Information Commissioner is Tracey Walsh.

#### **5. Responsibilities**

5.1 Overall responsibility for personal data in a not for profit organisation rests with the governing body. In the case of EECF, this is the board of trustees.

5.2 The governing body delegates tasks to the Data Controller, East End Community Foundation. The Data Controller is responsible for:

- understanding and communicating obligations under the Regulations
- identifying potential problem areas or risks
- producing clear and effective procedures
- notifying and annually renewing notification to the Information Commissioner, plus notifying of any relevant interim changes

5.3 All employed staff, trustees, trained volunteers, authorised data processors and authorised third parties who process personal information must ensure they not only understand but also act in line with this policy and the data protection principles.

5.4 In order to protect EECF's position in relation to the use of personal data by third parties, legal agreements will include the following provisions (whether that data was obtained from EECF or otherwise):

- The third party will not breach the Regulations in the performance of its obligations to EECF or use of the EECF funds
- The third party will do nothing to render EECF in breach of its obligations under the Regulations or other obligations

5.5 Breach of this policy will result in disciplinary action. Please refer to EECF's **Staff Disciplinary Procedure** policy for details.

## 6. Policy Implementation

6.1 To meet its responsibilities EECF will:

- Ensure any personal data is collected in a fair and lawful way;
- Explain why it is needed at the start;
- Ensure that only the minimum amount of information needed is collected and used;
- Ensure the information used is up to date and accurate;
- Review the length of time information is held; and, when no longer required, destroy appropriately
- Ensure it is kept safely;
- Ensure the rights people have in relation to their personal data can be exercised

6.2 EECF acknowledges its responsibilities with respect to marketing communications that consent must be: knowingly given, specific, informed and agreed. EECF also acknowledges specific restrictions apply with regards to direct marketing communications to individual consumers, companies and corporate bodies and that specific consent is required with regards to recorded calls, emails, texts and faxes to individual consumers.

6.3 To meet its responsibilities EECF will at the time of, or before the collection of personal data, inform the data subject(s) of the:

- Identity of the data controller
- Identity of any authorised data processors or third parties to whom the personal data will be disclosed
- Purpose for which the data is intended to be processed

and also include

- A clear consent statement with regards to disclosing information to third parties or obtaining information for marketing purposes
- Contact details in order for the data subject to be informed of and to access personal data about themselves

6.3 This will be achieved by including on EECF documents a data protection and consent statement:

*Any personal information you provide to East End Community Foundation will be processed in accordance with the General Data Protection Regulations. Your details will be held and used by EECF to (specify purpose e.g. manage your membership, attend an event, process your donation or grant application). EECF will not disclose any personal data to third parties, except with permission or if required to do so by law.*

*EECF would like to send you more information about other aspects of our work that we think may be of interest to you, such as information on news about recent projects supported, upcoming events, volunteering opportunities, and/or how to apply for funding. Please tick below as appropriate.*

*[Tick Box] Yes please, I'd like to hear from you by email*

*[Tick Box] Sorry, I don't want to hear from you by email*

*[Tick Box] Yes please, I'd like to hear from you by post*

*[Tick Box] Sorry, I don't want to hear from you by post*

You can change your mind about how we communicate with you at any time by contacting [admin@eastendcf.org](mailto:admin@eastendcf.org) or EECF, Jack Dash House, 2 Lawn House Close, London, E14 9YQ. The terms of our privacy statement are available on our website [www.eastendcf.org](http://www.eastendcf.org).

- 6.4 With specific reference to grant applications; the details of grant applications may be disclosed to external assessors and members of grants panels approved by EECF. In order to enable the particular processing of an application, EECF shall collect any other information it considers to be fair. Information about results of panel meetings is normally disclosed only to the applicants concerned. However, such information may also be disclosed to other relevant parties as deemed appropriate or necessary by EECF. Please refer to EECF's **Confidentiality Policy** for details regarding disclosure.

## 7. Training

- 7.1 EECF will ensure that:

- Everyone managing and handling personal information is trained to do so
- Anyone wanting to make enquiries about handling personal information, whether a member of staff, volunteer or service user, knows what to do
- Any disclosure of personal data will be in line with our procedures
- Queries about handling personal information will be dealt with swiftly and politely

- 7.2 Training and awareness raising about the General Data Protection Regulation and how it is followed will take the following forms:

- Off-site training courses for key staff and online training for all remaining staff on the implementation of new regulations
- On induction, staff (including full, part time and temporary appointments) and volunteers will be made aware of this policy and other guidelines in the **staff handbook**
- Reminders about the policy will be raised in team meetings on an annual basis
- Further training will be provided to staff on request

## 8. Data Security

- 8.1 EECF will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The following measures will be taken:

- Password protection for database and computer access
- Restricted access to certain areas on the database and computer systems
- Maintaining files in a secure, locked environment (accessible only to authorised individuals with an office pass)
- Not allowing personal data to be taken off site (as hard copy, on laptop or on memory stick) unless encrypted or password protected
- Back up of data onto a separate hard drive and onto tapes kept securely off site

## 9. Data Subject Access Requests

- 9.1 Anyone whose personal information we process has the right to know:

- What information we hold and process on them
- How to gain access to this information
- How to keep it up to date
- What we are doing to comply with the Regulations

- 9.2 They also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block or erase information regarded as wrong.
- 9.3 Any person wishing to exercise this right should apply in writing to Head of Finance & Operations at [admin@eastendcf.org](mailto:admin@eastendcf.org) or EECF, Jack Dash House, 2 Lawn House Close, London, E14 9YQ.
- 9.4 The following information will be required before access is granted:
- Full name and contact details of the person making the request
  - Their relationship with EECF
- 9.5 Appropriate verification, such as proof of identity of a passport or driving licence, may be required before access is granted.
- 9.6 We will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 30 days required by the Regulation from receiving the written request from the Data Subject. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.
- 9.7 Please refer to the Individual Rights Policy for detailed guidance and procedures for responding to such requests.
- 9.8 The exercise of these rights, in particular, including the right to erasure, will only be limited by EECF where required by law or pursuant to an existing contractual obligation.

## **10. Review**

- 10.1 This policy will be updated as the regulation is amended and reviewed annually to ensure it remains up to date and compliant with the law.

## Appendix 1: Definitions

- Data:** Information which is being **processed** (or recorded with the intention that it should be processed) by means of equipment operating automatically in response to instructions given for that purpose; and/or information which is recorded as part of (or with the intention that it should form part of) a **relevant filing system** e.g. *data held or intended to be held on a computer or in an accessible hard-copy filing system.*
- Data controller:** A person who (alone or jointly or in common with other persons) determines the purposes for which and the manner in which any **personal data** is to be **processed** e.g. *East End Community Foundation.*
- Data processor:** Any person (other than an employee of the **data controller**) who **processes** the data on behalf of the data controller e.g. *our database, IT support, bank etc.*
- Data subject:** The living individual to whom the **personal data** relates e.g. *Joe Bloggs.*
- Inaccurate data:** Incorrect or misleading data as to any matter of fact. **Personal data** may not be inaccurate data if it faithfully represents someone's opinion about the **data subject**.
- Personal data:** Information which relates to a **data subject** who can be identified from information in the possession of (or likely to come into the possession of) the **data controller**. This includes any expression of opinion and/or any indication of the intentions of the data controller or any other person has with respect of the individual.
- Processing:** Covers all handling of **personal data** including: obtaining, recalling or holding the data or carrying out any operation or set of operations on the information or data.
- Recipient:** Any person to whom **personal data** is disclosed including in the course of **processing** data for the **data controller**. This does not include any person to whom disclosure occurs in the exercise of any power conferred by law.
- Relevant filing system:** Exists where records relating to **data subjects** are held in a sufficiently systematic, structured way as to allow ready access to specific information about those individuals.
- Sensitive data:** **Personal data** consisting of information about a **data subject's**: racial or ethnic origin, sexual life, political opinions, trade union membership, religious beliefs, physical or mental health, any criminal offence, alleged offence or legal proceedings, the disposal of such proceedings and the sentence of any court in such proceedings.
- Third party:** Any person other than the **data subject** and/or **data controller** and/or **data processor** and/or other person authorised to process data for the data controller or processor.