

DISCLAIMER: THIS IS A SAMPLE POLICY ONLY. THE EVANGELICAL ALLIANCE DOES NOT ACCEPT RESPONSIBILITY FOR THE USE OF THIS POLICY BY OTHER ORGANISATIONS. IT IS RECOMMENDED THAT ORGANISATIONS SEEK INDEPENDENT LEGAL ADVICE ON WRITING AND IMPLEMENTING THEIR POLICIES.

DATA PROTECTION

1. SCOPE

This policy applies to all staff employed by THE ORGANISATION, those subcontracted by THE ORGANISATION and to all volunteers and casual workers and associated companies.

2. CONTEXT

The Data Protection Act 1998 requires the protection of personal data and all organisations which process personal data must be registered to do so. THE ORGANISATION is registered with the Data Protection Commissioner.

3. PURPOSE

This policy sets out an understanding of data protection and the requirements of every member of staff, sub contractor, volunteer or casual worker in order that there may be full compliance with the Data Protection Act 1998.

4. DEFINITIONS

4.1 THE ORGANISATION is currently registered for six purposes:

- Accounts and Records
- Advertising, Marketing and Public Relations
- Staff Administration
- Administration of Membership Records
- Fundraising
- Realising the Objectives of a Charitable Organisation or Voluntary Body

4.2 Data is information which is recorded with the intention that it should be processed on computer or is recorded as part of a relevant filing system (i.e. manual system). There are two categories of data:

4.2.1 Personal data is information relating to a living individual who can be identified:

- from the data
- from the data which includes an expression of opinion about the individual

Example: membership name and address details

4.2.2 Sensitive personal data is information relating to:

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- racial or ethnic origins of the data subject
- political opinions
- religious beliefs or other beliefs of a similar nature
- trade union membership
- physical or mental health
- sexual life
- the commission or alleged commission of any offence
- any proceedings for any offence committed or alleged to have been committed by the data subject.

In order to process these types of data consent from the data subject must be obtained by the organisation handling the data. Explicit consent must be given when it is sensitive personal data.

5 POLICY

THE ORGANISATION has a data protection policy to ensure that it complies with all aspects of data protection legislation (1984 and 1998) by setting out clear policies, responsibilities and codes of practice:

- 5.1 THE ORGANISATION intends to comply fully with all aspects of data protection legislation.
- 5.2 THE ORGANISATION will make all reasonable efforts to maintain a comprehensive written notification with the Data Protection Commissioner.
- 5.3 THE ORGANISATION will do its utmost to ensure that all its staff, consultants and trustees are conversant with data protection legislation and practice.
- 5.4 THE ORGANISATION will only hold data for prescribed charitable purposes. These are personnel administration, membership administration, accounts and records, advertising marketing and public relations, fundraising and charity objectives.
- 5.5 THE ORGANISATION will not pass personal data to third parties. This means the Alliance will not sell/exchange its data to/with other organisations.
- 5.6 THE ORGANISATION will use standard, approved statements about data protection in all THE ORGANISATION's literature in which personal data is collected. The statement for use is:
- 5.7 **"Data Protection Act 1998: THE ORGANISATION will only use personal data in connection with its charitable purposes. It does not**

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make personal data available to any other organisation or individual".

- 5.8 THE ORGANISATION will provide procedures for access to personal data for all those for whom personal data is held. No charge should be levied on anyone (staff, personal members or other contacts) requesting access to their personal data. This will be reviewed if there is a high level of requests for access

6. PERSONNEL/EMPLOYEE ADMINISTRATION

- 6.1 Personal and sensitive personal data are held on the computer and in manual files at THE ORGANISATION. This data includes the following:
- Name, address and telephone
 - National Insurance number and date of birth
 - Nationality
 - Bank details and details of any previous pension scheme
 - Start date/salary at start date
 - Job title
 - Next of kin and contact details
 - Details of any regular medication
 - Church affiliation and Christian experience
 - Career history/previous employment
 - Qualifications obtained/membership of professional bodies
 - References
 - Appraisals
- 6.2 Under the new legislation staff will be asked to sign a form consenting to data being held and processed for the following purposes:
- Recruitment and selection
 - Performance management and training
 - Absence recording
 - Monitoring
 - Statistical analysis
- 6.3 All staff may request sight of their personal details on computer provided reasonable notice (at least 14 days in writing) is given. NB: references are exempt from all Data Protection legislation.
- 6.4 THE ORGANISATION's application form has been amended to include the individual's consent to sensitive personal data being used by THE ORGANISATION's HR Department for recruitment, selection and statistical purposes. Likewise when CV's are received, the letter in acknowledgement will contain a clause: "The information contained in

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your letter and CV will only be used by THE ORGANISATION's HR Department for recruitment, selection and statistical purposes."

7. SECURITY

7.1 All personal and sensitive personal data held must be secure against unauthorised access and theft. Password protection is the most obvious means, but the server, filing cabinets and building in which the data is held must also be secure.

7.2 THE ORGANISATION needs to ensure that:

- Our IT network is as secure as possible from unauthorised access Including access through the website.
- Individual PC's are password protected.
- Individual PC's are logged off when individuals are away from their desk for more than a few minutes at a time.
- Personnel and other files holding sensitive or confidential personal data are secured and only made available to staff with authorised access.

7.3 Security on the Database.

The Database provides for different levels of security giving us the ability to ensure confidentiality of data by restricting access to different records and functions to only those users that need to use them. Please do not disclose your password to any other individual. Please log out when you are not needing to use it and when you are away from your desk for a period of time. (E.G. In a meeting or at lunch time.)

8. CONTACTS: COLLECTION OF DATA

8.1 You have to make sure the Data Subject knows who you are and why and how the data will be used and that the data is relevant to the work of THE ORGANISATION.

8.2 If individuals are being added to THE ORGANISATION's database or Manual filing system they need to be informed of how THE ORGANISATION will store and use their data at the time the data is collected. This will require our Data Protection Act Statement to be included in all written requests for data. A verbal statement should be used for phone, email or face to face collection. (These statements are not required if the manner in which the data is collected makes it obvious how it will be used, but will be necessary if the data may be

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used for other purposes.)

- 8.3 THE ORGANISATION data protection statement must appear on all forms that people complete as a means of registering with THE ORGANISATION, including those on the web. If they have not completed a form which includes the data protection statement then the statement must be included in a letter or email to the individual.
- 8.4 You have to get consent from the Data Subject to use their data, especially if it is 'sensitive' data. IE: covering racial or ethnic origin; religious or political beliefs, Trade Union Membership; Health; Sex Life; or Criminal Record.
- 8.5 When collecting email addresses THE ORGANISATION's Email Statement must be used.

9. CONTACTS: USE OF DATA

- 9.1 Data, held by THE ORGANISATION, concerning any individual that enables that individual to be identified must not be given to any person outside THE ORGANISATION without the express permission of the individual concerned.
- 9.2 Do not reveal any sensitive personal data without the Data Subject's consent in writing or by Email.
- 9.3 When using Email distribution lists, send blind copies.
- 9.4 Check that you hold the data securely (use passwords on computer systems, don't leave files or screens visible, collect papers promptly from printers).
- 9.5 Consent must be obtained from the data subject if you are going to put personal data on the website.
- 9.6 The data must be accurate and you must have a good reason for using it.
- 9.7 You are only allowed to use the data for the purpose for which it was originally obtained. Data cannot be used for Direct Marketing, including fundraising, if the Data Subject requests you not to.

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10. DATA PROTECTION CHECKLIST

10.1 Existing Data

- Are you currently holding any personal data?
- Is it held securely?
- For what purpose are you holding it?
- Is it sensitive personal data?
- Does the individual know you are holding their personal data/ have they given their consent?
- Has THE ORGANISATION notified the Data Protection Commissioner that it holds this data and the purpose for which it is held? If not please tell a member of the data protection working group.
- Is the data accurate?
- Does the data still need to be held?

10.2 Collection Of New Data

- Make sure you include THE ORGANISATION standard data Protection statement on the form together with a relevant opt out for other communications.
- When collecting data from new contacts by phone, email, or letter, make sure that they know about our data protection statement and email statement.
- When requesting a new page to be put on the website that will result in the collection of data ensure that the page contains a link to THE ORGANISATION's Privacy Statement, Data Protection Statement and Email statement as appropriate.
- Check with the RELEVANT STAFF MEMBER that THE ORGANISATION has notified the Data Protection Commissioner that this type of data is held.
- Delete the data when it is no longer required.
- Don't take personal data from another organisation without the consent of the individual concerned.

10.3 Use of Data

Are you passing personal data to anyone else:

- Inside THE ORGANISATION
- Outside THE ORGANISATION
- Are you using blind copies when sending email distribution lists?
- Is there a confidentiality agreement in place where it is necessary to pass data to a permitted third party?
- Do not pass personal data to any person outside of THE ORGANISATION without the permission of the individual to whom the data relates.

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11. QUERIES

Data protection policy and practice is monitored by a small working party comprising the RELEVANT STAFF MEMBERS. If you have questions about data protection please refer them to a member of the working group.