



The Dell Out of School Club

Registered Charity No. 1038546

Policy No.

DP – 2.09

Rewritten on 5th May
2018

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Data Protection Policy and GDPR compliance

This policy applies to all children, young people, parents/carers (known as clients) employees and volunteers of The Dell Out of School Club

Introduction

The purpose of this policy is to enable The Dell Out of School Club to:

- Comply with the law in respect of the data it holds about individuals;
- Follow good practice;
- Protect children, young people, parents/carers, employees, volunteers and other individuals
- Protect the The Dell Out of School Club from the consequences of a breach of its responsibilities.

General Data Protection Regulations 2018

The General Data Protection Regulations 2018 gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

The regulations work in two ways. Firstly, it states that anyone who processes personal information must comply with eight principles, which make sure that personal information is:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with the rights of Data Subjects
- Secure
- Not transferred to other countries without adequate protection

The second area covered by the regulations provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.

Policy Statement

The Dell Out of School Club will:

- Comply with both the law and good practice
- Respect individuals' rights

We are committed to continually providing high quality affordable child-centred care with positive play opportunities for every individual in the club in a safe, happy environment in partnership with parents.



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- Be open and honest with individuals whose data is held
- Provide training and support for employees and volunteers who handle personal data, so that they can act confidently and consistently

The Dell Out of School Club recognises that its first priority under the General Data Protection Regulations is to avoid causing harm to individuals. Information about employees, volunteers and clients will be used fairly, securely and not disclosed to any person unlawfully.

Secondly, the Regulations aim to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, The Dell Out of School Club will seek to give individuals as much choice as is possible and reasonable oversight of data is held and how it is used.

The Dell Out of School Club is the Data Controller and all processing of personal data will be undertaken in accordance with the data protection principles.

Definitions

The Data Subject is the individual whose personal data is being processed. Examples include:

- Employees – current and past
- Volunteers
- Job applicants
- Donors
- Service users
- Suppliers.

Processing means the use made of personal data including:

- Obtaining and retrieving
- Holding and storing
- Making available within or outside the organisation
- Printing, sorting, matching, comparing, and destroying.

The Data Controller is the legal 'person', or organisation, that decides why and how personal data is to be processed. The data controller is responsible for complying with the General Data Protection Regulations.

The Data Protection Officer is the name given to the person in organisations who is the central point of contact for all data compliance issues.



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Responsibilities

The Trustees/Management Committee of The Dell recognises its overall responsibility for ensuring that The Dell Out of School Club complies with its legal obligations.

The Data Protection Officer is currently Carolyn Gee who has the following responsibilities:

- Briefing the board/committee on Data Protection responsibilities
- Reviewing Data Protection and related policies
- Advising other employees/volunteers on Data Protection issues
- Ensuring that Data Protection induction and training takes place
- Handling subject access requests
- Approving unusual or controversial disclosures of personal data
- Ensuring contracts with Data Processors have appropriate data protection clauses (if relevant).
- Electronic security
- Approving data protection-related statements on publicity materials and letters

Each employee and volunteer at The Dell Out of School Club who handles personal data will comply with the organisation's operational procedures for handling personal data (including induction and training) to ensure that good Data Protection practice is established and followed.

All employees and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.

Significant breaches of this policy will be handled under The Dell Out of School Club disciplinary procedures.

Security

This section of the policy only addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.

Any recorded information on clients, volunteers and employees will be:

- Kept in locked cabinets
- Protected by the use of passwords if kept on computer
- Destroyed confidentially if it is no longer needed



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Access to information on the main organisation database is controlled by a password and only those needing access are given the password. Employees and volunteers should be careful about information that is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is on display.

Notes regarding personal data of our users or staff should be shredded or destroyed

Data Recording and Storage

As well as paper records such as the registration forms, The Dell Out of School Club has databases/spreadsheets holding basic information about clients, employees and volunteers.

In addition the emails and phone numbers of our clients, staff and other business contacts may be stored on our Dell phones which are also password protected.

The Dell Out of School Club will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:

- The database system is reviewed and re-designed, where necessary, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all employees and volunteers will be discouraged from establishing unnecessary additional data sets.
- Effective procedures are in place so that all relevant systems are updated when information about any individual changes.
- Employees and volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.
- Data will be corrected if shown to be inaccurate

The Dell Out of School Club stores archived paper/electronic records of clients, employees and volunteers securely either on its sites at Morgans and Abel Smith school or off site at Rapier House or in the HR Managers home office.

Access to Data

All clients have the right to request access to all information stored about them. Any subject access requests will be handled by the Data Protection Officer within the required time limit (within 30 working days of receiving request).

The Dell Out of School Club Subject access requests must be in writing. All employees and volunteers are required to pass on anything which might be a subject access request to the Data Protection Officer without delay.



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Where the individual making a subject access request is not personally known to the Data Protection Officer their identity will be verified before handing over any information.

The required information will be provided in easy to use formats e.g. PDF, word or XLS

The Dell Out of School Club will provide details of information to clients who request it unless the information may cause harm to another person.

Employees have the right to access their file to ensure that information is being used fairly. If information held is inaccurate, the individual must notify the Data Protection Officer/Manager so that this can be recorded on file.

Transparency

The Dell out of School Club is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- For what purpose it is being processed;
- What types of disclosure are likely; and
- How to exercise their rights in relation to the data.

Consent

Consent will normally not be sought for most processing of information about employees, although employees details will only be disclosed for purposes unrelated to their work with The Dell out of School Club e.g. financial references with their consent.

Information about clients will only be made public with their consent or in case of Safeguarding or a medical emergency. (This includes photographs.)

‘Sensitive’ data about clients will be held only with the knowledge and consent of the individual’s parent/guardian/carer.

Consent should be given in writing, although for some services it is not always practicable to do so. In these cases, verbal consent will always be sought to the storing and processing of data. In all cases it will be documented on the database that consent has been given.

The Dell Out of School Club acknowledges that, once given, consent can be withdrawn, but not retrospectively. There may be occasions where The Dell Out of School Club has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn to comply with our statutory obligations.



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Direct Marketing

The Dell Out of School Club will treat the following unsolicited direct communication with individuals as marketing:

- Seeking donations and other financial support;
- Promoting any services;
- Promoting our holiday club activities;
- Promoting the service to client;
- Promoting sponsored events and other fundraising exercises;

Whenever data is first collected which might be used for any marketing purpose, this purpose will be made clear, and the Data Subject will be given a clear opt out. If it is not possible to give a range of options, any opt-out which is exercised will apply to all The Dell Out of School Club marketing.

The Dell Out of School Club does not have a policy of sharing lists, obtaining external lists or carrying out joint or reciprocal mailings.

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

Employee/volunteer training and acceptance of responsibilities

All employees/volunteers who have access to any kind of personal data will be given copies of all relevant policies and procedures during their induction process and the operational procedures for handling personal data. All employees will be expected to adhere to all these policies and procedures.

- Data Protection will be included in the induction training for all.
- The Dell will provide opportunities for employees/volunteers to explore Data Protection issues through training, team meetings, and supervisions.

Client Data Protection

All personal data shall be obtained, maintained, stored, used and shared only in strict accordance with the General Data Protection Regulations 2018.

Information relating to individuals supported by The Dell Out of School Club through the work of the organisation will be dealt with in the following manner:

- attendance records will be retained for 3 years and disposed of thereafter.
- attainment records will be de-personalised after the child has left or in the case of employees retained on their personnel file for 5 years.

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- Information that is of vital importance to the future protection of an individual / (or young people) will be securely archived and stored as long as express agreement is obtained from the data subject (or as felt appropriate).

All personal data must be protected by appropriate security measures to safeguard against unauthorised or unlawful processing of personal data: - (e.g. locked filing cabinet). All employees/volunteers and representatives of The Dell Out of School Club must:

- only access and use data that is relevant to and necessary to the performance of their job function.
- Make yourself familiar with The Dell Out of School Club data protection policy and procedures.

Photographs

The Dell Out of School Club frequently take photographs and videos of children and staff participating in activities and events. At all times written permission from parents/guardians/carers must be obtained before any photographic material is used in the public domain.

It is The Dell Out of School Club responsibility to ensure that, photographs of children/young people and staff without consent do not get saved to a computer. Any photographs used for publicity purposes (brochures, leaflets, website etc.) should not be accompanied by any personal information (first names only). Any photographs of a child/young person should be removed from the website within 3 years of that young person no longer engaging with the organisation. Photographs & videos should not be kept for longer than 3 years.

Confidentiality

During the course of your employment/volunteering with The Dell Out of School Club you may have access to and be entrusted with information in respect of children/young people, plus the business and financing of The Dell Out of School Club and its affairs, all of which is, or may be confidential.

You shall not (except in the proper course of your duties) during or after the period of your employment/volunteering divulge to any person, or otherwise make use of (and shall use your best endeavours to prevent the publication or disclosure of) any confidential information concerning any children/young people or the business and finances of The Dell Out of School Club or any such confidential information concerning any of its clients.



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Data Protection Breaches

Where a data breach has been discovered we would ask clients or staff to report any data protection breaches to the Data Protection Manager. There are strict time limits to report any discovered breaches and therefore it is important that the matter is referred immediately to the ICO Information Commissioners Office for further advice.

Where a breach has occurred The Dell Out of School Club would inform the client or person/s affected by the breach and review it policies practices and procedures to ensure that further breaches were not made and an appropriate incident form detailing what measures have been taken should be completed..

Policy adopted: May 2018

Approved by:

Co-ordinator

Chair

Review Date:

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