Title of Policy/Procedure: **DATA PROTECTION POLICY**

Ratified by MC (Chair signature): ……..

Date of ratification by MC: ……..

Review Date: ……)

STATEMENT OF INTENT

The security and management of data is important to CADA NI to ensure that we can function effectively and successfully for the benefit of our members and for the community and voluntary sector. This policy assists CADA NI in protecting people's privacy through the lawful and appropriate use and handling of their personal information.

The use of all personal data by CADA NI is governed by:

- The UK General Data Protection Regulation (GDPR)
- The UK Data Protection Act 2018 (DPA)
- The Privacy and Electronic Communications Regulations (PECR)

RESPONSIBILITY

The CADA NI Management Committee has ultimate responsibility for protection of personal data within CADA NI. However, every member, volunteer and associated personnel of CADA NI has a responsibility to adhere to the Data Protection Principles outlined in this Data Protection Policy

DATA PROTECTION PRINCIPLES

CADA NI will comply with the following data protection principles when processing personal data, which provide that CADA NI will:

- process personal data lawfully, fairly and in a transparent manner;
- collect personal data for specified, explicit and legitimate purposes only, and will not process it in a way that is incompatible with those legitimate purposes;
- only process the personal data that is adequate, relevant and necessary for the relevant purposes;
- keep accurate and up to date personal data, and take reasonable steps to ensure that inaccurate personal data are deleted or corrected without delay;
- keep personal data for no longer than is necessary for the purposes for which the data is processed;

- take appropriate technical and organisational measures to ensure that personal data are kept secure and protected against unauthorised or unlawful processing, and against accidental loss, destruction or damage.
- be able to demonstrate compliance with this Policy and applicable data protection law.

TYPES OF PERSONAL DATA PROCESSED BY CADA NI

This policy applies to all personal data processed by CADA NI. CADA NI collects, keeps and uses personal data about:

- current and previous members of CADA NI, including those who are in the process of joining – including name, organisation, address, contact number, email address, payment details; individuals who opt in to receive communications from CADA NI – including name, address, contact number, email address;
- individuals who attend CADA NI's training programme and other CADA NI events – including name, contact number, email address;
- associated personnel of CADA NI and freelancers– including name, address, contact number, email address, date of birth, National Insurance number, bank details, employment history and qualifications, and emergency contact details;
- management committee members of CADA NI – including name, address, contact number, email address, date of birth, occupation, payment details.
- All member organisations have a public profile on our website, where their business contact details can be viewed by anyone. Consent for this publicly available information, and the provision of an appropriate email address for their business contacts, is requested as part of the membership application process. At this point members have the opportunity to specify their contact details and communication preferences. Members of CADA NI are responsible for maintaining the information on their public profile, and are regularly reminded to update this, together with their communication preferences, in line with associated personnel changes. CADA NI cannot take responsibility for the use of this public information by third parties.
- CADA NI may also be required to collect sensitive/special category personal data about the above individuals, which is information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetics or biometric information (where used to identify an individual) and information concerning an individual's health, sex life or sexual orientation.
- CADA NI collects, keeps and uses the following sensitive/special category personal data:
    - any special requirements regarding individuals who attend CADA NI's training programme and other CADA NI activity or events;
    - sickness absence records for associated personnel; and
    - diversity data collected anonymously for equality monitoring purposes.

Personal data and sensitive/special category personal data can be gathered in electronic and/or paper format.

HANDLING OF PERSONAL DATA AND SENSITIVE/SPECIAL CATEGORY PERSONAL DATA

CADA NI will, through appropriate management and the use of strict criteria and controls:

- observe fully the conditions regarding fair and transparent use of personal data;
- meet its legal obligations to specify the lawful basis and purpose of processing activities and provide individuals with privacy notices;
- collect and process appropriate data and only to the extent needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of data used;
- apply strict checks to determine the length of time data is held and either archive or destroy it when no longer relevant or required;
- take appropriate technical and organisational security measures to keep personal data secure;
- ensure that personal data is not transferred outside of the UK without the required safeguards under the Data Protection Laws; and
- ensure that the rights of individuals are respected and can be fully exercised by them under the Data Protection Laws and against CADA NI.

BASIS AND PURPOSES FOR PROCESSING PERSONAL DATA

Before any personal data is processed by CADA NI for the first time, CADA NI will:

- review the purposes of the particular processing activity and select the most appropriate lawful basis under the Data Protection Laws. The lawful bases most commonly used by CADA NI are that:
  - the individual has consented – this will be appropriate where individuals only want to receive communications as they "opt-in" to receive these, such as CADA NI's monthly newsletter. CADA NI will always ensure that such communications include an option to unsubscribe;
  - the processing is necessary for performance of or to take steps to enter into a contract with the individual – this will apply to our members, associated personnel and anyone requesting services from CADA NI, such as booking on to our training programme;
  - the processing is necessary to comply with a legal obligation – CADA NI needs to process certain personal data under law, such as associated personnel personal data for HMRC reporting purposes and/or company and charity law; or
  - the processing is necessary for CADA NI's or a third party's legitimate interests – this could apply to any member communications, provided that the legitimate interests are not overridden by the interests of the individual;
- where sensitive/special category personal data is involved in the processing activity, identify the most appropriate special condition for processing in addition to a lawful basis above. The special conditions most commonly used by CADA NI are that:
  - the individual has explicitly consented – this is only appropriate where it is not a precondition of a service and does not apply to staff personal data;

- the processing is necessary for CADA NI to perform its obligations or exercise rights under employment law – this would apply to staff personal data, for example, to assess the working capacity of an employee and maintain attendance records;
- the processing is necessary for CADA NI to establish, exercise or defend legal claims; or
- for equality of opportunity or treatment monitoring purposes – where CADA NI collects information for the purposes of equality opportunity monitoring;

- document CADA NI's decision as to which lawful basis applies, to help demonstrate compliance with the data protection principles; and
- include information about the purposes, lawful basis and special condition (if applicable) of the processing within the relevant privacy notice provided to individuals.

CADA NI will review the procedures above every three years.

DOCUMENTATION AND RECORDS

CADA NI keeps written records of processing activities, including:

- the name and details of CADA NI;
- the purposes of the processing of personal data by CADA NI;
- a description of the categories of individuals and categories of personal data processed by CADA NI;
- source of the personal data;
- categories of recipients of personal data with whom CADA NI shares personal data;
- where relevant, details of transfers to third countries, including documentation of the transfer mechanism safeguards in place;
- details of how long CADA NI keeps personal data, as set out in this policy, including how the information will be destroyed; and
- a description of technical and organisational security measures put in place to keep personal data secure.

CADA NI will issue privacy notices from time to time to ensure that individuals understand how their personal data is collected, used, stored, shared and destroyed by CADA NI.

STORAGE AND PROTECTION OF PERSONAL DATA

All associated personnel within CADA NI will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and, in particular, will ensure that:

- paper files and other records or documents containing personal and/or sensitive/special category personal data are kept in a secure environment;
- persons authorised to access personal data will have committed themselves to a duty of confidentiality
- access to personal data is only provided on a "need to know" basis to those members, volunteers or associated personnel who require access for the purposes of fulfilling the

requirements of their role within CADA NI. CADA NI uses a Google drive system with different permission levels;

- appropriate technical measures, including internet security, anti-virus software and firewalls, are installed and kept up-to-date;
- all paper files that contain personal data will be kept in lockable filing cabinets and only delegated persons should access those;
- personal data held on computer systems is protected by the use of secure passwords, which have forced changes periodically and mandates strong password security;
- individual passwords should be such that they are not easily compromised; and
- personal details about associated personnel and management committee members will be kept in lockable filing cabinets and should only be accessed by management committee members if needed for CADA NI business or for emergencies.

CADA NI will not disclose any personal details to third parties unless the disclosure has been notified to the individual in a privacy notice or is otherwise in accordance with the Data Protection Laws.

All contractors, consultants, suppliers, partners or other associates or agents of CADA NI must:

- ensure that they and all of their staff who have access to personal data held or processed for and on behalf of CADA NI are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Data Protection Laws. Any breach of any provision of the Data Protection Laws will be deemed as being a breach of any contract between CADA NI and that individual, company, partner or firm;
- allow data protection audits by CADA NI of personal data held on its behalf (if requested); and indemnify CADA NI against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

INDIVIDUAL OBLIGATIONS

Management Committee members and associated personnel may have access to the personal data of other members of staff, suppliers, users and other individuals in the course of their employment with CADA NI. If so, CADA NI expects staff to help meet its data protection obligations to those individuals. Members of the team of mentors employed on a freelance basis by CADA NI are likewise expected to abide by these obligations.

If staff or mentors have access to personal data, they must:

- only access the personal data that they have authority to access, and only for authorised purposes;
- only allow other CADA NI staff or mentors to access personal data if they have appropriate authorisation;
- only allow individuals who are not CADA NI staff or mentors to access personal data if staff have specific authority to do so from the Chair;

- keep personal data secure (for example, by complying with rules on access to premises, computer access, password protection and secure file storage and destruction and other precautions set out in CADA NI's [information security policy]);
- not remove personal data, or devices containing personal data (or which can be used to access it), from CADA NI's premises unless appropriate security measures are in place (such as pseudonymisation, encryption or password protection) to secure the information and the device; and
- not store personal data on local drives or on personal devices that are used for work purposes.

Members, volunteers and/or associated personnel should contact the Chair if they are concerned or suspect that one of the following has taken place (or is taking place or likely to take place):

- processing of personal data without a lawful basis for its processing or, in the case of sensitive/special category personal data, without one of the special conditions being met;
- access to personal data without the proper authorisation;
- personal data not kept or deleted securely;
- removal of personal data, or devices containing personal data (or which can be used to access it), from CADA NI's premises without appropriate security measures being in place;
- any other personal data breach;
- any other breach of this policy or of any of the data protection principles.

DATA BREACHES

A data breach may take many different forms, for example:

- loss or theft of data or equipment on which personal data is stored;
- unauthorised access to or use of personal data either by a member of staff or third party;
- loss of data resulting from an equipment or systems (including hardware and software) failure;
- human error, such as accidental deletion or alteration of data or sending an email to the wrong person;
- unforeseen circumstances, such as a fire or flood;
- deliberate attacks on IT systems, such as hacking, viruses or phishing scams; and
- 'blagging' offences, where information is obtained by deceiving CADA NI.

CADA NI will:

- make the required report of a data breach to the ICO without undue delay and, where possible within 72 hours of becoming aware of it, if it is likely to result in a risk to the rights and freedoms of individuals; and
- notify the affected individuals if a data breach is likely to result in a high risk to their rights and freedoms and notification is required by law.

It is important that members, volunteers or associated personnel report any suspected or actual data breach to the Chair immediately. The Chair will be responsible for recording and reporting data breaches.

RETENTION AND DISPOSAL OF PERSONAL DATA

Data containing personal details, not related to staff, and solely related to individuals, may be stored for up to 1 year from expressing a wish to unsubscribe. Data containing personal details related to members of CADA NI will normally be stored for 1 year from resignation of membership to allow comparative monitoring and evaluation of CADA NI's work. When a member of the Management Committee member retires from the committee, all personal data should normally be destroyed unless it forms part of important CADA NI documents that are required to be kept within the statutory register of board members and/or company or charity law.

After a process of recruiting staff all personal data on unsuccessful candidates should be destroyed within 6 months.

When a staff member leaves CADA NI, their employment records are stored for 4 years.

When personal data comes to the end of its usual retention period, CADA NI will review this to determine if it should be disposed of or whether CADA NI requires to retain it for any particular purpose. If CADA NI retains any personal data beyond the usual retention period, there must be a lawful basis for doing so and the personal data should be reviewed for destruction annually thereafter.

All personal data (names, addresses, contact information and bank details) in paper format are disposed of through a locked confidential waste collection point. All electronic records are deleted …

INDIVIDUAL RIGHTS

Individuals have the following rights in relation to their personal data:

- to be informed about how, why and on what basis that information is processed – as contained within CADA NI's privacy notices;
- to obtain confirmation that their personal data is being processed by CADA NI and to obtain access to it and certain other information, by making a subject access request;
- to have personal data corrected if it is inaccurate or incomplete;
- to have personal data erased if it is no longer necessary for the purpose for which it was originally collected/processed, or if there are no overriding legitimate grounds for the processing (this is sometimes known as the "right to be forgotten");
- to restrict the processing of personal data where the accuracy of the data is contested, or the processing is unlawful (but the individual does not want the data to be erased), or

where CADA NI no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim; and

- to restrict the processing of personal data temporarily where the individual does not think it is accurate (and CADA NI is verifying whether it is accurate), or where the individual has objected to the processing (and CADA NI is considering whether its legitimate grounds override your interests).

Individuals wishing to make a request to exercise their rights should make the request in writing to the CADA NI Chair.

Where members, volunteers or associated personnel receive a request from an individual that relates to their personal data and they are not authorised to handle such a request, they must immediately notify the CADA NI Chair of the request. The Data Protection Laws only give CADA NI one month to respond to requests so there should be no delay in notifying the Chair.

DATA GATHERING FOR OTHER ORGANISATIONS

CADA NI might also collect information on behalf of other coalitions of which they are a member, such as the UK Alliance of National Networks for International Development. The information would normally consist of names and contact details. CADA NI will normally apply the same procedures as above to any such information, but it will be the responsibility of the whole coalition to ensure that this information is kept safe.

BREACHES OF THIS POLICY

CADA NI takes compliance with this policy very seriously. Failure to comply with this policy:

- puts at risk the individuals whose personal data is being processed;
- carries the risk of significant civil and criminal sanctions for the individual and CADA NI;

Because of the importance of this policy, any failure to comply with any requirement of it may lead to retraction of membership, volunteer position or role as associated personnel.

Any questions or concerns about anything in this policy, should be directed to the CADA NI Chair.