



# GDPR Policy Document

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# Data Protection Policy

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## Introduction

Lancashire Care Co Ltd (LCA) needs to gather and use certain information about individuals.

These can include LCA members, Safe & Sure DBS Applicants and Safe & Sure DBS Members, customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact.

This policy describes how this personal data will be collected, handled and stored to meet the company's data protection standards and to comply with the law.

## Why this policy exists

This data protection policy ensures LCA

- Complies with data protection law and follow good practices.
- Protects the rights of staff, customers and partners.
- Is open about how it stores and processes individuals' data.
- Protects itself from the risks of a data breach.

## Data protection law

GDPR describes how organisations — including LCA — must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The General Date Protection Regulations are underpinned by eight important principles.

These say that personal data must:

1. Be processed fairly and lawfully.
2. Be obtained only for specific, lawful purposes.
3. Be adequate, relevant and not excessive.
4. Be accurate and kept up to date.
5. Not be held for any longer than necessary.
6. Processed in accordance with the rights of data subjects.
7. Be protected in appropriate ways.
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection.

## People, risks and responsibilities

This policy applies to:

- Lancashire Care Association Co Ltd (LCA) which includes their Safe & Sure DBS Service.
- All staff and volunteers of LCA
- All contractors, suppliers and other people working on behalf of LCA

It applies to all data that LCA holds relating to identifiable individuals. This can include:

- Names of individuals
- Date of Birth of DBS Applicants
- Personal postal addresses of DBS Applicants
- Job title
- Business postal addresses
- Email addresses
- Telephone numbers
- Plus any additional information relating to individuals that could be combined to identify them

## Data protection risks

This policy helps to protect LCA from data security risks, including:

- Breaches of confidentiality. For instance, information being given out inappropriately.
- Failing to offer choice. For instance, all individuals should be free to choose how the company uses data relating to them.
- Reputational damage. For instance, the company could suffer if hackers successfully gained access to sensitive data.

## Responsibilities

Everyone who works for or with LCA has some responsibility for ensuring data is collected, stored and handled appropriately.

Every LCA employee that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The board of directors is ultimately responsible for ensuring that LCA meets its legal obligations.
- The Data Protection Officer is responsible for:
  - Keeping the board updated about data protection responsibilities, risks and issues.
  - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
  - Arranging data protection training and advice for the people covered by this policy.
  - Handling data protection questions from staff and anyone else covered by this policy.
  - Dealing with requests from individuals to see the data LCA holds about them (also called 'subject access requests').
  - Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data.

- The IT manager is responsible for:
  - Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
  - Performing regular checks and scans to ensure security hardware and software is functioning properly.
  - Evaluating any third-party services that the company is considering using to store or process data. For instance, cloud computing services.
- The Marketing Manager is responsible for:
  - Approving any data protection statements attached to communications such as emails and letters.
  - Addressing any data protection queries from journalists or media outlets like newspapers.
  - Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

## **General staff guidelines**

- The only people able to access data covered by this policy should be those who need it for their work.
- Data should not be shared informally. When access to confidential information is required, employees can request it from their line managers.
- LCA will provide training to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, strong passwords must be used and they should never be shared.
- Personal data should not be disclosed to unauthorised people, either within the company or externally.
- Data should be regularly reviewed and updated if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees should request help from their line manager or the data protection officer if they are unsure about any aspect of data protection.

## **Data storage**

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT manager or Data Controller.

When data is stored on paper, it should be kept in a secure place where unauthorised people cannot see it.

These guidelines also apply to data that is usually stored electronically but has been printed out:

- When not required, the paper or files should be kept in a locked drawer or filing cabinet.
- Employees should make sure paper and printouts are not left where unauthorised people could see them, like on a printer.
- Data printouts should be shredded and disposed of securely when no longer required.

When data is stored electronically, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:

- Data should be protected by strong passwords that are changed regularly and never shared between employees.
- If data is stored on removable media (like a CD or DVD, USB stick etc), these should be kept locked away securely when not being used.
- Data should only be stored on designated drives and servers, and should only be uploaded to an approved cloud computing services.
- Servers containing personal data should be sited in a secure location, away from general office space.
- Data should be backed up frequently. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should never be saved directly to laptops or other mobile devices like tablets or smart phones.
- All servers and computers containing data should be protected by approved security software and a firewall.

## **Data use**

Personal data is of no value to LCA unless the business can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption or theft:

- When working with personal data, employees should ensure the screens of their computers are always locked when left unattended.
- Personal data should not be shared informally. In particular, it should never be sent by email, as this form of communication is not secure.
- Personal data must be encrypted before being transferred electronically. The IT manager can explain how to send data to authorised external contacts.
- Personal data should never be transferred outside of the European Economic Area.
- Employees should not save copies of personal data to their own computers. Always access and update the central copy of any data.
- Review fully LCA's policy 'GDPR Staff Personal Data Handling Policy' on how to handle personal data within the company.

## **Data accuracy**

The law requires LCA to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate, the greater the effort LCA will put into ensuring its accuracy.

It is the responsibility of all employees who work with data to take reasonable steps to ensure it is kept as accurate and up to date as possible.

- Data will be held in as few places as necessary. Staff will not create any unnecessary additional data sets.
- Staff will take every opportunity to ensure data is updated. For instance, by confirming a customer's details when they call.
- LCA will make it easy for data subjects to update the information they hold about them. For instance, via the company website.
- Data will be updated as inaccuracies are discovered. For instance, if a customer can no longer be reached on their stored telephone number, it will be removed from the database.

- It is the marketing manager's responsibility to ensure marketing databases are checked against industry suppression files every six months.

## Subject access requests

All individuals who are the subject of personal data held by LCA are entitled to:

- Ask what information the company holds about them and why.
- Ask how to gain access to it.
- Be informed how to keep it up to date.
- Be informed how the company is meeting its data protection obligations.

If an individual contacts LCA requesting this information, this is called a Subject Access Request.

Subject Access Requests from individuals should be made by email, addressed to the data controller at [info@lancashirecare.org.uk](mailto:info@lancashirecare.org.uk). The data controller can supply a standard request form, although individuals do not have to use this.

Individuals cannot be charged for a Subject Access Request. The Data Controller has to provide the relevant data within 30 days.

The Data Controller will always verify the identity of anyone making a subject access request before handing over any information.

You can refuse or charge for requests that are manifestly unfounded or excessive.

## Consent

Consent means offering individuals genuine choice and control. It requires a positive opt-in. Do not use pre-ticked or other methods of consent by default.

LCA must keep records to demonstrate what the individual has consented to, including what they were told, and when and how they consented.

### If Mailchimp is used:

- LCA will send an email to everyone on all e-newsletter lists asking them to re-confirm they still want to receive e-newsletters. The email must **also** clearly allow them to unsubscribe.
- For all future sign-ups '**double-opt-in**' must be enabled so the new subscriber receives an email asking them to click the activation link in order to confirm they wish to sign up.
- This information needs to be kept.

## Disclosing data for other reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject.

Under these circumstances, LCA will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the board and from the company's legal advisers where necessary.

## **Providing information**

LCA aims to ensure that individuals are aware that their data is being processed, and that they understand:

- How the data is being used
- How to exercise their rights

To these ends, the company has a privacy statement, setting out how data relating to individuals is used by the company. Available on [www.lancashirecare.org.uk](http://www.lancashirecare.org.uk) & [www.safeandsurecrb.org.uk](http://www.safeandsurecrb.org.uk)