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## Change History

Version number	Date of Release	Policy Owner	Authorised by
1.0	08/11/2016	Aimee Henderson	Audit & Risk Committee
2.0	22/02/18	Aimee Henderson	Board of Trustees

## Policy Statement

Central YMCA ('The Charity') fully understands its obligations to ensure that personal information is treated fairly, lawfully and correctly, and it is committed to achieving compliance with relevant Data Protection legislation.

The Charity needs to collect and process personal data about people, including staff and individuals with whom it deals with, to operate its daily business and for the organisation to operate effectively.

The Data Protection Act sets out the rules about how personal data and sensitive personal data about living individuals must be processed.

The Charity aims to ensure that information held about employees, ex-employees, volunteers and service users is relevant and accurate; stored safely and available to individuals within reasonable timescales.

The Charity is committed to ensuring that staff are appropriately trained and supported to achieve compliance with the Data Protection Act and other relevant legislation. This is regarded by the Charity as vital in maintaining the confidence between Central YMCA and with those whose personal data they hold.

The Charity fully endorses and adheres to the Data Protection Principles listed below:

- personal data shall be processed fairly and lawfully;
- personal data shall be obtained only for specified and lawful purposes, and shall not be processed in any manner incompatible with those purposes;
- personal data shall be adequate, relevant and not excessive in relation to the purposes for which it is processed;
- personal data shall be accurate and, where necessary, kept up to date;
- personal data shall be kept for no longer than is necessary for the purposes for which it is processed;
- personal data shall be processed in accordance with the rights of data subjects under the Act;
- personal data shall be subject to appropriate technical and organisational measures to protect against unauthorised or unlawful processing and accidental loss, destruction or damage;
- personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of data protection.

## Scope

This policy applies to all personal data and sensitive personal data collected and processed by the Charity in the conduct of its business, in electronic medium and within structured filing systems.

This policy applies to all Charity employees ('all staff'), whether permanent, temporary, contractors, consultants or volunteers.

The Central Young Men's Christian Association and London Central YMCA Limited are the data controllers of, and registered with the Information Commissioners Office (ICO) for collecting and using personal data to:

- provide education and training to our students, customers and clients as well as administer membership records for the group. Personal information is also processed to enable us to provide a voluntary service for the benefit of the public; to fundraise and promote the

interests of the charity; manage our employees and volunteers; maintain our own accounts and records.

A further description of each purpose can be found on the ICO Website by quoting the Registration Number Z670975X and/or Z5563138.

## Related Legislation

- Data Protection Act 1998

## Related Policies, Procedures, and Templates

- Records Retention & Disposal Policy

## Responsibilities

<b>Board of Trustees</b>	Overall responsibility for the policies and procedures that govern the work at Central YMCA.
<b>Chief Executive</b>	Overall responsibility for ensuring Central YMCA's resources are used effectively and appropriately.
<b>Policy Owner</b>	Responsible for ensuring guidelines are in place and that policies and procedures reflect our charitable ethos and commitment to equality and diversity.
<b>All Line Managers</b>	Responsible for ensuring all employees are aware of and follow this policy.
<b>All Employees and Volunteers</b>	To follow policies and procedures, promoting best practice throughout the organisation.

## Policy Review

### Review of impact against the aims of policy:

This policy has been drafted for approval by Aimee Henderson and has been approved by the Board of Trustees and is deemed fit for purpose. All related procedures have been designed to match the contents of this policy.

The policy has been communicated successfully to all employees and has been made available on the Charity's intranet.

**Does there appear to be any patterns of equality related issues:** No

**If yes, please provide an Equalities Impact Assessment (if relevant):**

**Reviewed by:** The Board of Trustees **Date:** 22/02/18

This policy will be reviewed in May 2018, in line with changes due to the implementation of GDPR and the Data Protection Bill, by the Policy Owner and signed off by the Board of Trustees if any changes are made.

**Next review date:** May 2018

## Policy

The objectives of this policy are to ensure that:

- Proper procedures are in place for the processing and management of personal data;
- There is documentation within the organisation to provide knowledge about data protection compliance;
- All staff understand their responsibilities when processing personal data, and that methods of handling that information are clearly understood;
- Individuals are assured that their personal data is processed in accordance with the data protection principles, that their data is secure and safe from unauthorised access, alteration, use or loss;
- Other organisations with whom the YMCA needs to share or transfer data, meet compliance requirements;
- Any new systems being implemented are assessed on whether they will hold personal data, whether the system presents any risks, damage or impact to individuals' data and that it meets this policy.

### 1. Fair Collection and Processing

- The specific conditions contained in Schedules 2 and 3 of the Data Protection Act regarding the fair collection and use of personal data will be fully complied with.
- Individuals will be made aware that their information has been collected, and the intended use of the data specified either on collection or at the earliest opportunity following collection.
- Personal data will be collected and processed only to the extent that it is needed to fulfil business needs or legal requirements.
- Personal data held will be kept up to date and accurate.
- Retention of personal data will be appraised, and risk assessed to determine and meet business needs and legal requirements, with the appropriate retention schedules and disposal of applied to that data.

- Personal data will be processed in accordance with the rights of the individuals about whom the personal data are held.

## 2. Security

- Appropriate technical, organisational and administrative security measures to safeguard personal data will be in place.
- Staff will report any actual, near miss, or suspected data breaches to the SIRO (Senior Information Risk Owner) for investigation. Lessons learnt during the investigation of breaches will be relayed to those processing information to enable necessary improvements to be made.
- An Information Asset Register will be maintained identifying personal data held, where it is held, how it is processed and who has access to it.
- Appropriate technical, organisational and administrative security measures to safeguard personal data will be in place.
- Data Protection Awareness Training will be provided, as appropriate, to staff to keep them better informed of relevant legislation and guidance regarding the processing of personal information.

## 3. Privacy Impact Assessments

- All teams will work to carry out Privacy Impact Assessments on all new systems intended for implementation by the Charity, with the intent to determine the risks and impacts to personal data of the individuals those systems are intended to hold.

## 4. Data Sharing

- Personal data will not be transferred outside the European Economic Area by the Charity, unless that country or territory can ensure a suitable level of protection for the rights and freedoms of the data subjects in relation to the processing of their personal data.
- Personal data in any format will not be shared with a third-party organisation without a valid business reason, a signed Data Sharing Agreement in place, or without the data subjects' consent.

## 5. Access

- Members of staff will have access to personal data only where it is required as part of their functional remit.
- The Charity's Privacy Notice will include a contact address for data subjects to use should they wish to submit a Subject Access Request, make a comment or complaint about how the Charity is processing their data, or about the Charity's handling of their request for information.
- A Subject Access Request will be acknowledged to the data subject within 3 working days, with the final response and disclosure of information (subject to exemptions) within 40 calendar days.
- All data subjects have a right of access to their own personal data; the Charity will, where possible, provide advice on how a data subject can request or gain access to their personal data, which is held by the Charity.

## Appendix A: Data Controller Names for the Central YMCA Group

**Data Controller:** The Central Young Men's Christian Association. **Registration Number:** Z670975X

**Address:**

112 Great Russell Street  
London  
WC1B 3BQ

**Other Names:**

CENTRAL SERVICES  
CENTRAL YMCA  
ONE KX  
POSITIVE HEALTH  
THE CLUB  
YMCA AWARDS  
YMCA FITNESS INDUSTRY TRAINING (YMCAFIT)  
YMCA TRAINING

**Data Controller:** London Central YMCA Limited. **Registration Number:** Z5563138

**Address:**

112 Great Russell Street  
London  
WC1B 3NQ

**Other Names:**

Central YMCA  
YMCA FITNESS INDUSTRY TRAINING  
YMCAfit

## Appendix B: Data Protection Definition and Terms

Data	Information which is recorded in any format, whether stored electronically or in a structured paper-based filing system.
Personal Data	Any information that identifies a living individual. This includes any expression of opinion about the individual and any Intentions towards the individual.
Sensitive Personal Data	Personal information relating to racial or ethnic origin, political opinion, religious beliefs, trade union membership, sexual life, physical or mental health, commission or alleged commission of any offence.
Processing	Any activity where the data is used, such as obtaining, recording, storing, viewing, copying, accessing, disclosing, erasing, destroying.
Data Subject	An individual who is the subject of personal information.
Data Controller	The organisation that determines how the personal data will be used and the way it will be processed.
Data Processor	An organisation that processes personal data on behalf of a Data Controller.
Subject Access Request	A request by a data subject, to the data controller, asking to see their personal information.
Third Party	This can either mean that the data is about someone else, or someone else is the source; i.e. any other person or organisation other than -the data subject; -the data controller; -a data processor.

## Appendix C: Conditions for Processing Personal Data

The 1st Principle of the DPA requires personal data to be processed fairly and lawfully, and, not to be processed unless one of the conditions (below) in Schedule 2 is met.

The Six Conditions

At least one of the following conditions must be met for personal information to be considered fairly processed:

- the individual has consented to the processing
- processing is necessary for the performance of a contract with the individual
- processing is required under a legal obligation (other than one imposed by the contract)
- processing is necessary to protect the vital interests of the individual
- processing is necessary to carry out public functions, e.g. administration of justice
- processing is necessary to pursue the legitimate interests of the data controller or third parties

Under the 1st Data Protection Principle, sensitive personal data must not be processed unless one of the following 19 legitimate conditions (below) from Schedule 3 of the DPA is met:

- Explicit consent of the data subject
- Compliance with employment law obligations
- Vital interests of the data subject
- Processing by not-for-profit organisations.
- Information made public by the data subject
- Legal advice and establishing or defending legal rights
- Public functions
- Medical purposes
- Records on racial equality
- Detection of unlawful activity
- Protection of the public
- Public interest disclosure
- Confidential counselling
- Certain data relating to pensions
- Religion and health data for equality of treatment monitoring
- Legitimate political activities
- Research activities that are in the substantial public interest
- Police processing
- Processing by elected representatives



## Appendix D: Rights Under the Act

There are seven rights under the Data Protection Act:

**1. The right to subject access**

This is the right to find out what information is held about you on computer and within some manual records

**2. The right to prevent processing**

Anyone can ask a data controller not to process information relating to him or her that causes substantial unwarranted damage or distress to them or anyone else

**3. The right to prevent processing for direct marketing**

Anyone can ask a data controller not to process information relating to him or her for direct marketing purposes

**4. Rights in relation to automated decision-taking**

Individuals have a right to object to decisions made only by automatic means, e.g. there is no human involvement

**5. The right to compensation**

An individual can claim compensation from a data controller for damage and distress caused by any breach of the act. Compensation for distress alone can only be claimed in limited circumstances

**6. The right to rectification, blocking, erasure and destruction**

Individuals can apply to the court to order a data controller to rectify, block or destroy personal details if they are inaccurate or contain expressions of opinion based on inaccurate information

**7. The right to ask the Commissioner to assess whether the Act has been contravened**

If someone believes their personal information has not been processed in accordance with the DPA, they can ask the Commissioner to make an assessment. If the Act is found to have been breached and the matter cannot be settled informally, then an enforcement notice may be served on the data controller in question.