

Data Protection Policy

This document is relevant to:	
Trustees	✓
Staff	✓
Volunteers	✓

Purpose

Dorset Mind have a number of legal obligations to protect personal information about individuals, such as personnel records, details about service users, databases of donors etc.

Policy

Background

Dorset Mind recognises its obligations under the Data Protection Act 1998. Dorset Mind has considered the Data Protection Good Practice Note on Exemption from Notification for Not-for-Profit Organisations, published by the Information Commissioner's Office, and it considers that it falls within the exemption. However, Dorset Mind will voluntarily register with the Information Commissioner.

The Data Protection Act 1998 regulates the processing of information relating to living and identifiable individuals (data subjects). This includes the obtaining, holding, using or disclosing of such information, and covers computerised records as well as manual filing systems and card indexes.

Data users must comply with the data protection principles of good practice which underpin the Act. Personal data must be:

- obtained and processed fairly and lawfully
- held only for specified purposes
- adequate, relevant and not excessive
- accurate and up to date
- not kept longer than necessary
- processed in accordance with the Act
- kept secure and protected
- not transferred to countries without adequate data protection.

It is the policy of Dorset Mind that all personal data will be held in accordance with the principles and requirements of data protection and other relevant legislation, and that procedures will be put in place to ensure the fair processing of data subjects. Dorset Mind and all staff, volunteers and Trustees who process, or use personal data must ensure that they abide by these principles at all times.

Dorset Mind is the data controller under the Act and is therefore ultimately responsible for implementation. However, day to day matters, notification, contact with the Information Commissioner, ensuring that this data protection policy and compliance is reviewed at appropriate intervals and the handling of subject access requests will be dealt with by the Data Protection Officer.

Relevant data protection issues will be included in all induction and training.

Information held by Dorset Mind

Information held by Dorset Mind relates to voluntary and community organisations, other organisations (including those in the public and private sectors) and individuals (including volunteers, employees, Board members and any committee members, trainers and consultants, current, past and potential) which support, assist, provide services to, work within or alongside, or fund voluntary and community organisations or which Dorset Mind provide services to.

Dorset Mind will ensure that individuals know enough about how information held about them is used or disclosed. Information held about individuals will only be collected and recorded with good reason. It will be stored securely and for only as long as required.

Relevant data protection issues will be included in all induction and training, and an internal audit of data protection compliance will be carried out at appropriate intervals.

Dorset Mind will not give out information about any individual over the telephone or by e-mail unless it is satisfied that the individual knows that this type of disclosure may be made and/or the information is already in the public domain (or that there is some over-riding reason for the disclosure).

Information about individuals will not be published in any type of directory without the written consent of the individual.

No details of individuals will be passed to other organisations for marketing, fundraising or circulating information unless the individual has been informed that this might happen and been given the opportunity to opt-in or opt-out as appropriate.

The web site will not contain any personal data that is not absolutely necessary. Where information is captured on the web site, a clear policy statement will be provided, and no personal data will be captured without the knowledge of the data subject.

Photographs, recordings, videos or DVDs in which individuals are identifiable will only be used with their explicit written consent.

Manual files containing sensitive information about individuals will be labelled confidential and kept in locked filing cabinets, accessible only to relevant staff, the Chief Executive and the Chair of Trustees.

Computer files containing sensitive information about individuals will be password protected, accessible only to relevant staff, the Chief Executive and the Chair of Trustees.

Information no longer required will be disposed of appropriately including ensuring that data is non-recoverable from any computer system.

HR records (including Volunteers and Trustees)

The names and post held of staff within Dorset Mind are considered to be in the public domain and may be made freely available in any format to anyone.

The names, organisation and role held of Executive Committee members within Dorset Mind, and people seeking election or nomination as Board members, are considered to be in the public domain and may be made freely available in any format to anyone.

The address, telephone number, fax number, and email address of Board members shall be made available to staff and Board members only and only for the purpose of making contact in furtherance of Dorset Mind's governance.

The home and mobile telephone numbers of staff are confidential but shall be made available to other staff members and the Chair of Trustees for the purpose of making contact in an emergency or urgent work related matter.

All applicants for employment will be asked to complete an application form which will include a statement on Dorset Mind's Data Protection Policy.

All material in respect of all applicants, other than the successful applicant, gained during the selection of staff or volunteers is confidential and shall be retained for six months, at which point it shall be destroyed.

All information required for the purposes of payroll is confidential and made available only to the Treasurer of the Board of Trustees, the Chair of Trustees, the Chief Executive and Finance and HR staff. Information will be passed to statutory bodies if a legal requirement, such as in connection with tax and national insurance.

All other information within HR records is confidential and can only be made available to HR staff, the Chief Executive and the Chair of the Board of Trustees. HR records are only used for matters connected with the individual's employment at Dorset Mind or to help with references Dorset Mind might write in future at the individual's request.

Information about age, gender, geographical location, ethnicity, sexual orientation, marital status and disability of staff, volunteers and Board members is kept for the purposes of monitoring our Equality and Diversity policy.

Individuals will be given access to their personnel records in accordance with the Data Protection Act. Further details on access requests are within the 'Access to Information' section below.

Service Users

Any person using a Dorset Mind service will be required to complete a registration form, or for the Befriending service, a referral form. These forms will ask for the consent of the service user for Dorset Mind to hold and process their personal data.

All service users will be given information with regard to data processing by Dorset Mind.

All personal data about service users is confidential and made available only to the relevant Service Leader, relevant Senior Staff member, Chief Executive and Chair of Trustees.

All personal data about service users should be held securely.

Databases of organisations and other contacts

Data about individuals (including those who are contacts for organisations) shall be confined to contact details and information directly relevant to the reason for their inclusion on Dorset Mind's databases (for example they are participating in a training programme). Other information about organisations may be held provided this is not personal data.

Information about age, gender, geographical location, ethnicity and disability of users (individuals and Board members) will be kept anonymous and collected, inputted and filed separately from any other details or information that might identify an individual. The information is collected for the purposes of monitoring our equal opportunities policy and for reporting back to funders.

Data about individuals shall be deleted on the request of the individual when the data is no longer used or required by Dorset Mind for legal, financial or contractual reasons.

Data about individuals shall only be used by Dorset Mind for:

- circulating Dorset Mind's publications and other information about Dorset Mind and its work, via regular mailings to all on that particular database
- direct marketing of Dorset Mind's training, events or services to selected individuals/organisations, unless the individual/ organisation has opted out of receiving direct marketing
- providing contact details for a specified organisation when requested or when it is considered that another organisation offers a service of benefit to users, unless that individual/organisation has requested that all or some of the contact details not be made available outside Dorset Mind
- circulating information or direct marketing on behalf of another body on the grounds that it will potentially be of benefit to users and/or Dorset Mind's charitable objects, unless the individual/organisation has requested that all or some of the contact details not be made available outside Dorset Mind
- any other reason which has been specifically agreed with that individual/organisation in advance.

Data about individuals shall not be used for direct marketing if the individual has exercised their right to opt out of this.

The following statements are examples which should be used on membership forms, order forms, subscription forms, HR personal details forms, as listed below:

1.

Dorset Mind will use the information you have provided here for the sole purpose of processing your order.

If you would like to receive future mailings about Dorset Mind's services and events, please tick this box •

If you have any query about the use we make of your data, please contact.....

2.

You do not have to provide any of the following information but it will contribute to our equal opportunities monitoring. It is collected in order to monitor the diversity of people we work with and to compile statistics to show our funders and others how we are doing.

3.

Dorset Mind will use the information you have provided here for the purpose of giving you information about Dorset Mind's training courses, services and events.

Information you provide will not be disclosed outside our organisation, except where necessary in order to facilitate the training. All participants are given a list of participant's names and organisations but no further details.

If you do not want us to contact you in future about Dorset Mind's training courses, services and events, please tick this box •

Information that you choose to give on special needs will be passed to the trainer, if relevant, so that we can make your participation as rewarding as possible. We will not retain the data after the course.

If you have any query about the use we make of your data, please contact.....

Access to information

Data Subject Access requests should be made in writing and signed by the individual and addressed to the Data Protection Officer at Dorset Mind.

In response to a Data Subject Access request, Dorset Mind aims to disclose as much information as possible within 40 days, while respecting the right of any third party to maintain confidentiality wherever reasonable.

No charge will be made for Data Subject Access requests from staff, volunteers or Board members.

A charge of £10 will be made for a Data Subject Access request from service users or any other person.

Queries

In case of any queries or questions in relation to this policy please contact Dorset Mind's Data Protection Officer.

Responsibilities

The Chief Executive is responsible for managing this policy and overseeing its implementation. Managers are responsible for implementing the policy within their areas of work, and for overseeing adherence by staff and volunteers. Every member of staff and every volunteer should take personal responsibility for conforming to it.

Staff and Trustees are required to keep any data held on behalf of Dorset Mind secure. Volunteers (with the exception of Befrienders) are not expected to be in possession of Personal or Sensitive Personal Data regarding Service Users away from the Dorset Mind office or Service premises. Volunteer Befrienders may be required to be in possession of Personal or Sensitive Personal Data for their client, in which case they are required to keep it secure.

Associated Policies and Procedures

- Confidentiality policy
- ICT policy
- Archive and Data Retention Procedure

The equality impact of this policy has been considered and Dorset Mind believes that it complies with its commitment to equality as stated in its Equality Policy

Policy Ownership

Policy Name	Version	Doc ref
Data Protection Policy	1.0	Data Protection Policy

Policy Owner	Chair of Trustees
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Approval Status

Date adopted by Trustees	January 2016		
Date published	January 2016	Date for next review	January 2016

Consult the Dorset Mind website for the latest version of this policy.

Document Control

Reviewers

Name	Position
Chris Price	Chair of Trustees
Ian Prankerd	Trustee
Ken Heap	Trustee

Change History

Issue	Date	Author	Reason
1.0	Dec 15	Jackie Lillywhite	
1.0	Jun 15	Jackie Lillywhite	Policy receipt change
2.0	Jan 16	Chris Price	Reviewed and updated