

# The Grandparents' Association **Data Protection Policy**



**The Grandparents'  
Association**

Registered Charity No: 1105977

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**1. Introduction**

The Data Protection Act 1998 came into force on 1<sup>st</sup> March 2000 after receiving Royal Assent on 16<sup>th</sup> July 1998. The Act replaces the Data Protection Act 1984 and certain other legislation that gives right of access to information held by organisation.

The Act extends the rights given to individuals in previous legislation and requires Data Controllers (people or organisations that hold and process details of living individuals) to comply with the Eight Principles (rules governing the use of personal data) and bear in mind the rights and freedom of those individuals when processing their details.

This document explains how The Grandparents' Association will meet the legal requirements of the Data Protection Act 1998.

**2. Statement of Intent**

The Grandparents' Association intends to fulfill all its obligations under the Data Protection Act 1998.

The Association will ensure that all types of data processing are appropriately notified to the Information Commissioner. The Association also intends to conduct a periodic review and update of the register entries. It is the aim of The Grandparents' Association that all appropriate staff are properly trained, fully informed of their obligations under the Data Protection Act 1998 and are aware of their personal liabilities.

Any employee deliberately acting outside their recognised authority will be subject to the Association's disciplinary procedures, including dismissal where appropriate and possibly legal action. Individuals whose information is held and processed by The Grandparents' Association can be assured that the Association will treat their personal data with all due care. It is possible that other legislation may (at times and under certain conditions) override data Protect law – Individuals should note that the Association intends to fulfill all of its legal responsibilities.

This policy document applies only to information covered by the Data Protection Act 1998 and will be updated / amended as necessary according to the laws of England and Wales.

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**3. Fair Obtaining / Processing**

- 3.1 The Grandparents' Association will, as far as practicable, ensure that all individuals whose details we hold are aware of the way in which that information will be held, used and disclosed. Individuals will, where possible, be informed of the likely recipients of the information, whether the recipients are internal or external to the Association. Processing within The Grandparents' Association will be fair and lawful; individuals will not be misled as to the uses to which the Association will put the information given. If a person feels they have been deceived or misled as to the reason for which their information was collected, they should use the complaints procedure at the end of the document.
- 3.2 Collection forms requiring personal information will contain a "fair obtaining" statement giving details of the likely uses of the information and, where information is collected in person or by telephone, the employee asking for the details will tell the individual how those details will be used. People are free to ask the person collecting the information why they want the details and what they will be used for.
- 3.3 If a person's details are going to be used for "auto-decision" processing (where a computer decides something based on a score or other information) the person will be told about how the system works and whether the decision can be challenged.
- 3.4 Should a person's details need to be processed for a purpose that does not appear on the Association's register entry, the individual will be advised in order to make the processing fair and lawful.
- 3.5 Any person whose details are to be included in the Association's web site will be asked to provide written consent. At the time the information is included, all such individuals will be properly informed about the consequences of their data being available worldwide.

**4. Data Uses and Processes**

- 4.1 The Grandparents' Association will not use or process personal information in any way that contravenes its notified purposes or in any way that would constitute a breach of Data Protection law. Any new purposes introduced will, where appropriate, be notified to the individual and, if required by law, their consent will be sought.
- 4.2 The Association's registration / notification entry can be viewed on the Information Commissioner's web page at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk).

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- 4.3 All staff using personal data within the Association will be told the limits of their authority to use and disclose such information. The overall accountability for Data Protection is assigned to the Chief Executive of The Grandparents' association.
  - 4.3.1 All purposes and disclosures are coordinated and consistent.
  - 4.3.2 All new purposes are documented and notified to the Information Commissioner
  - 4.3.3 All problems can be investigated thoroughly

**5. Data Quality and Integrity**

- 5.1 The Grandparents' Association will not collect data from individuals where that information is excessive or irrelevant in relation to the notified purpose(s). Details collected will be adequate for the purpose and no more. Information collected, which becomes (over time or by virtue of changed purposes) irrelevant or excessive, will be deleted.
- 5.2 Information will only be held for as long as is necessary for the notified purpose(s), after which the details will be deleted. Where details of individuals are stored for long-term archive or historical reasons and where it is necessary to retain the personal detail within the records, it will always be done within the requirements of the legislation. In many cases personal details will be removed from the record so that individuals cannot be identified.
- 5.3 The association will ensure, as far as it practicable, that the information held is accurate and up-to-date. It is the intention of The Grandparents' Association to check wherever possible the details given.
- 5.4 Information received from third parties (ie neither the individual concerned nor the Association) will carry a marker indicating the source. Where a person informs the Association of a change of their own circumstances, such as home address or non-contentious data, their record(s) will be updated as soon as possible. Where the individual requests that information be changed, or asks that it be stopped being processed, and it is not possible to update it immediately, or where the new information needs to be checked for its accuracy or validity, a marker will be placed on the disputed record indicating the nature of the problem. The Association and the individual will attempt to reach an amicable agreement on the complaint, but where this is not possible the Association's Complaints procedure will be implemented.

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**6. Technical and Organisational Security**

- 6.1 The Grandparents' Association has implemented appropriate security measures as required under the Data Protection Act 1998. In particular, unauthorised staff and other individuals are prevented from gaining access to personal information. Appropriate physical security is in place with visitors being received and supervised at all times within The Grandparents' Association buildings where information about individuals is stored. The general public visiting The Grandparents' Association buildings should not feel that the measures are restrictive or oppressive; the measures are there to protect the Association's data.
- 6.2 Computer systems are installed with user-profile type password controls and, where necessary, audit and access trails to establish that each user is fully authorised. In addition, employees are fully informed about overall security procedures and the importance of their role within those procedures. Manual filing systems are held in secure locations and are accessed on a need-to-know basis only.
- 6.3 Security arrangements are reviewed regularly, all reported breaches or potential weaknesses are investigated and, where necessary, further or alternate measures will be introduced to secure the data. Such reports are received by the Data Protection / Freedom of Information Manager for the Association who will liaise with the ICT Service and / or Head of Service as necessary.
- 6.4 All staff are informed and frequently reminded about the limits of their authority on disclosing information, both inside and outside the Association. Details will only be disclosed on a needs basis within the Association. Where details need to be passed outside the Association \* it will in general be done with the person's consent except where this is not possible or where it is required by law, allowed under Data Protection Act exemptions (such as crime prevention / detection, to prevent injury, etc) or where it is in the person's vital interests. Any unauthorised disclosure will be dealt with under the Association's disciplinary procedures.
- 6.5 Redundant personal data will be destroyed using the Association's "procedure for disposal of confidential waste". In general, paper waste is shredded and magnetic media (disks, tapes, etc) are either electronically "wiped" or physically destroyed beyond recovery.
- 6.6 The security of the Personal Data processed by The Grandparents' Association will be at the level of BS 7799, although the Association will not be certified to BS 7799.

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**7. Subject Access / Subject Information Requests**

- 7.1 Any person whose details are held / processed by The Grandparents' Association has a general right to receive a copy of their own information. There are few exceptions to this rule, such as data held for child protection or crime detection / prevention purposes, but most individuals will be able to have a copy of the data held on them.
- 7.2 **Completion of a Subject Access Request form is required to obtain the information, if the applicant requires assistance to complete the form this will be given by Contact \*\*\*\*\* Advisors.**
- 7.3 **The Grandparents' Association has a policy of charging a sum of £10.00 for such requests, and this fee must be paid before fulfilling such a request; the request must also be made in writing. Any codes used in the record will be fully explained; any inaccurate, out of date, irrelevant or excessive data will be dealt with under the procedures outlined previously in this policy.**
- 7.4 The Grandparents' Association will attempt to reply to subject access requests as quickly as possible and in all cases within the 40 days set out in the Data Protection Act.
- 7.5 Repeat requests will be fulfilled unless the period between is deemed unreasonable, such as a second request received so soon after the first that it would be impossible for the details to have changed.
- 7.6 A subject access / information request should be submitted on the appropriate form; this will ensure that the Association has the required information to be able to conduct a data search and to fulfill the request. In some cases, further information may be required from the requester, which may delay the start of the 40 day maximum time limit.

**8. Further Information, Enquiries and Complaints**

- 8.1 The Grandparents' Association's Chief Executive is the first point of contact on any of the issues mentioned in this policy document.
- 8.2 The Chief Executive will be responsible for dealing with all internal and external enquiries. Where possible, requests for detailed information should be put in writing. **All** complaints should be written, dated and should include details of the complainant as well as a detailed account of the nature of the problem. The Grandparents' Association will attempt to complete internal investigations within 10 working days and in any case the person will receive an acknowledgement of the complaint as soon as possible.

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