



Helping people to cope and recover from the aftermath and trauma caused by rape and sexual violence

THE HOPE PROGRAMME

DATA PROTECTION POLICY & PROCEDURES

The Hope Programme is registered with the Information Commissioner's Office.

The Hope Programme collects and uses information about the people with whom we support, employ or recruit for volunteering. We also acquire information about others in the course of those dealings. These people; collectively called 'data subjects', include staff, volunteers, clients and other users of our services i.e. staff in a wide range of organisations and institutions, as well as contractors and suppliers of various kinds. The information can be factual information, such as name and address, or expressions of opinion about or intentions towards individuals and can be in any form or format (WORD documents, databases and spreadsheets, emails, index cards, paper files etc.).

This policy statement sets out how The Hope Programme acquires, records, stores discloses and destroys data in line with the Data Protection Act (DPA) 1998, which was brought into force on 1 March 2000, entirely replacing the 1984 Act and governing the use of all data about living persons which are kept on computer or in a manual system.

The DPA has two aims:

- to protect individuals' fundamental rights and freedoms, notably privacy rights, in respect of personal data processing
- to enable organisations to process personal information in the course of their legitimate business

In meeting these aims, the DPA outlines 8 data protection principles (set out in schedule 1 of the Act) , which The Hope Programme is obliged to comply with unless the personal data is exempt as follows:

1. Data should be obtained and processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
2. Data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
3. Data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed
4. Data shall be accurate and, where relevant, kept up to date
5. Data shall not be kept for longer than is necessary for that purpose or those purposes
6. Data shall be processed in accordance with the rights of data subjects under the Act

7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
8. 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 protection for the rights and freedoms of data subjects in relation to the processing of personal data

The Hope Programme applies these principles in the following ways:

Sensitive Data

The Hope Programme will collect and process sensitive personal data only when required to do so by law or when needed in connection with operational requirements.

Recruitment of staff/volunteers

Job descriptions, contracts and volunteer agreements make it clear that the employment and recruitment processes are bound by the provisions of the Data Protection Policy and that acceptance of the contract signifies consent to processing data.

Security

All data will be kept securely, whether kept by an individual or in the registered office

Retention of Data

Personnel data in relation to staff, trustees and volunteers is held indefinitely and is usually released only to identifiable third parties with the consent of the subject e.g. for verification of previous employment / volunteering. Data is held on clients in the form of paper referrals and records.

Disposal of Data

When personal data is no longer to be retained it will be disposed of in such a way that the rights and privacy of the individual concerned are protected, e.g. disposal by shredding or secure electronic deletion.

Disclosure

Schedules 2 & 3 of the DPA set out the conditions for when information can be disclosed. The Data Processing Order (2000) makes additional provision for disclosing data for 'public interest'. The combined effect of schedules 2 and 3, together with the 2000 Data Processing Order is that data should only be disclosed if the client has given informed consent, disclosure is necessary to protect the clients 'vital interests or to protect someone else's 'vital interests, or for the detection or prevention of crime. This is discussed more fully in the Confidentiality Policy, the Vulnerable Adult Protection Policy and the Child Protection Policy.

Personal data of staff, volunteers and clients will not normally be disclosed to any unauthorised third party without the consent of the data subject. Disclosure of information to the police, court authorities or similarly authorised persons is permitted for the detection and/or prevention of crime. This is **not** however an automatic exemption and appropriate care should still be taken when releasing information. Certain other exemptions may apply.

The Information Commissioner has powers to enter premises where an offence under the Act is suspected of having been committed and to inspect or seize material. The Commissioner also has the right to prosecute offenders and compensation may be payable.

Publicly Available Information

The provisions of the Data Protection Act do not extend to information already in the public domain. Such information includes:

- Names of all members of the Management Committee
- Name, initial(s), and job title as listed in various publications issued by The Hope Programme, e.g. training programmes, service directories, The Hope Programme website
- Awards and honours relating to work done for The Hope Programme

Rights of Access to Data

Under the Data Protection Act, all Individuals (paid staff, trustees volunteers and clients) have a legal right, upon written request, to be informed whether or not The Hope Programme is processing information about them and have a right to see any such information. They also have the right to be given the purpose for processing information and to whom it may be disclosed. Such individuals should also be given a copy of the Hope Programme Data Protection Policy. The Hope Programme reserves the right to charge a fee for data subject requests, as permitted by the Data Protection Act 1998 and will do so if to provide the information would cause an inordinate amount of work. The fee is set at £10 in the Data Protection Regulations. Any such request will be normally be complied with within 40 days of receipt of the written request and, where appropriate, the fee.

Freedom of Information Act 2000

The Freedom of information (FOI) provides individuals and organisations with a right of access to information held by public services. Charities that deliver public services are however exempt from the Act and therefore do not have to respond to any request for information under the Freedom of Information Act (2000).

The Hope Programme's commitment to data protection

We are committed to whole-hearted compliance with the Data Protection Act 1998. We regard responsible handling of personal information as a fundamental obligation and one that is in keeping with our role as a leader in service provision within the community. To this end we endorse and adhere to the Data Protection Principles set out above. All employees, volunteers and clients of The Hope Programme have an individual responsibility to uphold the principles of the Data Protection Act. Breaches of this policy may lead to disciplinary action being taken and, possibly, to prosecution of the individual concerned.

Data Protection Officer

The Data Protection Officer for The Hope Programme is the CEO.

The Hope Programme is GDPR compliant.

