

Data Protection Policy 2021

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1. Purpose

- a. Theatre for a Change (TfaC) UK is committed to the lawful and correct treatment of personal information. This helps us keep the confidence of those we work with and who support our operations. The purpose of this policy is to ensure that staff, volunteers and trustees are clear about the purpose and principles of data protection and to ensure the organisation has guidelines and procedures in place which are consistently followed.
- b. TfaC UK's Data Protection Policy should be read and implemented alongside its Safeguarding Policy.

2. Principles

- a. The Data Protection Act 2018 (DPA) and UK General Data Protection Regulations (GDPR) regulate the processing of information of identifiable individuals. This includes the collection, storage, use and sharing of such information.
- b. TfaC complies with DPA 2018 and UK GDPR, by following the six data protection principles as outlined in the Act, which are summarised below:
 - Personal data processing will be lawful, fair and transparent
 - Purposes of processing data will be specified, explicit and legitimate
 - Personal data will be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
 - Personal data will be accurate and kept up to date
 - Personal data will not be kept for longer than is necessary
 - Personal data will be processed in a secure manner
- c. TfaC's staff, volunteers and trustees who process or use any personal information in the course of their duties will ensure that these principles are followed at all times.

Please note that post Brexit, TfaC UK is aware that the UK is no longer be subject to EU GDPR regulations. To reflect this changing situation, in this policy we will refer to UK GDPR.

3. Data Protection Procedures

- a. As a 'data controller' under the Data Protection Act, TfaC UK developed the following procedures to meet its data protection responsibilities. For the purposes of

these procedures, data collected, stored, used and shared by TfaC UK falls into two broad categories:

- TfaC UK's internal data records – about staff, volunteers and trustees
- TfaC UK's external data records – about participants, donors or potential donors, supporters and other members of the public.

Purpose of data records and responsibility

a. Internal data records

- TfaC UK obtains personal data (names, addresses, phone numbers, email addresses, bank details), application forms, and references and in some cases other information from or about staff, volunteers and trustees.
- This data is collected, stored and processed for the following purposes:
 - Recruitment
 - Equal Opportunities monitoring
 - Volunteer opportunities and co-ordination
 - Safeguarding
 - To distribute relevant organisational material e.g., meeting papers
 - HR and payroll

b. External data records

- TfaC UK obtains personal data (names, addresses, phone numbers, email addresses, bank details) and in some cases other information from or about participants, potential participants, donors, potential donors, supporters and other members of the public.
- This data is collected, stored and processed only to further our charitable objectives, including the following purposes:
 - To keep donors and stakeholders updated on our activities
 - To provide adequate support for participants (e.g., referral and signposting to additional services)
 - Safeguarding
 - Impact monitoring
 - Legal and effective fundraising and marketing practice

- Tax purposes

Collection and Consent

- TfaC UK will only collect data for relevant purposes and with consent.
- When individuals are asked to provide personal data, TfaC UK will give a clear statement of how the data will be stored and used. TfaC UK will seek consent for any personal data to be stored and used and keep a record where possible or appropriate.
- It is assumed consent has been granted when participants, staff, volunteers, trustees, donors or supporters freely give their own details. However, consent statements will be displayed/shared at any personal data collection point (e.g., a volunteer application form, TfaC contact details form).
- We operate solely on an opt-in basis for all marketing communications. Subscribers are offered the option to unsubscribe to our mailing list in every e-newsletter and we regularly clean our mailing list data and remove old and redundant emails from our database. We record full details of an individual's marketing consent, including data, data collection point and accompanying consent statement. TfaC UK complies with PECR regulations for electronic marketing.
- TfaC UK will seek consent from individuals before displaying photographs or video footage in which they appear. This consent is in line with the TfaC UK's Safeguarding Policy. If a complaint is received, we will remove any photograph if the medium allows for us to do so. If this is not possible, we will cease use of the photograph in further comms materials. This policy applies to photographs published on our website, social networking sites, newsletter, funding applications, and in any other medium.
- We keep an updated Data Management Schedule, recording all data collection points, what is collected, why and where it is stored and who has access.

Storage

- Personal data is kept in paper-based systems, in a secure cloud storage system (Dropbox), and on password protected computers.
- Every effort is made to ensure that paper-based data is stored in organised and secure systems.

- c. A copy of relevant staff, volunteer, and trustee emergency contact details will be kept in an accessible file to be used in emergency situations e.g., notification of next of kin.
- d. TfaC UK operates a clear desk policy at all times. This includes staff working remotely.
- e. No data will be stored for longer than is necessary. For guidelines on retention periods for data see TfaC UK's Data Management Schedule.
- f. Personal data will be disposed of in an appropriate and secure method.
- g. In accordance with the DPA 2018, we offer data subjects the 'right to be forgotten'- if a request is received from an organization or individual to delete/anonymise/destroy their personal data we hold, we will request that all staff holding paper or electronic details for the individual/organisation delete/anonymise/destroy them. This does not apply if we are legally required to store the information (e.g., certain HR records and data for financial processing purposes). This procedure applies if TfaC UK is informed that an organisation ceases to exist.
- h. TfaC UK takes reasonable steps to keep personal data up-to-date and accurate.

Access

- a. Only relevant staff, volunteers and trustees involved in the delivery of the service will normally have access to personal data.
- b. All staff, volunteers and trustees are made aware of TfaC UK's Data Protection Policy and their obligation not to disclose personal data to anyone who is not supposed to have it.
- c. In accordance with DPA 2018, all data subjects whose personal data we hold have the right to request a copy of that data, information on how it is used and whether it has been shared externally (unless in breach of safeguarding or other legal requirements). They also have the right to request rectification of inaccurate data, or request limitation to how we process personal data in certain circumstances (<https://ico.org.uk/your-data-matters/your-right-to-limit-how-organisations-use-your-data>)
- d. Requests to access personal data should be directed to the Executive Director.
- e. Requests will be acknowledged promptly and the information shared within one calendar month, at the latest.

External Data Sharing and Confidentiality

- a. We will only share information about a person with external organisations in the following circumstances:
 - We have been given individual consent by the person to do so
 - Where a crime (such as an assault), has been or could be committed
 - Where other adults are at risk/children are at risk
 - Where there is an allegation against an adult at risk
 - Where there is a legal duty under other legislation
 - Tax purposes i.e., Gift Aid processing
- b. TfaC UK keeps a log within individual safeguarding and concerns records if information is shared externally detailing who it was shared with and why.
- c. TfaC UK keeps a log of all donations where personal data has been submitted to HMRC for Gift Aid processing purposes, as well as a copy of the data spreadsheet submitted to HMRC on Dropbox.
- d. TfaC UK's Data Protection Policy should be read and implemented alongside its Safeguarding Policy.
- e. Under no circumstances would we sell or swap data with third parties for marketing or any other purposes.
- f. When transferring personal data off-site, all staff will take precautions to ensure its safety and only transfer as necessary, with permissions if required.

Disclosure and Barring Service Checks

- a. TfaC UK will act in accordance with the DBS Code of Practice.
- b. Copies of disclosures are kept for no longer than is required. In most cases this is no longer than six months in accordance with the DBS Code of Practice. There may be circumstances where it is deemed appropriate to exceed this limit e.g., in the case of disputes.

4. Information Security Procedures

To ensure data is stored and shared securely TfaC UK uses the following information security measures.

Risk Assessment

- a. Risks to data protection and appropriate information security are assessed annually at a minimum as part of TfaC UK's organisational risk register.

Office / store security

- a. Access to TfaC UK's office / storage facility requires a key and ID. This is only currently accessible to the Executive Director.
- b. All data is stored in a locked cupboard in the office.

Password Controls

- a. TfaC UK staff access to secure systems and files is authorised by senior management, with a policy of access only as necessary and determined by the staff member's role.
- b. TfaC UK's freelance staff and partner employees are given access to individual Dropbox folders to ensure information is accessed purely on a need-to-know basis.
- c. Online banking passwords are set up for individual users and are currently limited to the Executive Director and the Finance Director.
- d. TfaC UK's day-to-day administrative passwords are stored on a password-protected file on Dropbox. This file also lists who currently has access rights. Access to this file is only shared with staff who need it for TfaC purposes.
- e. The Executive Director instigates password changes, the use of strong passwords and reviews of staff access on an annual basis, when staff start or leave employment, or sooner as required.

Data Security Breach Procedure

- a. All staff must alert senior management immediately if they suspect a security breach to TfaC UK files or personal data.
- b. If there is a major security breach, TfaC UK senior management or trustees must report it to the Executive Director within 72 hours, and to the Charity Commission.
- c. Following a security breach, senior management and trustees will conduct an investigation into the cause of the breach. A risk assessment must then be conducted to identify whether additional security measures are required and a record logged (within IT records), and whether a public statement/supporter communication is required.

5. Partnership work

- a. TfaC UK considers itself a 'data controller' under the Data Protection Act 2018 and UK GDPR in relation to data processed by its partners. This means TfaC UK can decide what data is collected and why, and ensure access to data should the partnership end. A partner may be a joint data controller if mutually agreed.
- b. TfaC UK will ensure its partners have adequate data protection policies and procedures in place that comply with the rules/principles of the UK GDPR. TfaC will UK keep a copy of these policies on record and will review any changes as required.
- c. TfaC UK will consider how collection, storage and access to data is managed with partners to ensure the rules / principles of UK GDPR data protection regulations are met.

6. Responsibilities and awareness

Responsibilities

- a. The Executive Director is the named Data Protection Officer of TfaC UK.
- b. During the course of their duties with TfaC UK, staff, volunteers and trustees will be dealing with personal data and may be told or overhear sensitive information. All staff, trustees and volunteers must follow TfaC UK's Data Protection Policy.
- c. TfaC UK will regard any unlawful breach of any provision of the Data Protection Act 2018 or UK GDPR by any staff as a serious matter which may result in disciplinary action. Any such breach could also lead to criminal prosecution.
- d. TfaC UK's trustees are responsible for the oversight of TfaC UK's data protection policy and procedures.
- e. Unless otherwise specified within this policy, TfaC's Executive Director is responsible for operational procedures relating to:
 - Internal data records
 - Data records kept for donors, supporters and other members of the public
- f. TfaC's Executive Director and Head of Grants review operational procedures and records held on an annual basis, or earlier as needed
- g. Any questions or concerns about the interpretation or operation of this policy statement should in the first instance be referred to the person's line manager.

Awareness



- a. All staff and trustees are required to read TfaC UK's Data Protection and Safeguarding Policies at the start of their role and as new documents are reviewed or updated. Volunteers are asked to read TfaC UK's Safeguarding Policy as part of their induction process.
- b. All relevant policies and guidance on data protection is shared with staff, volunteers and trustees.
- c. All new staff will be inducted on record management procedures relevant to their role.
- d. Internal training will be provided for staff as identified (e.g., training on TfaC UK's database system).
- e. External and specialist training will be provided for staff as identified.

Signed on behalf of the trustees:

Kay Chaston, Board Chair

This policy was approved by trustees on: 29th October 2021

Due for review on: 1st November 2023