

Data protection

Review Date: _____

Next review due: _____



Scottish Charity No. SC012701

Introduction

- OLD WELL THEATRE needs to process information about employees, organisations and individuals who use our services
- When we process information, we need to keep to the terms of the Data Protection Act 1998. In particular, we need to make sure that we process information in line with eight principles of data protection described in the Act. (The eight principles are listed at the bottom of page 2.)
- The Data Protection Act sets limits on the way we collect, store and use information. The Act controls how:
 - We file information
 - how we access information
 - how we pass information on to other organisations and individuals; and
 - how and when we destroy information we are storing.
- The Act says that people have a right to access any information that we hold about them. This includes employees, OLD WELL THEATRE members and people who use our services. The Act says that we have to respond to requests for access to information within 40 calendar days
- The Act says that organisations that process information need to register with the Information Commissioner's Office. There are exceptions to this rule for some not-for-profit organisations. Under these exceptions, OLD WELL THEATRE does not have to register with the Information Commissioner
- The OLD WELL THEATRE information and communication worker will deal with day-to-day data protection issues. The OLD WELL THEATRE Trustee Board has overall responsibility for ensuring that OLD WELL THEATRE works in line with the Data Protection Act
- The OLD WELL THEATRE Trustee Board, OLD WELL THEATRE staff and any others who process personal information on behalf of OLD WELL THEATRE must comply with the principles of the Act.

OLD WELL THEATRE's responsibilities

- OLD WELL THEATRE wants to protect the right of individuals to privacy
- We will respect the privacy of individuals when processing personal information

- We will take appropriate measures to make sure that the data we hold is stored securely
- The OLD WELL THEATRE Trustee Board has overall responsibility for making sure that OLD WELL THEATRE meets the terms of the Data Protection Act
- OLD WELL THEATRE management staff have a responsibility to make sure that staff process information in line with the terms of the Act.

Staff responsibilities

- Staff are responsible for the security of the information they process
- Staff must not pass on information to anyone who is not entitled to it
- Staff should make sure that any information they give to OLD WELL THEATRE about their employment is accurate and up to date.

Right of access

- OLD WELL THEATRE employees, members, and people who use our services have the right to access personal information OLD WELL THEATRE holds about them, whether in electronic or paper form
- People who want to access information held about them should contact the OLD WELL THEATRE information and communication worker
- More information about individuals' right of access is available in Appendix 2

The eight principles of data protection

The Data Protection Act states that anyone who processes personal information must comply with eight principles. These state that information must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with individuals' rights
- Secure
- Not transferred to other countries without adequate protection

Appendix 1

Being open about how we will use information that individuals/organisations give us

The Data Protection Act says that we need to explain to people how we will use the personal information they give us. OLD WELL THEATRE also desires to be clear about how we will use organisational information which is supplied.

The following statement is a general explanation of how OLD WELL THEATRE will use information. This statement should be included on all forms, surveys, questionnaires and other documents where we ask for personal information.

If we are collecting information for a purpose that isn't included in this statement, we should amend the statement to make our full purpose clear.

How we use the information you give us

Information you give OLD WELL THEATRE will be used by us and our agents to tell you about OLD WELL THEATRE services, and to give you information on issues relevant to this voluntary sector. OLD WELL THEATRE will communicate with you by telephone, letter, email, or in any other reasonable way. You can ask for a copy of the information we hold about you. If you do not want to receive letters, emails and telephone calls from us in the future, please tell us in writing.

Your name and the contact details you give us will be added to the members list. This directory is NOT accessible to the public or to other third parties.

Appendix 2

Dealing with disclosure

The Data Protection Act gives people rights to access personal information that organisations hold about them. This guidance explains what rights people have, and what are responsibilities are.

People have the right to know if we process (collect, store and use) their personal information.

People can ask us to tell them:

- What kinds of personal information we process
- How we use personal information
- Who we pass personal information on to, and in what circumstances

People can also ask for a copy of the information records we hold about them, and for us to explain where we got our information from.

If people want to get a copy of the information records we hold about them, they need to ask us in writing. We have to respond to written requests within 40 days.

An individual only has the right to see personal information we hold about them personally – no one can ask to see another person's information. If someone asks for a copy of their information record we need to check that they are the person the record is about.

In some situations, by giving out information about one person, we may also give out information that makes other people personally identifiable. For example, our training records might show the names of everyone who attended a training course on a particular date. The Data Protection Act (Section 7, sub-sections 4-7) has special rules to say what should happen in these situations and we need to work in line with these rules.

People can also ask in writing to be removed from our records, or to say how and when we can use the information we hold about them. For example, someone might choose not to receive emails from us, but might still want to receive the OLD WELL THEATRE newsletter. We need to deal with requests like this within 21 days.

In general, all requests relating to the use, storing or deleting of records should be made in writing to the OLD WELL THEATRE Trust.

Appendix 3

Passing on information

Information you give OLD WELL THEATRE will be used by us and our agents to tell you about OLD WELL THEATRE and to give you information on issues relevant. OLD WELL THEATRE will communicate with you by telephone, letter, email, or in any other reasonable way. You can ask for a copy of the information we hold about you. If you do not want to receive letters, emails and telephone calls from us in the future, please tell us in writing.

Your name and the contact details you give us will be added to a directory of members. This directory is NOT accessible to the public, or to other voluntary organisations.

General guidelines:

- OLD WELL THEATRE may use your contact information to carry out a particular task (for example, asking volunteers to contact people on our database) to ensure you receive information from the OLD WELL THEATRE.
- Information listed on the member list is already considered to be available to members. Contact details listed may be passed on individually, but not collectively to another member.
- OLD WELL THEATRE may not pass on detailed information about members of the OLD WELL THEATRE or an individuals' use of the OLD WELL THEATRE services to a third party, without permission from that individual.

Appendix 4

Security

Personal information relating to the involvement of individuals and organisations with OLD WELL THEATRE is stored securely by the OLD WELL THEATRE.

- Access to the database must be limited to current OLD WELL THEATRE staff and agents
- Sensitive personal data must not be stored on the database (sensitive data includes information about an individuals' ethnicity, religion, sexuality or health, for example)

Any personal information relating to the recruitment and employment of OLD WELL THEATRE staff is stored securely in a locked personnel cabinet. This information is considered sensitive.

- Access to the personnel cabinet is limited to management staff
- Before disposal, sensitive personnel documents are shredded