



The Maple Tree

Data Protection Policy

Date of policy: 24 January 2019

Date of review: 24 January 2021

1. Introduction

- 1.1 The Maple Tree trustees recognise the importance of protecting people's privacy. This policy sets out how and why we collect data, how we store and use data and what we do to delete personal information.
- 1.2 It sets out how we comply with the requirements of the Data Protection Act 1998, the Freedom of Information Act 2000, the guidance published by the Information Commissioner's Office and the General Data Protection Regulation 2018 (GDPR).

2. Definitions

- 2.1 **Personal data** are information about a person that is identifiable as being about them. They can be stored electronically or on paper and includes written information, images and audio/visual recordings.
- 2.2 **Data protection** is about how we ensure that we protect the rights and privacy of individuals and comply with the law when collecting, storing, using, amending, sharing or deleting personal information.

3. Responsibilities

- 3.1 As a non-profit making organisation that does not process personal data on a large-scale, we are not required to appoint a data protection officer or pay a fee to the information commissioner's office.
- 3.2 All trustees, staff and volunteers are responsible for observing this policy, and related procedures, in all areas of their work for the centre.
- 3.3 Overall and final responsibility lies with the trustees who are responsible for overseeing data protection procedures and ensuring the policy is upheld.
- 3.4 Day-to-day oversight of procedures lies with the staff member with responsibility for data protection, currently Melanie Kinghan.

4. Principles

- 4.1 The Maple Tree Centre needs to keep personal data about its trustees, staff members, volunteers, supporters and users of the centre in order to carry out its functions.

- 4.2 We will collect, store, use, amend, share, destroy or delete personal data only in ways which protect people's privacy and comply with the General Data Protection Regulation (GDPR) and other relevant legislation.
- 4.3 We will only collect, store and use the minimum amount of data that we need for clear purposes, and will not collect, store or use data we do not need.
- 4.4 We will only collect, store and use data for:
- purposes for which the individual has given explicit consent, or
 - purposes that are in our group's legitimate interests, or
 - contracts with the individual whose data it is, or
 - to comply with legal obligations, or
 - to protect someone's life, or
 - to perform public tasks.
- 4.5 We will provide individuals with details of the data we have about them when requested by the relevant individual unless the law says we may withhold it.
- 4.6 We obtain positive explicit consent to hold personal data other than that we need to fulfil our legal obligations. We do not infer consent from silence or inactivity. We understand that individuals may withdraw consent at any time.
- 4.7 Where a child is under the age of 16 we seek the consent of parents prior to the processing of their data, except where the processing is related to preventative services offered directly to a child.
- 4.8 We will supply a privacy notice to individuals setting out why we collect data, how we process their personal data, how and when we delete data, how they can make a subject access request to view their data and their right to withdraw consent at any time.
- 4.9 We will endeavour to keep personal data up-to-date and accurate. We understand that individuals are entitled to have any inaccurate or incomplete personal data rectified.
- 4.10 We will store personal data securely.
- 4.11 We will keep clear records of the purposes of collecting and holding specific data, to ensure it is only used for these purposes.

- 4.12 We will not share personal data with third parties without the explicit consent of the relevant individual, unless legally required to do so.
- 4.13 We will delete personal information if requested by the relevant individual, unless we need to keep it for legal reasons. We understand that individuals have the right to erasure where the information is no longer necessary in relation to the purpose for which it was originally collected/processed; where the individual withdraws their consent; where the individual objects to the processing and there is no overriding legitimate ^(L)_(SEP) interest for continuing the processing; or where the information was unlawfully processed.
- 4.14 We will endeavour not to have data breaches. In the event of a data breach, we will endeavour to rectify the breach by getting any lost or shared data back. We will evaluate our processes and understand how to avoid it happening again. Serious data breaches which may risk someone's personal rights or freedoms will be reported to the Information Commissioner's Office within 72 hours, and to the individual concerned.

5. Data protection procedures

- 5.1 To uphold this policy, we will maintain a set of data protection procedures for our trustees, staff and volunteers to follow.

6. Review

- 6.1 This policy will be reviewed at least once every two years, or more frequently when needed.

Date

Signature (Chair of Trustees)



The Maple Tree

Data Protection Procedures

Date of procedures: 24 January 2019

Date of review: 24 January 2021

1. Introduction

- 1.1 The Maple Tree has a data protection policy that is reviewed regularly (at least once every two years and more often if required). In order to help us uphold the policy, we have created the following procedures that outline ways in which we collect, store, use, amend, share, destroy and delete personal data.
- 1.2 These procedures cover the main, regular ways we collect and use personal data. We may from time to time collect and use data in ways not covered here. In these cases we will ensure our Data Protection Policy is upheld.

2. General procedures

- 2.1 Data will be stored securely. When it is stored electronically, it will be kept in password-protected files according to our agreed file hierarchy. When it is stored online in a third party website (e.g. Google Drive) we will ensure the third party comply with the GDPR. When it is stored on paper it will be filed in a locked filing cabinet.
- 2.2 When we no longer need data, or when someone has asked for their data to be deleted and we can lawfully do so, they will be deleted securely. We will ensure that data are permanently deleted from computers, and that paper data are shredded.
- 2.3 We will keep records of consent given for us to collect, use and store data where required. These records will be stored securely.
- 2.4 We will tell individuals why we collect, store, use, amend, share, destroy and delete personal data in a privacy notice.
- 2.5 We will respond to any subject access request by individuals to have a copy of their data within one month. Where an individual requests data are amended or destroyed and we can lawfully do so, we will do this within one month of receiving the request.
- 2.6 Our staff member with responsibility for data protection is responsible for overseeing the storage of consents and data, managing any data requests and overseeing deletion or destruction of data at agreed time limits.

3. Registration

- 3.1 We will ask all users to register with us by completing a registration form. This includes contact details for adult users, names and dates

of birth of children attending, any allergies, special educational needs or medical conditions we need to be aware of and who has parental responsibility for the child.

- 3.2 We will use this information to provide services aimed at meeting the needs of families and to monitor attendance to help us evidence effective use of our funding and apply for future funding.
- 3.3 Where necessary, we will use this information to protect children and vulnerable adults in line with our Safeguarding Policy.
- 3.4 People will be removed from the register when they have not attended a session for a period of 12 months.
- 3.5 When people join the register, we will provide a privacy notice which explains why we have their information, what we are using it for, how long we will keep it, and that they can ask to have it deleted or amended at any time by contacting us.

4. Mailing list

- 4.1 We will maintain a mailing list, held electronically. This will include the names and contact details of people who have consented to receive publicity and fundraising appeals from the Maple Tree Centre.
- 4.2 When people sign up to the list we will explain how their details will be used, how they will be stored, and that they may ask to be removed from the list at any time. We will ask them to give separate consent to receive publicity and fundraising messages, and will only send them messages that they have expressly consented to receive.
- 4.3 We will not use the mailing list in any way that the individuals on it have not explicitly consented to.
- 4.4 We will provide information about how to be removed from the list with every mailing.

5. Photographs and video recordings

- 5.1 We occasionally take photographs or video recordings of our sessions and events for fund raising and publicity purposes. We seek active consent from adults and the parents of children to do this. We do not take photographs of anyone for whom we do not hold that consent.

- 5.2 When using photographs and videos to publicise our services or to help us obtain funding we use those taken explicitly for that purpose. We hold photographs or recordings on file for up to 12 months for this purpose. Where photographs are already in use, for example on the website, we keep these in use until the relevant publicity is updated.
- 5.3 From time to time we may use photographs or video recordings as part of specialist sessions to demonstrate particular attributes, learning or behaviours. We always seek consent before doing so.

6. Supporting individuals

- 6.1 From time to time, families may need help not provided by the centre, for example with housing, debt or to secure additional support for their children.
- 6.2 Where families ask for our support, we will request explicit, signed consent before sharing any personal details any other relevant third party.
- 6.3 We will not keep information relating to an individual's personal situation for any longer than is necessary for the purpose of providing them with the support they have requested.
- 6.4 Details relating to individual's circumstances will be treated as strictly confidential. Personal data relating to such support issues will be stored securely by the centre coordinator and not shared with the trustees, other staff or volunteers unless necessary for the purpose of providing the support requested.

7. Staff members

- 7.1 We have an open process for recruiting staff. This includes collecting only the personal information we need from applicants to make an appointment and information we need for the person we go on to appoint.
- 7.2 We delete or destroy all information relating to applicants once the appointment is made and we have no business interest to keep it.
- 7.3 We carry out checks with the Disclosure and Barring Service (DBS) on all individuals who work directly with children and families using a third party organisation (currently MIND). All data provided by the DBS will be handled in line with data protection legislation as well as guidelines provided by MIND and the DBS. Data provided by the DBS will never be duplicated. We

maintain a central list of all DBS checks but we do not hold any information on the checks within the centre beyond the decision making period. Please see our DBS procedures for more information.

- 7.4 We keep personal data relating to staff members in order to carry out our employment functions and fulfill our legal responsibilities, for example to the Inland Revenue.
- 7.5 Staff are invited to see and check their record periodically to make sure information we hold is accurate and up to date. Any sensitive information is kept securely and only accessed by line managers or others who need to know.
- 7.6 We destroy or delete employment records once we no longer have a business need or legal requirement to keep it.

8. Volunteers

- 8.1 Local people volunteer to help the Maple Tree in a number of ways.
- 8.2 We will maintain a list of contact details of our recent volunteers. We will share volunteering opportunities and requests for help with the people on this list.
- 8.3 People will be removed from the list if they have not volunteered for the centre for 12 months unless they continue to have an on-going relationship with the centre.
- 8.4 When contacting people on this list, we will provide a privacy notice which explains why we have their information, what we are using it for, how long we will keep it, and that they can ask to have it deleted or amended at any time by contacting us.
- 8.5 To allow volunteers to work together to organise for the group, it is sometimes necessary to share volunteer contact details with other volunteers. We will only do this with explicit consent.
- 8.6 We carry out a check with the Disclosure and Barring Service (DBS) on all volunteers who work directly with children. The Centre Coordinator views the check and makes a decision on suitability. Information from the check is not kept on file. We maintain a central list including the name of the person checked, the number of the DBS check, the date it was made and the decision maker.

9. Trustees

- 9.1 The trustees need to be in contact with one another in order to run the organisation effectively and ensure its legal obligations are met. The centre coordinator and other employed staff may also need to contact trustees to carry out Maple Tree business.
- 9.2 Trustee contact details will be shared with other trustees and the employed staff.
- 9.3 Trustees sign an agreement not to share each other's personal contact details with anyone outside of the committee, or use them for anything other than Maple Tree business, without explicit consent.
- 9.4 We allocate an official email address for trustees to use for external business or where trustees do not wish their personal contact details to be used.
- 9.5 We carry out a check with the Disclosure and Barring Service (DBS) on all trustees. The Chair of Trustees views each check except that of the chair and makes a decision on suitability. Where the check is on the chair the trustee responsible for staffing makes the decision. Information from the check is not kept on file. We maintain a central list including the name of the person checked, the number of the DBS check, the date it was made and the decision maker.

10. Review

- 10.1 These procedures will be reviewed every two years, unless there is a need to review them more frequently.

Date:

Signature: (Chair of Trustees)

