

Data Protection Policy: Damask Community Outreach Limited

CHECKLIST FOR THE BOARD OF DIRECTORS

Our Data Protection Policy implies a number of actions have been, or need to be, undertaken. These are:

- We know who our data users are
- Our data users have been trained
- This policy is due to be revised after no more than three years, i.e. May 2021
- The Privacy Notice is printed in the Annual Report and posted publicly in our main buildings and on our website
- We have conducted an information audit; the types of data we request and the ways we process it are included in our Privacy Notice
- We seek and record positive consent for data processing that goes beyond the 'legitimate interests' of the Circuit
- Appropriate digital and physical security measures are in place, and these are recorded in our Privacy Notice
- We have decided upon how long we will retain individuals' data following their last personal contact with the Circuit
- Our contact person for matters of data protection, including subject access requests, is the Chairman of the Board of Directors.

This policy was last updated in May 2018

PRIVACY NOTICE

Data Protection Principles

Damask Community Outreach Limited complies with the General Data Protection Regulation (GDPR) as implemented in May 2018. We aim to ensure that, when processing information belonging to individuals, we will use that data **lawfully, fairly and transparently; for limited purposes, and; we will request only the data that is relevant and necessary**. We will endeavour to ensure such data is **accurate; not kept forever, and; kept secure and confidential**. Training in data protection is recommended for all our staff and volunteers who store and/or use people's information. We will post this Privacy Notice in our buildings, official publications and on our website. We will review this policy every three years.

Your Rights

You have data protection rights that you can exercise over the information you give us. These rights include: **to be informed** how your data is being used; **to have access** to the information we hold about you; **to have inaccuracies corrected; to have your information erased; to object to or restrict** the ways we process your information; **to not be subject to decisions made by automated processing including profiling**, and; **data portability** (to receive your digital information in a useful format). There may be some legal restrictions on these rights, which we will explain as appropriate. If you feel your rights haven't been upheld please contact us.

Our Contact Details

If you need to get in touch with us please contact:

The Chairman of the Board
25 Mount Royal, Lisburn BT27 5BF
Phone:028 9266 2303

E-mail: chair@damasklisburn.org

Your Data

We may record and process some or all of the following personal information about you:

- contact details (address, phone numbers, e-mail address)
- a narrative of your case
- health and medication
- copies of forms you filled out in relation to claims you have made

We use this data so that we might:

- process your claim
- address your queries or problems
- keep you informed about developments at Damask Community Outreach Limited, e.g. by sending you occasional notices by post, e-mail or text message.

Legal Bases for Processing

Our legal bases for processing your data are usually 'legitimate interests' (for activities related to the everyday functioning of Damask Community Outreach Limited [GDPR Article 6.1(f)] and 'consent' (for everything else) [Article 6.1(a)]. In a small number of instances we rely on 'contract' (for example, if we are your employer) and 'legal obligation' (for example, in relation to safeguarding issues).

When using 'legitimate interests' as the legal basis for using the information you have given us we will ensure it is for a **genuine** purpose, **necessary** for the smooth running of our services, and **not invasive** to your privacy. For all other purposes we will ask for your positive consent before processing your details.

We are able to process 'special categories of personal data' (such as your health or other personal details) in the course of our legitimate activities because we are a not-for-profit body and you are a person with whom we have regular contact [Article 9.2(d)].

Sharing Your Data

Only people appointed to specific roles within our services (for example, Chairperson, Advice workers, and administration staff can access your details, and what they can see is limited to what they need in order to carry out their role. If you donate money to us using the UK Gift Aid scheme we will send details of those gifts to HMRC.

We will not share your information with any other third parties without your permission unless we have a legal obligation to do so. However, we may need to share your details with AdviceNI, Department for Communities Benefits Agencies or HMRC as follows:

- to comply with our Safeguarding policy when you volunteer with children and vulnerable adults.
- to process Gift Aid tax refunds through the Gift Aid Scheme.
- in order to process your case or claim

Security and Retention

- To prevent unauthorised disclosure of your information, our paper-based records are kept in a locked cabinet when not in use. Electronic and portable memory devices are protected by passwords or equivalent security measures. Membership software and digital documents containing personal data are either encrypted or password-protected.
- Other than our permanent records (like information pertinent to you personally) or details that need to be kept for legal compliance (such as Safeguarding notes or Gift Aid declarations), we will remove your information from our systems no less than six years after your last personal contact with us (or after you turn eighteen years old if you are a minor).
- One-off consent forms will be destroyed/erased one year after their use.

Subject Access Request

You have the right to ensure our use of your data is lawful, and that the data we hold is accurate. If you would like to access the data we process about you, please write to us at:

Chairperson

35 Mount Royal, Lisburn BT27 5BF

or e-mail: chair@damasklisburn.org

In order to locate the information you are requesting and to ensure proof of your identity, please send us:

- | |
|--|
| <ul style="list-style-type: none">• Your name (including any names by which you used to be known)• Address (incl postcode), e-mail address(es), telephone number(s)• Two pieces of identification that between them clearly show your name, date of birth and current address (eg passport, photocard driving license, birth certificate, recent bank statement/utility bill) |
|--|

In response, and within one month at the latest, we will send to you:

- The personal data we hold on record for you
- The types of processing we do with your data

- The people/groups with whom your data will have been shared (or will be in the future)
- Our intentions regarding how long we might store your data
- OR our reasons for *not* providing your data

We will not charge for this service unless you make multiple requests within a short space of time.

Further Information

You can learn about Data Protection principles, your rights, and more – including making a complaint about our handling of your data – from the Information Commissioner’s Office (ICO) in Northern Ireland [visit www.ico.org.uk, call 0303 123 1113 or write to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF]

GUIDELINES FOR DATA USERS

Am I a Data User?

Everyone who gathers, stores or uses personal information in the course of the work of the Circuit is considered to be a 'data user'. If you are a data user it is your responsibility to help Damask Community Outreach Limited comply with the GDPR by implementing this Data Protection Policy. You commit to not only keeping people's information safe and secure but you will also help them to use their rights and protect Damask Community Outreach Limited from the reputational damage (and potentially, fines) that could be caused by a data protection breach. If you have not yet completed data protection training, please speak with the Chairperson of Damask Community Outreach Limited.

What Do I Need to Understand?

If any of the following terms and concepts are unfamiliar to you, it's a sign that you need some training!

- Data protection language – 'controller', 'processor', 'process', 'personal', 'data', 'special categories of data', 'subject', 'children's data', 'legal basis', 'legitimate interest', 'consent'
- Principles of data protection
- Privacy rights of data subjects
- Procedures for:
 - Subject Access Requests
 - Breach Notifications
- Using Privacy Notices and Consent

We want to treat individuals with integrity, so they ought not to be surprised by *how* you have their information, nor by the *way* you use it or *who* else might have access to it. Thank you for the work you do!

SUBJECT ACCESS POLICY

As a Data Controller, Damask Community Outreach Limited must respect the privacy rights of individuals. These include the right to access, free of charge, the data you hold about them in order to verify the lawfulness of your processing; and then to have that data rectified or erased, or to object to or opt out of the types of processing you carry out.

The supply of such data should take place no longer than one month from the time of the request (ideally much more quickly), and in a format that is easily readable (whether physical or digital) by the individual. The individual can also request disclosure orally (for example on the telephone) but you must be confident of their identity and can request proof if you are unsure.

There are some occasions when requests may be denied, listed here:

- When disclosing the subject's data could adversely affect the rights or freedoms of others
- When the identity of the data subject cannot be adequately verified
- When the enquirer is seeking data belonging to another person (other than their own children under the age of 18)

When you receive a 'subject access request' (which doesn't have to be described as such, it could just be a question such as, "what information do you hold about me, and what do you do with it?") you must respond within a month by sending in writing:

- The personal data you hold on record for them
- The types of processing you do with their data
- The people/groups with whom their data will have been shared (or will be in the future) – for instance if their details have been passed to AdviceNI or HSCT.
- Your intentions regarding how long you might store their data (see 'Security and Retention' in your Data Protection Policy)

You should also make the individual aware of their rights to:

- Request rectification or erasure of their data, or the restriction or cessation of processing of the same (but not including their removal from historical records such as baptism registers etc)
- Make a complaint to the Company Secretary...

BREACH NOTIFICATION POLICY

Damask Community Outreach Limited Board of Directors is committed to complying with data protection legislation and will take appropriate technical and organisational measures to guard against unauthorised or unlawful processing and against accidental loss or destruction of or damage to personal data. However, if a data security breach occurs, it is important to manage and respond to it effectively. A data security breach covers more than the simple misappropriation of data and may occur through incidents such as:

- Loss or theft of data or equipment
- People gaining inappropriate access
- A deliberate attack on systems
- Equipment failure
- Human error
- Catastrophic events (for example, fire or flood)
- Malicious acts such as hacking, viruses or deception

Immediate Action

If such an incident occurs it is imperative that we act **immediately**. The following steps should be taken:

1. Inform the appointed person on 028 9266 2303. This action must be taken **immediately, by telephone**;
2. An initial investigation will be undertaken to determine:
 - a. The nature and cause of the breach;
 - b. The extent and nature of harm that has or could arise from the breach; and
 - c. Any remedial action that can prevent any or further harm.

If there is no risk of harm then no further action is required (for example if papers are temporarily lost due to being incorrectly filed but are then promptly found and no disclosure has occurred or harm likely to occur).

If there is considered to be a risk of harm then:

1. The Information Commissioner must be informed *within 72 hours of the discovery*. If we do not have all of the information by then a report should be made within the 72 hours on the basis of what is known while investigations continue: see page 4 for contact details.
2. If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, we must also inform those individuals without undue delay.
3. If necessary a number of third parties will be informed which may include:
 - a. Insurance Company;
 - b. The police;
 - c. The Company's solicitors.
4. Following notification we will continue to liaise and cooperate with Information Commissioner's Office.
5. All reasonable steps to mitigate the damage arising from the breach will be taken.

Follow-up

A record of all data protection breaches will be maintained regardless of whether or not notification is required. Detailed records of the investigation should be maintained as well. Following a breach if necessary it must be considered whether any of the below is required:

- Disciplinary action;
- Legal action;
- Internal review of security procedures.

A number of pro forma documents have been prepared which may be of use. Please note that, where possible, legal advice should always be sought in the case of a data breach prior to sending these correspondences.

Appendix A contains a template letter which can be sent to a data subject on discovery of a data breach which is likely to result in a high risk of harm.

Appendix B contains a template letter informing the Information Commissioner's Office upon a data breach for which there is a risk of harm.



Breach Notification – Appendix A – Letter to Data Subject

Chairperson
35 Mount Royal,
Lisburn
BT27 5BF

DATE

Reference: PERSONAL DATA BREACH NOTIFICATION

Dear **Name**,

We are sorry to inform you of a breach of security that has resulted in the **[loss OR unauthorised disclosure OR destruction OR corruption]** of your personal data. The breach was discovered on **DATE** and is likely to have taken place on **DATE**.

As a result of our investigation of the breach, we have concluded that the breach affects the following types of information: **[TYPES OF INFORMATION. FOR EXAMPLE, FINANCIAL, SENSITIVE PERSONAL DATA]**. The information has been **[accidentally or unlawfully destroyed OR lost OR altered OR disclosed without authorisation OR accessed by [[Name or Description of Organisation] OR an unauthorised person]]**.

The breach occurred under the following circumstances and for the following reasons:

[CIRCUMSTANCES].

[REASONS].

We have taken the following steps to mitigate any adverse effects of the breach:

[MEASURES].

We recommend that you take the following measures to mitigate possible adverse effects of the breach:

[MEASURES].

[We informed the Information Commissioner's Office/Data Protection Commissioner's Office of the breach on [DATE]].

You can obtain more information about the breach from us at:

The Chairman of the Board

Address: 25 Mount Royal, Lisburn

Phone: 028 9266 2303

We apologise for any inconvenience this breach may cause you.

Yours sincerely,

[NAME OF SENDER – printed under signature]

For and on behalf of Damask Community Outreach Limited



Breach Notification – Appendix B – Letter to Information Commissioner’s Office

Chairperson
35 Mount Royal,
Lisburn
BT27 5BF

DATE

Reference: PERSONAL DATA BREACH NOTIFICATION

Dear Sir/Madam,

I am writing to notify you of a breach of security that resulted in the [loss OR unauthorised disclosure OR corruption OR destruction] of personal data. We consider this to be a serious data security breach.

[We have investigated the breach by [DETAILS OF HOW THE BREACH WAS INVESTIGATED] and provide you with the following information.]

[We are in the process of investigating the breach and we anticipate completing our investigation by [DATE], when we will provide you with the further information required. We can provide you with the following details at this stage [PROVIDE ALL THAT IS KNOWN].]

Damask Community Outreach Limited is the data controller in respect of the data breach.

The breach was discovered on **DATE** and is likely to have taken place on **DATE**.

The information has been [accidentally or unlawfully destroyed OR lost OR altered OR disclosed without authorisation OR accessed by [[Name or Description of Organisation] OR an unauthorised person]].

The breach occurred under the following circumstances and for the following reasons:

[CIRCUMSTANCES].

[REASONS].

We had the following measures in place to prevent an incident of this nature occurring:

[MEASURES].

We enclose our Data Protection Policy, which was implemented on **DATE**.

The breach affects the following types of information:

[TYPES OF INFORMATION, FOR EXAMPLE, FINANCIAL OR SENSITIVE PERSONAL DATA AND DETAILS OF THE EXTENT].

It is likely that the breach affects around **NUMBER** data subjects.

[We have [not] informed the individuals affected by the breach because [REASONS FOR DECISION] OR The individuals are [aware OR unaware] that the incident has occurred].

The breach may have the following consequences and adverse effects on the affected data subjects:

[CONSEQUENCES].

[ADVERSE EFFECTS].

We have **[received [NUMBER] of complaints OR not received any complaints]** from the affected individuals.

We **[have taken OR propose to take]** the following measures to address the breach and to minimise and mitigate its effects on the affected individuals:

[MEASURES].

The information has **[not]** been recovered **[and the details are as follows:**

[DETAILS OF HOW AND WHEN IT WAS RECOVERED]].

We have also taken the following steps to prevent future occurrences of the breach:

[REMEDIAL ACTION TAKEN].

The facts surrounding the breach, the effects of that breach and the remedial action taken have been recorded in a data breach inventory maintained by the Circuit Executive.

We provide staff/volunteers/leaders with training on the requirements of data protection legislation. We confirm that training on the requirements under the data protection legislation is mandatory for all staff/volunteers/leaders **[and that the people involved in this incident received training on [DATE]].**

We have **[not]** informed the police about this data breach **[and the details are as follows: [DETAILS AND NAME OF POLICE FORCE].**

There has **[not]** been **[any]** media coverage **[and the details are as follows: [DETAILS OF MEDIA COVERAGE].**

In addition, we consider that the following information would be of interest to you: [DETAILS].

If you require any further information about the breach, please contact:

Circuit Name, Circuit Superintendent/Appointed Person, Address, E-mail address, Phone number.

Yours faithfully,

[NAME OF SENDER – printed under signature]

For and on behalf of Damask Community Outreach Limited



SAMPLE CONSENT FORM

Damask Community Outreach Limited

Personal Information Consent Form

Your privacy is important to us but we do need to hold your personal details and case notes in order to provide our service. This is done in a way to comply with UK/EU law on data protection.

Please fill in the contact details you would like us to use to communicate with you:

Name: _____

Address: _____

Postcode: _____

Telephone: _____

Mobile phone: _____

E-mail address: _____

If more than one adult is part of your home, please also include their details above AND SIGNATURE below.

By signing this form you are confirming that you understand and consent to Damask Community Outreach Limited holding your personal data for the sole purposes of processing and supporting your claim.

Signature(s): _____

Date: _____

You can find out more about how we use your data from our "Privacy Notice", which is available from our website and is posted on our noticeboard in the foyer. You can withdraw or change your consent at any time by contacting the Superintendent Minister at [address] or [e-mail address]. Please note that all processing of your personal data will cease once you have withdrawn consent, other than where this is required by law, but this will not affect any personal data that has already been processed prior to this point. It is your responsibility to keep your information accurate – please let us know when any details change.

SAMPLE PRIVACY NOTICES

Damask Community Outreach Limited uses the following Data Protection Phrases:



(Image: Tim Turner, 2040training.co.uk)

Data Storage:

Damask Community Outreach Limited will only store data (your name, address and contact details) and where necessary copies of forms you have filled out for the sole purposes of making a claim. You can ask for your data to be deleted from our files by contacting Rev Mervyn G Ewing (Chairperson Damask Community Outreach Limited at chair@damasklisburn.org)