



# SANGAM

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# Data Protection Policy

## SANGAM ASSOCIATION OF ASIAN WOMEN

|              |                           |
|--------------|---------------------------|
| Last updated | 24 <sup>th</sup> May 2018 |
|--------------|---------------------------|

## Definitions

|                            |   |
|----------------------------|---|
| <b>Charity</b>             | means Sangam Association of Asian Women, a registered charity.        |
| <b>GDPR</b>                | means General Data Protection Regulation.                             |
| <b>Responsible Person</b>  | means Sudha Sanghani, President of Sangam Association of Asian Women. |
| <b>Register of Systems</b> | means Advice Pro Case Management System, including manual case files. |

### 1. Data protection principles

The Charity is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to



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safeguard the rights and freedoms of individuals; and

- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

## 2.

All Charity staff and volunteers who process or use any Personal Information must ensure that they follow these principles at all times. In order to ensure that this happens, the Charity have adopted this data protection policy.

## 3.

Any member of staff, trustee or volunteer, who considers that this policy has not been followed in respect of personal data about him/her, should raise the matter with the Designated Data Controller initially. If the matter is not resolved, it should be raised as a formal grievance.

## 4. General provisions

- a. This policy applies to all personal data processed by the Charity.
- b. The Responsible Person shall take responsibility for the Charity’s ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The Charity shall register with the Information Commissioner’s Office as an organisation that processes personal data.
- e. Sangam Association of Asian Women as Charity e.g. Ltd company or incorporated company is the Data Controller under the GDPR and the organisation is therefore ultimately responsible for implementation. However, Designated Data Controllers will deal with day to day matters.
- f. The Charity has one Designated Data Controller who is;  
Director in charge of staff/president for trustees.

## 5. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, the Charity shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the charity shall be dealt with in a timely manner.
- d. Personal information is defined as any details relating to living, identifiable individual. Within the Charity this applies to employees, trustees, volunteers, members, clients and other members of the public such as job applicants and visitors. We need to ensure that information relating to all these people is treated correctly and with the appropriate degree of confidentiality.
- e. The Charity holds Personal Information in respect of its employees, trustees, volunteers, members, clients and other members of the public. The information held may include an individual’s name, postal, email and other addresses, telephone and facsimile numbers, subscription details, organisational roles and membership status.
- f. Personal Information is kept in order to enable the Charity to understand the history and activities of individuals or organisation within the voluntary and community sector and to effectively



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deliver services to its members and clients.

- g. All staff and volunteers who process or use any Personal Information are responsible for ensuring that:
  - Any Personal Information which they hold is kept securely; and
  - Personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party.
- h. Staff and volunteers should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.
- i. Personal information should be:
  - Kept in a locked filing cabinet; or
  - In a locked drawer.

## 6. Lawful purposes

- a. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The Charity shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Charity's systems.
- e. Whenever information is collected about people, they should be informed why the information is being collected, who will be able to access it and to what purposes it will be put. The individual concerned must agree that he or she understands and gives consent for the declared processing to take place, or it must be necessary for the legitimate business of the Charity.

## 7. Data minimisation

- a. The Charity shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- b. If personal information is collected by telephone, callers should be advised what that information will be used for and what their rights are according to the GDPR.
- c. Personal or confidential information should preferably not be discussed in public areas of the Charity work premises or with open-plan office areas. Wherever possible, visitors should be escorted to a private interview room or office and not be permitted wander about the premises on their own. If possible, visitors should subsequently be escorted out of the premises when the meeting is over. All staff should be aware of the difficulties of confidentiality in an open plan area and respect the confidential nature of any information inadvertently overheard. Any notes taken during or after an interview should be of relevance and appropriate. It is recommended that such notes are subsequently filed in a legible and coherent manner and that informal notes are retained for a short period (1 year), in a secure place, before being shredded.



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## 8. Publication and Use of Sangam Information

The Charity aims to make as much information public as legally possible. In particular information about Sangam staff, trustees and members will be used in the following circumstances:

- a. The Charity may obtain, hold, process, use and disclose information, with consent, in connection with the administration, management and business activities of Sangam, including making and keeping lists of members and other relevant organisations.
- b. The Charity may provide approved organisations with lists of names and contact details of members or other relevant organisations only where the members or other relevant organisations have given their consent.
- c. The Charity's internal staff contact list will not be a public document and information such as mobile telephone numbers or home contact details will not be given out, unless prior consent has been secured with the staff member in question.
- d. Any individual who has good reason for wishing details in these lists or categories to remain confidential should contact the designated data controller.

## 9. Processing of special categories of personal data

The Charity is committed to processing special categories of personal data in accordance with its responsibilities under the GDPR.

Article 9 of the GDPR requires that;

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.
2. Paragraph 1 shall not apply if one of the following applies:
  - a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
  - b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
  - c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
  - d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;
  - e) processing relates to personal data which are manifestly made public by the data subject;
  - f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;



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- g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
  - h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
  - i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
  - j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89](#)(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
3. Personal data referred to in paragraph 1 may be processed for the purposes referred to in point (h) of paragraph 2 when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies.
  4. Member States may maintain or introduce further conditions, including limitations, with regard to the processing of genetic data, biometric data or data concerning health.

## 10. Accuracy

- a. The Charity shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.
- c. All staff responsible for checking that any information that they should provide to the Charity in connection with their employment is accurate and up to date. Staff has the right to access any personal data that is being kept about them either on computer or in manual filing systems.
- d. Staff should be aware of and follow this policy and seek further guidance where necessary.
- e. All employees, trustees, volunteers, members, clients and other members of the public have the right to:
  - Know what information the Charity holds and processes about them and why;
  - Know how to gain access to it;
  - Know how to keep it up to date;
  - Know that the Charity is doing to comply with its obligations under the GDPR.
- f. A statement about Data Protection will be displayed clearly within the public spaces within the Charity's premises and on the website.



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## 11. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the Charity shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.
- c. The Charity will keep some forms of information for longer than others. Because of storage problems, information about clients cannot be kept indefinitely, unless there are specific requests to do so. In general, information about clients will be kept for a minimum of 6 years. After they use the services, unless other bodies, such as funders, require the Charity to keep the information longer.
- d. The Charity will also need to retain information about staff. In general, all information will be kept for six years after a member of staff leave the Charity. Some information will be kept for much longer, for example, if required by funders. This will include information necessary in respect of pensions, taxation, potential or current disputes or litigation regarding the employment, and information required for job references. A full list of information with retention times is available from the Designated Data Controller.
- e. Sensitive material should be shredded. Particular care should be taken to delete information from the computer hard drives if a machine is to be disposed of or passed on to another member of staff.

## 12. Security

- a. The Charity shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

## 13. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

## END OF POLICY



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