Southern Golden Retriever Rescue

# Data Protection Policy

**Date: 16.05.18 V3**
**Next Policy Review Date by Trustees:_____May 2019____**

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Contents

## 1. Introduction

This policy is required by law. Southern Golden Retriever Rescue (hereafter called SGRR) will publicise this policy on the SGRR website.

SGRR processes Personal Data (as defined below) in order to enable it to fulfil its obligations under its Trust Deed and to allow it to operate.

This Data Protection Policy ("Policy") regulates the way in which SGRR obtains, uses, holds, transfers and processes Personal Data about individuals and ensures all of the volunteers and trustees know the rules for protecting Personal Data. Further, it describes individuals' rights in relation to their Personal Data processed by SGRR.

SGRR has practices in place in relation to its handling of personal information to ensure that it and its volunteers are acting in accordance with UK laws and regulatory guidance. These practices, together with this Policy, ensure that all volunteers and trustees of SGRR fully understand SGRR's obligation to abide by the data privacy laws and regulations of the UK.

SGRR is committed to complying with data protection legislation at all times and all its volunteers and trustees are required to comply with this Policy. This policy was informed by the Information Commissioners Office guidance (www.ico.gov.uk).

## 2. Policy

This policy relates to all SGRR activities which involve the collection and storage of information about people. This policy will be published on the Web Site.

## 3. Responsibilities

SGRR is the Data Controller for the purposes of the General Data Protection Regulation and therefore the Trustees will have overall responsibility for compliance with the GDPR.

The Trustees have delegated responsibility to the Management Committee for compliance with the GDPR and to adhere to this policy within the day to day activities of SGRR.

The trustees are responsible for:

- working with the administrator to ensure data protection statements are included on forms that are used to collect Personal data.
- acting as a central point of advice on data protection matters
- working with the management committee to arrange appropriate data protection training for volunteers.
- keeping up to date with the latest data protection legislation and guidance.
- ensuring adequate systems are in place for compliance with this policy.

## 4. Definitions

"Personal Data Information" is any information (for example, a person's name) or combination of information about a living person which allows that living person to be identified from that information (for example a first name and an address). Examples of personal data SGRR may use include names of volunteers, email addresses, dates of birth, addresses, medical information, business interests and vetting checks.

"Sensitive Personal Data" is Personal Data about a person's race or ethnicity, their physical or mental health, their sexual preference, their religious beliefs, their political views, trade union membership or information accusing an individual of any crime, or about any criminal prosecution against them, and the decision of the court and any punishment.

## 5. What Activities are regulated by this Policy?

SGRR processes Personal Data of volunteers and trustees, in order to carry out the function of the charity.

When SGRR collects, stores, uses, discloses, updates or erases Personal Data for any of these purposes, this is called "**Processing**".

If you make use of Personal Data (e.g. read, amend, copy, print, delete or send Personal Data to another organisation) this is also a type of Processing and is subject to the guidelines set out in this Policy. We may share Personal Data with any third party service providers, which we appoint in the future to Process Personal Data on behalf of SGRR.

Where collected, Sensitive Personal Data should not be used unless strictly necessary. Extra care must be taken with it (in addition to the normal rules for Personal Data) and it must be kept more securely. Additional restrictions are placed on top of the lawful reasons for Processing Sensitive Personal Data mentioned above. For example, it is difficult to lawfully use such details without the consent of the individual, which has to be explicit, free, voluntary, in writing and obtained prior to processing any Sensitive Personal Data. SGRR does not generally seek to obtain Sensitive Personal Data unless:

i. the individual concerned agrees in writing that we may do so, on the basis of a full understanding of why SGRR is collecting the data
ii. SGRR needs to do so to meet its obligations or exercise its rights under charity law
iii. in exceptional circumstances such as where the Processing is necessary to prevent and/or detect crime or to protect the vital interests of the individual concerned (ie in "life or death" circumstances)

### What are the lawful bases for processing?

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever you process personal data:

**(a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.

**(b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

**(c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).

**(d) Vital interests:** the processing is necessary to protect someone's life.

**(e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

**(f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

## 6. Data Protection Requirements

The GDPR stipulates that anyone processing Personal Data must comply with eight principles of good practice. The principles require that Personal Data:-

- shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met.
- be obtained only for one or more specified and lawful purposes above and shall not be further processed in any manner incompatible with that purpose or those purposes.
- be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed.
- be accurate and where necessary, kept up to date.
- not be kept for longer than is necessary for that purpose or those purposes.
- be processed in accordance with the rights of data subjects under the Regulation.
- be kept secure e.g. protected by an appropriate degree of security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures
- not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

## 7. Your Rights

The GDPR provides the following rights for individuals:

- The right to be informed about what data we hold
- The right to know what we use your personal data for
- The right of access to the data that we have on them
- The right to rectification to data held
- The right to request erasure
- The right to 'block' or suppress processing of personal data

- The right to data portability (allows individuals to obtain and reuse their personal data for their own purposes)
- The right to object
- Rights in relation to automated decision making and profiling (e.g. making a decision solely by automated means without any human involvement)

## 8. Use of Data

We use the data for maintaining a record of our rehomed dogs.

We use the data to inform you about SGRR activities and to distribute our newsletter. You may opt out of receiving this information at any time by contacting the administrator.

The data may be passed to 3rd parties in specific circumstances. In particular they are:

- Microchip companies so that dogs may be microchipped in accordance with law
- Veterinary practices who are treating our rehomed dogs

The data owner must be informed that their data may be processed for these purposes.

Our lawful bases for processing data covers different areas.

1. For records of rehomed dogs, this is on the basis of Legitimate Interests based on the contracts signed by both the donor and the owner.
2. For keeping people informed about SGRR activities, this is based on Consent.

## 9. Notification

The laws governing how we can use Personal Data apply whether the Personal Data is stored electronically (for example, in emails, on IT systems, as part of a database or in a word processed document) or in structured paper records (for example, in paper files, card indexes or filing cabinets). Data protection laws are enforced in the UK by the Information Commissioner's Office ("ICO").

## 10. Data Gathering

Whenever SGRR collects new information about individuals we will ensure individuals are made aware:

- that the information is being collected,
- of the purpose that the information is being collected for,
- of any other purposes that it may be used for,
- with whom the information will or may be shared
- and how to contact the administrator

SGRR will only obtain relevant and necessary Personal Data for lawful purposes and will only process the data in ways which are compatible with the purpose for which it was gathered. Data Privacy statements should be included on the website and on forms that are used to collect personal data.

## 11. Data Storage

Personal Data will be stored in a secure and safe manner. The following measures are taken to help ensure this:

- electronic data will be protected through secure passwords operated by the charity.
- manual Personal Data will be stored securely where it is not accessible to anyone that does not have a legitimate reason to view or process the data.
- particular attention will be paid to the need for security of Sensitive Personal Data, for example health and medical records will be kept in a locked cupboard.
- Personal Data will not be left out visible in accessible areas.
- Volunteers will be trained on this policy and related data protection procedures.

## 12. Data Checking

Systems will be put in place to ensure the Personal Data that the SGRR holds is up to date and accurate. Any inaccuracies discovered or reported will be rectified as soon as possible.

## 13. Data Disclosure

We sometimes need to share the personal information we process with other organisations. Where this is necessary we are required to comply with all aspects of the General Data Protection Regulation (GDPR).

## 14. Data Subject Access Requests

Any person whose Personal Data is held by SGRR is entitled, under the GDPR, to ask for access to this information. The request must be in writing. The right is to view or be given a copy of the Personal Data, rather than to the whole document which contains Personal Data. When a request is received, this should be passed to the administrator without delay. The administrator and DPO will liaise with the relevant data holders to collate all Personal Data records.

The request must be dealt with promptly by all relevant data holders; a response must be provided as soon as possible and no later than within 40 calendar days from the date the request was received. A record will be kept of all data subject access requests made that require formal consideration.

## 15. Destroying Data

Out of date information will be securely destroyed if no longer relevant. Personal Data will only be kept for as long as reasonably needed, for legal or SGRR business purposes.

We require to keep all relevant data on the donor and the owner for the life of the dog or until the dog would be 16 years if we are not informed of the dogs death.

Data held about supporters who do not have a rehomed dog, will be removed on request from the data owner.

## 16. Breach of the Policy

Any breach of GDPR should be notified to the administrator who will log and notify the DPO. Personal data breaches which are likely to result in a risk to people's rights and freedoms must be reported by the DPO to the ICO when the General Data Protection Regulation comes into force from 25 May 2018.

## 17. Monitoring, Evaluation and Review

The DPO will monitor the implementation and effectiveness on this policy and report his/her evaluation to the trustees on an annual basis. The DPO will report back on the policy and its implementation and effectiveness annually. The trustees will then review the policy, making any amendments necessary.

## 18. Web Site Terms and Conditions and Cookie Policy

The website terms and conditions and cookie policy will be published on the Web Site

## 19. Contact Us

If you have any questions about this policy, they should first be addressed to Rachel Clark, Administrator for SGRR. If you wish to be sent a copy of this policy, please apply to Rachel Clark

**Tel**: 01474 815 486

**E Mail**: rachel.clark@sgrr.org.uk