

Data Protection, Confidentiality and Privacy Policy

Who is this for and what does it apply to?

The current Data Protection (DP) regulations are being updated in May 2018 to be consistent with European legislation known as the General Data Protection Regulation (GDPR). Data Protection regulation applies to all organisations that hold any information that identifies living people.

DP rules do not apply to organisations holding only organisation data, with no names attached and the rules do not apply to individuals holding address books or, for example, Christmas Card lists on computer.

In Scouts, DP applies to the lists of young people, adults and any other people recorded in a structured way for their future contact. It applies to the use of the Compass membership system from recruitment onwards and Online Scout Manager (OSM). It applies to information gathered from the website, to activity information forms and fundraising list information. It does not apply to incidental naming of people in, for example, minutes of meetings or action lists.

Commitment

Odiham Scout District (Registered Charity Number: 1096645) is committed to fully complying with the DP rules. This means that every person (leaders, administrators, honorary officers and executive members) involved in Odiham Scout District will observe this Policy.

Formal Contact

Odiham Scout District Executive Committee is the **Data Controller**. The contact address is The Chairman, Odiham Scout District, Mr Nick Somerville, Lower Farm, Dippenhall, Farnham, GU10 5ED or by email chairman@odihamscouts.org.uk

Odiham Scout District processes personal data using paper and electronic systems. It works with partner data processors including The Scout Association, OSM, Google, Microsoft, and Dropbox. Odiham Scout District has determined that the partner organisation data processing on its behalf is compliant with GDPR as far as it can assess.

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The Legal Basis of our Data Processing

Odiham Scout District is an unincorporated educational children's charity. The young people it serves are members. Adults in leader, trustee and supporter roles are either members, associate members or non-members. The Odiham Scout District also processes data of helpers and benefactors.

To achieve the purposes of the charity we process data **for our legitimate interests**. This includes processing for the purposes of

- Administration of the Scouting Programme and Activities
- Governance
- Safety and safeguarding
- Fundraising and Public /Community Relations

This includes processing by holding paper and electronic records, processing with the facilities or our data processing partners and sending communications by paper and electronic means.

We process data **for legal reasons**

This includes for the purposes of

- Maintaining safety and safeguarding records in compliance with the Scout Association's Policy Organisation and Rules (POR)
- Maintaining accounting records as required by HMRC and charity regulation

We process data by reason of **data subjects' consent**

This includes for the purposes of

- Statistical reporting about inclusion relating ethnicity and disability
- Fundraising by direct mail or electronic communications
- Information sharing communications

Special Categories of Personal Data

Data will be processed about members' and adult helpers' Ethnicity, Health, Disability and Religious Belief to enable inclusion. Information about criminal records will be processed to inform recruitment decisions but will not be kept. Disclosure of all criminal convictions and cautions and the provision of an enhanced certificate from the Disclosure and Barring Service is required for all adults in relevant roles, this being in compliance with the relevant legislation about filtering and rehabilitation of offenders.

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The personal data of members and adult helpers we process will include full name and contact details, date of birth and age, records of service and training. Records of service will include roles and activities undertaken and role reviews. Relevant records will be kept for the management of Safety, Safeguarding and Personnel.

Website information will be kept for the effective management of the website and statistical purposes.

Financial information about bank accounts, payment of membership and activity fees, donations the processing of gift aid and the maintenance of records as required by regulations.

Sharing of your Personal Data

Subject to Data Protection regulations Odiham Scout District will share your data as relevant with The Scout Association, the Odiham Scout District Organisation, Scout County and Groups within Odiham District to enable to provision of Scout programme and activities, training opportunities, administration and promotion.

It would be shared to comply with legal requirements when necessary or others when we have your consent.

It would be shared with medical services to protect your vital interests.

It would be shared when relevant for the good administration of the charity and security of our processes.

It will be processed by partner data processors including cloud-based services for the good administration of the Odiham Scout District and achievement of its charitable purposes.

Personal data may be transferred outside the UK and European Economic Area (EEA) through the use of cloud computing systems.

Confidentiality

Odiham Scout District is an organisation with approximately 250 leaders with various levels of access to groups of Young Persons and Adults information. All persons with access to personal data are required to maintain that personal data in confidence and not to share it outside a "need to know" basis. All persons with access to personal data are required to agree to a Confidentiality and Data Protection statement. Anyone accessing personal information is

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required to only use devices that are secure by being in their own homes or scouting offices else be protected by password and encrypted, and with system security and data back-up.

Safeguarding Partnership

The Odiham Scout District is a member of The Scout Association and complies with its Policy, Organisation and Rules (POR). POR includes the safeguarding processes involving recruitment and safeguarding investigations. Personal information will be passed to the Scout Association for their processes in safer recruitment and safeguarding. Information will be passed to the Police when there is a relevant concern.

Subject Access

Any person who is the subject of personal data held by the District may make a subject access request by contacting: Mr Nick Somerville, Lower Farm, Dippenhall, Farnham, GU10 5ED, chairman@odihamscouts.org.uk

The request will be processed in accordance with current regulations.

Adults may access their personal data by logging into Compass. Adults are encouraged to keep this up-to-date themselves.

Parents and Young People can log into OSM to access and edit their OSM data.

Not registered with ICO

As a charity, the Odiham Scout District, handling personal data only for the purposes of maintenance of its membership and donors is not required to notify the Information Commissioners Office (ICO) or to pay the Data Protection fee.

Your Rights under Data Protection Regulation

Your rights are as follows (please note that membership may no longer be possible under some circumstances):-

To be informed about how we process your personal data: this Data Protection and Privacy Policy seeks to provide that information

To have any erroneous personal data corrected: the Odiham Scout District requests all members to notify any changes and will update information without delay.

To object to processing: the Odiham Scout District will comply with your request as far as possible, some records are maintained for the formal administration of the charity, for safety and for safeguarding purposes when retention of records will be required.

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To **restrict processing**: the Odiham Scout District will comply with your request as far as possible.

To have your **personal data erased**: the Odiham Scout District will comply with your request as far as possible.

To **request access**: the Odiham Scout District will comply with current regulations

To **move, copy or transfer** your personal data: the Odiham Scout District will comply with your request as far as possible acknowledging that adult member records are included in Compass. The transfer of young persons data in OSM may be possible.

Questions about Data Protection or the use of Personal Data

Any questions or comments about data protection or this policy, notwithstanding your rights above, should be addressed to the Odiham Scout District Chairman (or Data Protection officer) at Mr Nick Somerville, Lower Farm, Dippenhall, Farnham, GU10 5ED, chairman@odihamscouts.org.uk

Adult Members Personal records

The personal membership profile of each member is kept on Compass. It is the responsibility of each member to ensure that they keep their own record up to date. If anyone has difficulty in accessing their membership record then they should ask their line manager for assistance. The Scout Association Information Centre (Tel: 0345 300 1818) may also be able to help.

Internal and Other Directories

The compilation of any directory must have the approval of the District Executive Committee. Directories must only contain the information that is specifically consented to include. The request for consent must include information about access to or distribution of the directory. The directory must be kept-up to date by a named person, currently: Mark Meddler.

Programme, Activity and Training Registration

Personnel will use appropriate and secure methods to gather information for registration. Only information that is necessary for the purpose will be requested.

Information may be gathered by paper or online forms. A data protection statement will be included in the form stating the whole use of the data and specifically identifying any sharing or not.

Activity registration data will often form part of relevant training and safeguarding information and so will be kept for the relevant time scale.

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Retention of records

Records will be retained for the good administration of the Odiham Scout District.

- For governance matters - indefinitely
- Attendance records for safeguarding purposes – indefinitely
- Adult membership, involvement and training records will be kept on Compass and not in other forms of record, therefore kept in compliance with the persons membership and Scout Association policy.
- Notes and records from Safeguarding investigations will be sent to the Scout Association for retention and not kept locally
- For accounting purposes for 6 years after the end of the relevant year

Consent for children

Consent for children (under 18's) to participate in activities and to receive communications will require parental / guardian consent.

Consent to electronic mailings - unsubscribe

Mailings will be sent for notification of events, administration and governance. Anyone who wishes not to receive such mailings, providing it is not a duty, will be unsubscribed. All mailings will have an Unsubscribe facility.

Communication of this Policy

This policy is placed on the website and is available from the Odiham Scout District HQ

Review of this Policy

This Policy will be reviewed periodically as any changes in regulations or best practice occur; this will be at least every 3 years.

Agreed

This Policy was agreed by the Odiham Scout District Executive in 2019.

Signed:Chairman Date:

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Appendix 1

Administrative Procedures in the Odiham Scout District

All leaders, administrators and executive (personnel) with access to personal data will be trained in Data Protection. This will include reading this policy, it may include attending relevant other training. Everyone with access to personal data must commit to comply fully with the policy and to raise any concerns with their line manager or the data protection lead.

All personnel will only use the personal data of the Odiham Scout District for the achievement of the charitable purposes and not for any other reason. Personal data will only be accessed and processed as relevant to their role in the Odiham Scout District

The personal data must not be shared outside the Odiham Scout District except in accordance with the specific conditions of this policy.

Personnel may process data on their home PC providing it is secure from possible unauthorised access. PCs must be protected by firewall and internet security.

Data will only be placed on portable devices if the device is subject to passwording and encryption.

When a PC or portable device is disposed of then the data on the hard drive must be properly fully erased – not just deleted.

Data must be backed up regularly and securely.

Paper based files, including those held out of the home or scout office, must be kept securely. Files must only be transported when essential and when the data security risk has been considered and management system put in place.

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Appendix 2

Summary of Data Held by Odiham District

This is data held at the District level and directly managed by the District Executive Committee. Groups within the District will hold and manage their own data.

ID	Data Description	Where	Why
1	District Directory	Nominated lead (personal PC)	To provide clear inter-communications between District members
2	Email addresses and forwarding data	Web domain server	To reduce exposure of personal emails and allow members to operate non-personal email accounts.
3	Member personal data, including appointment and training records	Compass	To manage the District.

Note: this only lists what we hold and why we hold it, security and access provision are dealt with elsewhere.

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Appendix 3

Data Protection and Confidentiality Agreement

All Volunteers and Employees with Odiham Scout District roles who can access personal data of others in Scouts are required to read the Policy and confirm that they understand it and will comply with it. In the case of any doubt they must obtain advice from their line manager or the Data Protection Officer prior to any further data processing about the matter in hand.

I have read and understood the Policy.

I agree to comply with the Data Protection and Confidentiality Policy.

I will only access or share information that is necessary and with those who need to know.

I will only download information if it is required.

I will not retain personal data unless it is specifically part of my role.

Any mobile device I use holding personal data will be passworded and the drive encrypted.

I will ensure that any device I have used is cleaned of data before disposal.

I accept updates to this Policy by Email Post

Agreed

Name: Signed:Date:

Agreement to this Policy may be given on paper or online.

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Appendix 4

Summary Data Protection and Privacy Statement

Odiham Scout District is committed to compliance with UK Data Protection regulations and best practice in how it meets its duties. All personnel are required to adhere to this Policy and to sign a declaration of compliance.

Odiham Scout District is the data controller and works with the Scout Association and others to process data.

Odiham Scout District is an unincorporated educational children's charity that runs activities for the development of young people and supports Hampshire Scout districts and groups. Personal information of young people, adults, helpers and donors is processed.

The legal basis of this processing is **for our legitimate interests**, including administration of the Scouting programme, governance, safety and safeguarding, employment reasons, fundraising and public relations. We process data **for legal reasons** including maintaining safety and safeguarding records in compliance with the Scout Association's Policy Organisation and Rules, employment purposes, and maintaining accounting records as required by authorities. We process data by reason of **data subjects' consent** including providing direct electronic communications, fundraising and statistical reporting about inclusion relating to ethnicity and disability.

Personal information is only used and shared internally and externally as required for the purposes of Scouting or as required by law.

Personal data is retained as required for the good administration of Odiham Scout District and as required by law. Members' data may not be completely erased from the Scout Association database for reasons of legitimate interest, including safeguarding.

Data subjects may make a subject access request by contacting the Chairman: Mr Nick Somerville, Lower Farm, Dippenhall, Farnham, GU10 5ED, chairman@odihamscouts.org.uk
Data Subjects have rights in accordance with the UK data protection GDPR regulations.

The full Odiham Scout District Data Protection, Confidentiality and Privacy Policy is available on the Odiham Scout District website and from the Odiham Scout District HQ.

Dated: May 2019