

The Source Young People's Charity

Name of policy: Fair Processing of Data

Person responsible for this policy: Director

Introduction:

The Source is registered with the information commissioner's office as a 'data controller' under the Data Protection Act 1998 (the Act).

The Source will follow the Information Commissioner guidelines for the processing of young people's personal data. The key reason The Source processes service user personal data is in relation to the provision of services to children, young people and families.

Under the Act service users have the right to ask to see the information which The Source holds about them.

Scope:

This policy applies to all employees, volunteers, trustees and students.

Duties and responsibilities:

All employees are responsible for adhering to this policy.

The Director is responsible for compliance with this Policy, and for reviewing and updating it as necessary.

Policy statement:

The Source handles personal information in compliance with the Data Protection Act 1998 (the Act). We are registered with the Information Commissioner's Office (ICO).

The Source recognises the importance of the correct and lawful processing of both its staff members' data and the service user personal data of its clients in a confidential way in the course of our work as a charity.

Principles:

We fully follow the principles as set out in the data protection act

The principles of the Data Protection Act 1998 requires that data controllers process personal data in accordance with eight principles.

Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (a) at least one of the conditions in Schedule 2 is met, and
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and

shall not be further processed in any manner incompatible with that purpose or those purposes.

3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The Source takes all reasonable steps, including with our outsourced IT cloud company, to ensure that all personal information it holds on employees, service users and all other sensitive information, is safe and accurate. It will continue to take all practical action to guard against unauthorised or unlawful processing or accidental loss, destruction of, or damage to such personal data.

Service users have to sign a Data Protection form to state that they are happy for The Source to hold personal information on them.

All service users are also asked to sign an Information Sharing Agreement for sharing data with relevant agencies including which agencies they are happy for us to share information with.

The Source paper filing system is secure and is set up to guard against unauthorised or unlawful processing or accidental loss, destruction of, or damage to personal data.

The Source will only collect and record service user personal information that is necessary to carry out its services. The information that we record will be based on fact and, where opinion is recorded such as from a counsellor (process notes) they will be kept separate from the factual information data.

Any opinion/process on the service user that is kept separately will be relevant and backed up by evidence, such as process notes for a service user in counselling. The Source Clinical Supervisors will check that the personal information that is opinion such as counselling process notes that are being recorded is accurate. Data is kept for 5 years from the end of engagement before shredding.

The Source will only collect and record employees personal information that is necessary to carry out employer functions like payroll, pensions, TUPE information and HR information that would include next of kin and medical information. Data kept electronically or on paper will be kept confidential, secure and used only appropriately.

The types of personal information we use includes:

- personal details such as names, addresses, telephone numbers
- family details for example next of kin details
- employment details, for example for those that work for us either directly or are sub contracted to work with us
- financial details, where we provide payment for services to a sub-contractor or where we

- provide data and an invoice to a funder
- details held about service user enquiries for information, support, advocacy or counselling
- responses to surveys, where service users have responded to surveys and consultations with users that The Source may undertake
- We also process sensitive information that may include:
 - racial and ethnic origin
 - offences (including alleged offences), criminal proceedings, outcomes and sentences
 - employment tribunal applications, complaints, accidents, and incident details

The Data Protection Act applies also to the collection and use of personal data online. Privacy risks may arise when operating online. The Source follows the advice issued by the ICO on the use of cookies and electronic data left behind when using online services.

The Source understands that, provided this is not personal information, it may share statistical data with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

The Source understands and will comply with data matching exercises and will seek to ensure all data matches. It has a data base that will allow us to work with the public sector to compare computer records held by us against other computer records to see how far they match.

The Source only shares personal data with individual consent or to those organisations that we are legally able to or as part of our Safeguarding responsibilities. The Source will share personal data if it is required to, such as a police DP2 request. The Source will comply with the Data Protection Act for sharing data.

If a service user wishes to see the information we hold about them, then they need to ask for the information in writing, giving their full name and address.

Requests should be sent to:
The Data Protection Officer
2nd Floor, Imperial House
2 Grosvenor Road (entrance on Barrack Road)
Aldershot
Hampshire GU11 1DP

The Source will respond directly to requests for access to personal data as quickly as possible and will ensure that we deal with requests within 40 days of receipt unless there is a reason for delay that is justifiable under the Data Protection Act.

Once a request comes in we would use a data sharing checklist, such as the ICO online data requests checklist or similar. The request would normally be either a personal data sharing or systematic data sharing request and the appropriate checklist would be used.

Complaints will be dealt with under our Complaints Policy

The fair processing and privacy notice below will be posted on The Source's website.

The Source Fair Processing and Privacy Notice

We collect information and data about the young people who use The Source so that we can manage our services effectively.

This includes referrals, reports, information collected on monitoring forms, in case files during meetings, appointments or drop in sessions, and might also include photographs and notes on conversations.

We assert that all information we collect is:

1. Processed fairly and lawfully
2. Processed for specified purposes
3. Adequate, relevant and not excessive
4. Accurate and kept up-to-date
5. Not kept for longer than necessary
6. Processed in accordance with the rights of data subjects
7. Protected by appropriate security (practical and organizational)
8. Not transferred outside the EEA without adequate protection