

Data Protection Policy

1. Introduction

The reason for this policy is to define WAY Widowed and Young's approach to the processing of personal data and the standards it will adopt. This document defines the minimum standards and best practice requirements adopted by WAY Widowed and Young to make certain that it meets the requirements of the relevant legislation, and to ensure we meet the expectations of those whose data we process.

In undertaking its charitable purpose WAY Widowed and Young needs to process personal data which relates to members, staff, volunteers, trustees, supporters, contractors and organisations/individuals it works with to campaign and raise awareness. This policy sets out the standards which must be adhered to, when personal data is being processed by, or on behalf of, WAY Widowed and Young.

2. Data Protection Principles

WAY Widowed and Young 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
- c) 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;
- d) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- e) 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;
- f) 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 safeguard the rights and freedoms of individuals; and
- g) 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."

3. General Provisions

- a. This policy applies to all personal data processed by WAY Widowed and Young.
- b. The policy applies to all areas within WAY Widowed and Young's operation, this being the United Kingdom, comprising of; England, Wales, Scotland and Northern Ireland, and to the personal data of any individual regardless of where in the world they are located.
- c. The Responsible Person shall take responsibility for WAY Widowed and Young's ongoing compliance with this policy.
- d. Where appropriate, WAY Widowed and Young will develop further policies, procedures, and guidelines which if followed correctly will facilitate the achievement of compliance with the

requirements of the relevant legislation by individuals processing personal data in the course of their WAY Widowed and Young duties.

- e. This policy shall be reviewed at least annually.
- f. WAY Widowed and Young is registered with the Information Commissioner's Office as an organisation that processes personal data.

4. Lawful, fair and transparent processing

- a) To ensure its processing of data is lawful, fair and transparent, WAY Widowed and Young 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 WAY Widowed and Young shall be dealt with in a timely manner. (See Subject Access requests below.)

5. Lawful purposes

- a) All data processed by WAY Widowed and Young, 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) WAY Widowed and Young 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 WAY Widowed and Young's systems.

6. Data Minimisation

- a) WAY Widowed and Young, shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

7. Third Parties

- a) Personal data shall only be transferred outside of WAY to a third party where there is a legitimate business reason for doing so. Third Parties must be subject to; due diligence checks and an agreement must be in place which details the purposes for which the data is transferred and restricts the use of the data to those purposes.
- b) Where personal data is shared directly with a Third-Party supplier of WAY Widowed and Young, both parties will agree to independent data controllers and no data will be shared between the parties without lawful consent.

8. Accuracy

- a. WAY Widowed and Young 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. Members of WAY Widowed and Young can update their own details within their profile at any time by logging into the member's area at www.widowedandyoung.org.uk.
- d. Individuals have the right to request their personal data is accurate, requests made to WAY Widowed and Young shall be dealt with in a timely manner.

9. Security

- a) Everyone who processes personal data on behalf of WAY shall ensure they take all appropriate and reasonable precautions to prevent a personal data breach occurring.
- b) WAY Widowed and Young shall ensure that personal data is stored securely using modern software that is kept up-to-date.

- c) Access to personal data shall be limited to personnel who need access and appropriate security is in place to avoid unauthorised sharing of information.
- d) When personal data is deleted this should be done safely such that the data is irrecoverable.
- e) Appropriate back-up and disaster recovery solutions are in place.

10. Retention and Removal

- a) To ensure that personal data is kept for no longer than necessary, WAY Widowed and Young shall put in place retention guidelines for each area in which data is processed. The guidelines shall consider what data should/must be retained, and for how long. See Appendix 1.
- b) WAY Widowed and Young may be under a legal obligation to retain personal data for a specific period, and compliance with our legal obligation may limit the right of an individual to have their personal data erased. Where rights are exercised under data protection law and this conflicts with any requirement or need for the charity to retain personal data, individuals will be advised that this is the case and will be provided with a timeframe within which WAY Widowed and Young expect to comply with the right.

11. Subject Access Requests (SAR)

If you wish to make a request for 'personal data' under the Data Protection Act (DPA) 2018 you must do so in writing to The Chief Executive, WAY Widowed and Young, Advantage House, Stowe Court, Stowe Street, Lichfield WS13 6AQ.

- a) Your application (SAR) must be accompanied by copies of at least two official documents, which show your name, date of birth and current address, e.g. driving licence, birth/adoption certificate, passport, recent utility bill.
- b) Please supply as much detail as possible in order that we provide the most relevant information in relation to your request.
- c) WAY Widowed and Young will respond to the request made within one month of receipt. The charity will only extend the period of compliance by a maximum of a further two months where requests are complex or numerous. If this is the case, we will inform the individual within one month of the receipt of the request and explain why the extension is necessary.
- d) Information is provided free of charge. However, where a request is 'manifestly unfounded or excessive' WAY Widowed and Young, may charge a reasonable administrative cost fee.
- e) WAY Widowed and Young can withhold personal data if disclosing it would 'adversely affect the rights and freedoms of others'
- f) Where WAY Widowed and Young receive a request which relates to information held solely by a third-party supplier, WAY Widowed and Young will ensure the request is forwarded to the supplier's data controller in a timely manner. This is in addition to, and does not relieve, remove or replace either party's obligations and liabilities under Data Protection Legislation.

12. 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, WAY Widowed and Young 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).

13. Other relevant policies

The following policies of WAY Widowed and Young may also be relevant to Data protection matters:

- a) Privacy Policy
- b) Confidentiality Policy
- c) Safeguarding and Welfare Policy
- d) Complaints Policy

14. Changes to this Policy

WAY Widowed and Young, reserve the right to change this policy at any time. In which case the amended policy will be updated on our website and will apply from the date we post them.

The format and content of our website changes constantly. You should refresh your browser each time you visit our sites to ensure that you access the most up to date version.

15. Our Contact Details

We can be contacted in the following ways:

WAY Widowed and Young,

Advantage House, Stowe Court, Stowe Street, Lichfield, WS13 6AQ

enquiries@widowedandyoung.org.uk

16. Definitions

Charity	WAY Widowed and Young, a registered charity.
GDPR	General Data Protection Regulation.
Personal Data	Means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
Processing	Means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Responsible Person	Chief Executive
Register of Systems	A register of all systems or contexts in which personal data is processed by WAY Widowed and Young.

Appendix 1 – Retention Guidelines

Data Type	Data Retention Period (in years)
Finance and Accounting	
Purchase Ledger and payments cash book	6, from year's end.
Revenue purchase invoices, petty cash records, staff expenses and procurement card receipts	6, from year's end.
Supplier correspondence, quotes, tender documentation	6, from year's end.
Bank paying in counterfoils and bank statements	6, from year's end.
Bank reconciliations	6, from year's end.
Donor correspondence and remittance advices	6, from year's end.
Sales Ledger and receipts cash book	6, from year's end.
Gift aid declarations/logs /Deeds of covenant	6, from year's end.
Legacies	6, from year's end.
Payroll records and payroll control account	6, from year's end.
Expenses	6, from year's end.
Income tax records, annual returns to HMRC etc.	6, from year's end.
Budgets, forecasts and periodic internal financial reports	6, from year's end.
Capital expenditure invoices for capital costs	6, from year's end.

Annual Report & Accounts (signed) and Annual Review	Permanently
Any Investment certificates and investment ledger	Permanently
Fixed Asset Register	Permanently
Human Resources	
Job applications & interview records	6 years post exit or within six months if not selected at the recruitment stage.
Personnel & training records	Would be in personnel file which is kept for 6 years
Annual leave cards	Would be in personnel file which is kept for 6 years
Payroll and wage Records	6, after employment ends
Emergency Contact Details	Within 3 months after employment ends
Supervision Records	Would be in personnel file which is kept for 6 years
Timesheets	Would be in personnel file which is kept for 6 years
Employment terms, conditions & contracts	Would be in personnel file which is kept for 6 years
Maternity pay records and records required to be kept in accordance with the Statutory Maternity Pay Regulations	Would be in personnel file which is kept for 6 years
Sickness records for the purposes of Statutory Sick Pay	Would be in personnel file which is kept for 6 years
Complete sick absence record showing dates and reasons for sick absence	Would be in personnel file which is kept for 6 years
Disciplinary Records	Would be in personnel file which is kept for 6 years
Email addresses registered under WAY – Widowed and Young domain of former employees.	Up to 12 months
Volunteers	
Recruitment Data	6 years post exit or within six months if volunteer is not selected at the recruitment stage.
Volunteer Record	6 years post exit
Email addresses registered under WAY – Widowed and Young domain of former volunteers.	Up to 12 months
Board of Trustees	
Charity constitution and any amendments.	Permanently
Trustee Record	Permanently
Minutes of Board Meetings	Permanently
Email addresses registered under WAY – Widowed and Young domain of former trustees.	Up to 12 months
Members	
Private online record; including name /contact details/membership start/end dates, and gift aid consent.	6, from year's end.
Intellectual Property	
Agreements & licences	6, after expiry
Assignment of trademarks	6, after cessation of registration
Certificates of registration	6, after cessation of registration
Property	
Leases & licences	6, after expiry
Maintenance & repair contracts	6, after performance
Service agreements	6, after service ends

Insurance	
Insurance Policy	Until claims under policy are barred or policy lapses, whichever is longer.
Claims correspondence and accident reports	3, after settlement
Trustee indemnity insurance certificate	40
Public Liability insurance certificate	40
Employer's Liability insurance certificate	40
Policies and Procedures	
Policies and Procedures	6, after each amendment
Policies and Procedures Version Log	Permanently
Health and Safety	
Accident Book	3, from the date of each entry
RIDDOR: Records of any reportable injury, disease and dangerous occurrence	3, from the date of each entry
Management of H&S at Work Regulations: Significant findings of any risk assessment carried out to comply with regulation 3 and any group of employees identified as being especially at risk.	At least until a further risk assessment has taken place which renders the first one obsolete
Trusts and Foundations	
Applications and all correspondence associated to requests made to Trusts and Foundation for Financial support	Permanently
Log of all applications made to Trusts and Foundations	Permanently
Contracts	
Contracts with public, private and voluntary sector funders, delivery partners, suppliers and all other agreements or contracts	6, from expiry or termination of contract. Unless agreements within the contract exceed this.
Any contract or agreement executed between WAY and External Vendors	6, from expiry or termination of contract. Unless agreements within the contract exceed this
Data Protection	
Consent Logs	Permanently
Logs identifying requests for Rights to; Rectify, Erasure, Restrict Processing, and SARs	Permanently
Data Protection incident reporting logs	Permanently
Quality	
Complaints/ Concerns / Incidents Log	Permanently
Complaints/ Customer Feedback	6, from year's end.
Safeguarding and Welfare	
Records of concerns about the welfare and safety of adults or children	Only kept as long as necessary
Information about safeguarding referrals and actions taken	Only kept as long as necessary

Policy Control

Version	4	First Issue Date	11/13	Last Review Date MM/YY	06/21	Next Review Date MM/YY	10/24
Signed (Chair or Trustee)	Agreed by WAY Board of Trustees, Meeting Date: 28th October 2023						

****END OF POLICY***