



# Whitechapel Mission

*Bringing hope where there is despair*



## Data Protection Policy

The Whitechapel Mission is committed to protecting and respecting the confidentiality of sensitive information relating to staff, volunteers, supporters, guests and trustees.

### Introduction:

The Whitechapel Mission needs to keep certain information about our employees, volunteers, guests and other users to allow us, for example, to monitor performance, achievement, and health and safety.

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, we must comply with the Data Protection Principles which are set out in the Data Protection Act 1998. In summary these principles state that personal data shall:

- Be obtained and processed fairly and lawfully.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be adequate, relevant and not excessive for that purpose.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.

All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the Charity has developed this Data Protection Policy. This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the Charity from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

### The Data Controller and the Designated Data Controllers

The Charity, as a body, is the Data Controller under the 1998 Act, and the Trustees are therefore ultimately responsible for implementation.

However, the Designated Data Controllers will deal with day to day matters.

The Charity has identified its Designated Data Controllers as:

The Director, Deputy Director, Daycentre Manager and the Assistant Daycentre Manager.

Any member of staff, trustee, guest, supporter or other individual who considers that the Policy has not been followed in respect of personal data about himself or herself should raise the matter with the Director, in the first instance.

Since 1876, The Whitechapel Mission has been called to serve the men and women caught in the cycles of poverty, hopelessness and dependencies of many kinds, and to see their lives transformed to hope, joy and lasting productivity.

## **Responsibilities of Staff:**

All staff are responsible for:

- Checking that any information that they provide to the Charity in connection with their employment is accurate and up to date.
- Informing the Charity of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently. The Charity cannot be held responsible for any errors unless the staff member has informed the Charity of such changes.

Handling all personal data (eg – supporters or guests data) with reference to this policy.

## **Data Security:**

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely.
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should:

- Be deleted if not required
- Be kept in the locked filing cabinets, in the secure office, or;
- If it is computerised, be password protected both on a local hard drive and on a network drive that is regularly backed up; and
- No data is to be copied to or stored on a usb memory key or other removable storage media.

## **Rights to Access Information:**

All staff, supporters, service users and other users are entitled 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 what the Charity is doing to comply with its obligations under the 1998 Act.

The Charity will, upon request, provide all staff, supporters and service users and other relevant users with a statement regarding the personal data held about them. This will state all the types of data the Charity holds and processes about them, and the reasons for which they are processed.

## **Access to CCTV**

We cannot release CCTV footage following a Subject Access Request where third party individuals can be identified unless those parties have consented to the disclosure.

We may also refuse to provide footage to you whereby doing so would be likely to prejudice:

- **the prevention and detection of crime**
- **apprehension and prosecution of offenders**

If no data is held with regard to your request, or the data falls into a category exempted from disclosure, you will be notified of this in writing.

Please note, if you have:

- **been the victim of a crime**
- **been involved in a road traffic collision or**
- **are an insurance company or legal representative**

we are unable to accept Subject Access Requests in these instances as we would only be able to provide images of you and not of third parties.

If you have been the victim of a crime, or it is a crime-related incident, you should report the matter to the Police by calling either 999 in an emergency or 101 in a non-emergency. The Police can make a request direct to us to view our footage and, if held, it will be provided to the Investigating Officer.

If you have been involved in a road traffic collision or incident (without Police involvement), then you should contact your insurance company or solicitor to request the footage under Schedule 2, Part 1(5) of the Data Protection Act 2018.

If you have been involved in a car collision or incident with Police involvement, and you have a crime reference number, you should contact the Police directly to request CCTV footage.

These requests are subject to a fee of up to £85 (work required to remove any third party images) which is payable for the relevant footage, if held.

In Conclusion:

All staff, supporters, service users and other users have a right under the 1998 Act to access certain personal data being kept about them either on computer or in certain files. Any person who wishes to exercise this right should make a request in writing and submit it to the Director. The Charity will ask to see evidence of your identity, such as your passport or driving license, before disclosure of information.

The Charity may make a charge on each occasion that access is requested in order to meet the costs of providing the details of the information held.

The Charity aims to comply with requests for access to personal information as quickly as possible, but will ensure

that it is provided within 40 days, as required by the 1998 Act.

Retention of Data:

The Charity has a duty to retain some staff, supporters and guests personal data for a period of time following their departure from the Charity, mainly for legal reasons, but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time.

*Tony Miller*

Director

7<sup>th</sup> March 2022