

# Basingstoke West District Scouts

## Data Protection, Confidentiality and Privacy Policy

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### Who this is for and what does it apply to?

The current Data Protection (DP) regulations were 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

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

### Formal Contact

Basingstoke West Scout District is the Data Controller. The contact email address is [chair@bwds.org.uk](mailto:chair@bwds.org.uk).

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

### The Legal Basis of our Data Processing

Basingstoke West 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 Basingstoke West 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 to ethnicity and disability
- Fundraising by direct mail or electronic 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).

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 the Basingstoke West Scout District will share your data as relevant with:

- The Scout Association, the local Scout County and Groups to enable to provision of Scout programme and activities, training opportunities, administration, and promotion.
- To comply with legal requirements when necessary or others when we have your consent.

- With medical services to protect your vital interests
- 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 Basingstoke West 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**

Basingstoke West Scout District is an organisation with approximately 400 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 confidentiality 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 required to only use devices that are secure by being in their own homes or scouting offices. Where these devices are removed from secure premises (home) they must be protected by password and encrypted, and with system security and data back-up.

### **Safeguarding Partnership**

The Basingstoke West Scout District is a member of The Scout Association and complies with its Policy, Organisation and Rules (POR). POR includes safeguarding processes involving recruitment and the requirement for specified investigations. Personal information will be passed to the Scout Association for their processes in safer recruitment and safeguarding. Information will be passed to the relevant authorities 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: the GDPR representative at [chair@bwds.org.uk](mailto:chair@bwds.org.uk). The request will be processed in accordance with current regulation.

Registered 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 where access is allowed and edit their OSM data.

### **Not registered with ICO**

As a charity, the Basingstoke West 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

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 Basingstoke West Scout District requests all members to notify any changes and will update information without delay.

To object to processing: the Basingstoke West 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.

To restrict processing: the Basingstoke West Scout District will comply with your request as far as possible,

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

To request access: the Basingstoke West Scout District will comply with current regulations

To move, copy or transfer your personal data: the Basingstoke West Scout District will comply with your request as far as possible, acknowledging that adult member records are included in Compass. The transfer of young person's 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 Basingstoke West Scout District Chair at [chair@bwds.org.uk](mailto:chair@bwds.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 (0345 300 1818) may also be able to help.

### **Internal and Other Directories**

The compilation of any online directory containing contact details must have the approval of the Executive Committee. Directories must only include information for which individuals have given specific consent. The request for consent must include information about access to and /or distribution of the directory. The directory must be kept-up to date by a named person.

### **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.

## Retention of records

Records will be retained for the good administration of the Basingstoke West 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 can unsubscribe. All mailings will have an Unsubscribe facility.

## Communication of this Policy

This policy is placed on the website and is available from the Basingstoke West Scout District Chairperson.

## 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 Basingstoke West Scout District Executive in Jun 2019.

This Policy was reviewed by the Basingstoke West Scout District Executive at the Nov 2022 meeting.

Signed: ..... (Chair)

Date: .....

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Version 4 – Final.docx

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**Appendix 1:** Administrative Procedures in the Basingstoke West Scout District

**Appendix 2:** Data Protection and Confidentiality Agreement

**Appendix 3:** Summary Data Protection and Privacy Statement

**Appendix 4:** District sections/Appointed persons/Committee members subject to District GDPR Policy

NB: These Appendices should be read in conjunction with the District Policy

# Appendix 1

## Administrative Procedures in the Basingstoke West Scout District

All leaders, administrators and executive (personnel) with access to personal data will be trained in Data Protection. This will include reading the Basingstoke West Scout District, Data protection, Confidentiality and Privacy 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 Basingstoke West Scout District for the achievement of the charitable purposes. Personal data will only be accessed and processed as relevant to their role in the Basingstoke West Scout District

The personal data must not be shared outside the Basingstoke West Scout District except in accordance with the specific conditions of the Basingstoke West Scout District Data Protection, Confidentiality and Privacy 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 is only to be placed on portable devices if the device is subject to pass wording and encryption.

When a PC or portable device is disposed of then all data on the device must be properly and 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.



# Appendix 2

## Data Protection and Confidentiality Agreement

All Volunteers and Employees with Basingstoke West Scout District roles who can access personal data of others in Scouting are required to read the Basingstoke West Scout District Data Protection, Confidentiality and Privacy Policy and confirm that they understand it and will comply. In the case of any doubt, they must obtain advice from their line manager or the local GDPR responsible person prior to any further data processing about the matter in hand.

I confirm that:

- 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

Name: ..... Signed: .....Date: .....

Agreement to this Policy is to be given online.

# Appendix 3

## Summary Data Protection and Privacy Statement

Basingstoke West 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.

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

Basingstoke West Scout District is an unincorporated educational children's charity that runs activities for the development of young people and supports local Scout 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 Basingstoke West 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 Chair at [chair@bwds.org.uk](mailto:chair@bwds.org.uk). Data Subjects have rights in accordance with the UK data protection GDPR regulations.

The full Basingstoke West Scout District Data Protection, Confidentiality and Privacy Policy is available on the Basingstoke West Scout District website and from the Basingstoke West Scout District Chairman at email [chair@bwds.org.uk](mailto:chair@bwds.org.uk)

# Appendix 4

## District sections / Appointed Person / Committee Members that adhere to this document are:

- District Exec,
- Financial committee,
- Development Fund,
- Appointments committee,
- District Commissioner,
- Deputy District Commissioners
- Assistant District Commissioners,
- District Leaders,
- District Explorer Leaders
- Network Leaders,
- Fellowship,
- Web master,
- District Communication officers,
- Group Scout Leaders
- Group Chairmen
- Any individual given temporary access to Personal information of members of BWDS