

Data Protection Policy (General)

St Joseph's Services is committed to protecting the rights and privacy of individuals, including the people we support and our staff, in accordance with the General Data Protection Regulation (GDPR) May 2018.

St Joseph's Services needs to process certain information about our staff and the people we support for various purposes such as, but not limited to:

- Ensuring the safety of the people who have a service provided by St Joseph's Services
- Maintaining tenancies for people for whom St Joseph's Services acts as landlord
- The recruitment, payment, and administration of staff
- Complying with legal obligations (such as to local government, the Care Inspectorate or HMRC)

St Joseph's Services must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

General Data Protection Regulation (GDPR)

GDPR (effective from 25th May 2018) regulates the processing of personal data, via both paper and electronic records, and protects the rights and privacy of all living individuals. Every person has a general right of access to their data and can exercise the right to gain access to their information by means of a 'Subject Access Request'.

For more details on the regulations, please see the Information Commissioner's Office website at www.ico.org.uk.

Responsibilities under GDPR

St Joseph's Services will be the 'data controller' under the terms of the legislation. This means that the St Joseph's Services' Trustees are responsible for controlling the use and processing of personal data in St Joseph's Services. St Joseph's Services' Data Protection Officer (currently the Senior Administrator) is available to address any concerns regarding the data held by St Joseph's Services and how it is held, processed and used.

St Joseph's Services is registered with the ICO: our data registration reference is **ZA113098**

Compliance with the legislation is the personal responsibility of every person in St Joseph's Services who processes personal information.

Individuals who provide personal data to St Joseph's Services are responsible for providing accurate information and informing St Joseph's Services of any changes.

GDPR PRINCIPLES

St Joseph's Services undertakes to adhere to the 7 principles of GDPR:

1. Lawful, fairness and transparent collection of data:

St Joseph's Services will ensure that only data lawfully required is collected. All individuals who are the focus of personal data (data subjects) are informed of the purposes of the processing, any disclosures to third parties that are envisaged, the period for which the data will be kept, and any other information that may be relevant.

2. Purpose Limitation

St Joseph's Services will only process personal data in the way described at the point of collection and its use will be limited to that purpose. If there is an additional need to use the data for another purpose the individual will be informed of this in advance/permission requested where consent is needed, along with the reason for it. No data will be collected that is not required or used for a purpose that it is not intended.

3. Data Minimisation

St Joseph's Services will not seek to collect personal data which is not necessary for the purpose it was obtained. Only data that is immediately required will be collected. Forms for collecting data will be drafted with this in mind. Any information collected inadvertently, which is not for the purpose stated, will be destroyed immediately.

4. Accuracy – maintenance of accurate information

St Joseph's Services will review and update data on a regular basis. It is the responsibility of the individuals sharing their data to update St Joseph's Services with any changes.

On a yearly basis St Joseph's Services will give prompts to staff and people we support (via the annual review) to keep their information up to date.

5. Storage Limitation - Only keeping personal data for as long as necessary

St Joseph's Services undertakes not to retain personal data for longer than is necessary to ensure compliance with legislation and statutory requirements.

Privacy statements set out the length of time that records will be kept.

After this time, electronic records will be permanently deleted from our server, and paper records will be shredded (with a log kept of records deleted in this way).

6. **Integrity and confidentiality (security)**

The Trustees, employees and volunteers at St Joseph's Services are responsible for ensuring data confidentiality is maintained for everyone supported by or involved with St Joseph's Services. All data is strictly controlled and access is restricted and limited to those who are authorised to access information and have a requirement to do so.

St Joseph's Services will ensure that all personal data is accessible only to those who have a valid reason for using it, as detailed in the privacy notices.

St Joseph's Services has in place appropriate security measures to ensure the protection of personal data. These include:

- Keeping hard copy personal data in locked cabinets/locked rooms when not in use with restricted access
- Keeping electronic data on a protected server at the central office – authorised use of encrypted memory sticks may be allowed.
- Keeping archived records in a locked office
- Ensuring that unattended PC's are locked rather than displaying personal data
- Ensuring that hard copy personal data is not left out where it can be seen by others

In addition, St Joseph's Services will ensure the confidential destruction/disposal of data.

- Paper records will be shredded, with a log detailing when this took place and with what authorisation
- At the end of their life hard drives of PCs will be routinely wiped clean, but any medium (server or encrypted stick) which held personal data will be physically destroyed.

7. **Accountability**

As an organisation and a support provider St Joseph's Services are responsible for complying with GDPR and we are accountable for our actions. We can demonstrate our compliance through:

- Adopting, implementing and reviewing our data protection policies;
- Having a 'data protection by design and default' approach – considering the data protection implications in all that we do.
- Maintaining accurate documentation of our processing activities;
- Having appropriate security measures
- Recording and, where necessary, reporting personal data breaches;
- Having a data protection officer (currently the Senior Administrator)

St Joseph's Services are aware that all Accountability obligations are ongoing and we commit to the regular review and updating of all necessary measures as and when required.

Our commitments

St Joseph's Services will, through appropriate management and strict application of criteria and controls:

- observe fully conditions regarding the fair collection and use of information;
- meet its legal obligations to specify the purposes for which information is used;
- collect and process appropriate information only to the extent that it is needed to fulfil our operational needs or to comply with any legal requirements;
- ensure the quality of information used;
- ensure that the information is held for no longer than is necessary;
- ensure that the rights of people about whom information is held can be fully exercised under the Act (i.e. the right to be informed that processing is being undertaken, to access one's personal information;
- to prevent processing in certain circumstances, and to correct, rectify, block or erase information that is regarded as wrong information);
- take appropriate technical and organisational security measures to safeguard personal information; and
- ensure that personal information is not transferred abroad without suitable safeguards.

SUBJECT ACCESS REQUESTS (SARs)

Individuals have a right to access any personal data relating to them held by St Joseph's Services. All staff can ask to see their personnel records (see Data Protection HR Policy), and all people from St Joseph's Services (including their next of kin) can view their support plan.

You have the right to make a subject access request. If you make such a request, the Organisation will tell you:

- whether or not your data is processed and if so why; the categories of personal data concerned and the source of the data if it is not collected from you;
- to whom your data may be disclosed, including any recipients located outside the European Economic Area (EEA) and the safeguards that apply to any such transfers;
- for how long your personal data is stored or how that period is decided;
- your rights to rectification or erasure of data, or to restrict or object to processing;
- your right to complain to the Information Commissioner if you think the Organisation has failed to comply with your data protection rights; and

- whether or not the Organisation carries out any automated decision-making and the logic involved in such decision-making.

The Organisation will also provide you with a copy of the personal data undergoing processing. This will normally be in electronic form if you have made the request electronically, unless you request otherwise.

Disclosure of Data

St Joseph's Services undertakes not to disclose personal data to unauthorised third parties. The privacy notices set out the third parties to whom disclosure may be legitimate (e.g. to solicitors, police, the Care Inspectorate etc.).

Under no circumstances will St Joseph's Services sell any personal information to any third party.

At the start of their employment all staff and volunteers are made aware of who may, and may not, have access to information. If there is any uncertainty, all requests for information are passed to the Head Office.

Questions and further information:

This policy will be updated as necessary to reflect best practice or future amendments made to the General Data Protection Regulation (GDPR) May 2018 and Data Protection Act 1998.

The ICO's website (www.ico.gov.uk) provides further detailed guidance on all of the topics covered in this policy, as well as a general Guide to Data Protection.

For help or advice on any data protection issue and the practical implementation of these in St Joseph's Services, please do not hesitate to contact the Data Protection Officer (DPO) via the St Joseph's Services Head Office.

6. Policy reference information.

Policy Number	SJGOV002
Date approved by Trustees	23.05.18
Previous revised date	N/A
Implementation date	23.05.18
Next review date	23.05.2021
Manager Responsible for Monitoring this Policy	CEO/HOS/SLT