



## Privacy and Data Protection Policy

### Introduction

1. The Ripple Pond is committed to ensuring the secure and safe management of personal data held by the Charity in relation to Beneficiaries, Staff, Trustees, Patrons and other individuals. Members of staff members have a responsibility to ensure compliance with the terms of this policy, and to manage individuals' data in accordance with the procedures outlined in this policy and documentation referred to herein.
2. The Charity needs to gather and use certain information about individuals. These can include Beneficiaries, Employees, Trustees, Patrons, Volunteers, Supporters and other individuals that the Charity has a relationship with. The Charity manages data from a variety of sources.
3. This Policy sets out the Charities duties in processing that data, and the purpose of this policy is to set out the procedures for the management of such data.

### Legislation

3. It is a legal requirement that the Charity process data correctly; the Charity must collect, handle and store personal data in accordance with the relevant legislation. The relevant legislation in relation to the processing of data is:
  - The General Data Protection Regulation (EU) 2016/679 ("the GDPR");
  - The Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications); and
  - Any legislation that, in respect of the United Kingdom, replaces, or enacts into United Kingdom domestic law, the General Data Protection Regulation (EU) 2016/679, the proposed Regulation on Privacy and Electronic Communications or any other law relating to data protection, the processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union

### Data

4. The Charity holds a variety of data relating to individuals, including beneficiaries and employees (also referred to as data subjects) which is known as personal data. The personal data held and processed by the Charity is detailed within privacy notices at Appendices 1 – 4.
5. "Personal Data" is that from which a living individual can be identified either by that data alone, or in conjunction with other data held by the Charity.

6. The Charity may also hold personal data that is sensitive in nature (i.e. relates to or reveals a data subject's racial or ethnic origin, religious beliefs, political opinions, relates to health or sexual orientation). This is "Special Category Personal Data" or "Sensitive Personal Data".

### Processing of Personal Data

7. The Charity is permitted to process Personal Data on behalf of data subjects provided it is doing so on one of the following grounds:

- Processing with the consent of the data subject (see clause 4.4 hereof)
- Processing is necessary for the performance of a contract between the Charity and the data subject or for entering into a contract with the data subject;
- Processing is necessary for the Charities compliance with a legal obligation;
- Processing is necessary to protect the vital interests of the data subject or another person;
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of the Charities official authority; or
- Processing is necessary for the purposes of legitimate interests.

### Privacy Notices

8. The Charity has produced a number of privacy notices which it is required to provide to all data subjects whose personal data is held by the Charity. These documents are provided to the data subject from the outset of processing their personal data and they should be advised of the terms of the privacy notice when it is provided to them.

9. The Privacy Notices at Appendix 1-4 sets out the personal data processed by the Charity and the basis for that processing. This document is provided to all of the Charities beneficiaries, Staff, trustees and other individuals at the outset of processing their data.

### Staff

10. Staff Personal data and, where applicable, special category personal data or sensitive personal data, is held and processed by the Charity. Details of the data held and processing of that data is contained within Appendix 2 which is provided to Staff at the same time as their contract of employment.

11. A copy of any Staff personal Data held by the Charity is available upon written request by that staff member from the Head Office manager.

### Consent

12. Consent as a ground of processing may require to be used from time to time by the Charity when processing personal data. It should be used by the Charity where no other alternative ground for processing is available. In the event that the Charity requires to obtain consent to process a data subject's personal data, it shall obtain that consent in writing. The

consent provided by the data subject must be freely given and the data subject will be required to sign a relevant consent form if willing to consent. Any consent to be obtained by the Charity must be for a specific and defined purpose (i.e. general consent cannot be sought).

### Processing of Special Category Personal Data or Sensitive Personal Data

13. In the event that the Charity processes Special Category Personal Data or Sensitive Personal Data, the Association must do so in accordance with one of the following grounds of processing:

- The data subject has given explicit consent to the processing of this data for a specified purpose;
- Processing is necessary for carrying out obligations or exercising rights related to employment or social security;
- Processing is necessary to protect the vital interest of the data subject or, if the data subject is incapable of giving consent, the vital interests of another person;
- Processing is necessary for the establishment, exercise or defence of legal claims, or whenever court are acting in their judicial capacity; and
- Processing is necessary for reasons of substantial public interest.

### Data Sharing

14. The Charity only shares its data with third parties in order that its day to day activities are carried out in accordance with the Charities relevant policies and procedures.

15. Personal data is from time to time shared within the Charity and with some third parties who require to process personal data that the Charity process as well. Both the Charity and the third party will be processing that data in their individual capacities as data controllers.

16. Where the Charity shares in the processing of personal data with a third party organisation (e.g. for processing of the employees' pension), it shall require the third party to provide evidence of compliance with GDPR legislation.

### Data Processors

17. A data processor is an employee within the Charity or a third party entity that processes personal data on behalf of the Charity, and are frequently engaged if certain aspects of the Charities work is outsourced (e.g. payroll).

18. A data processor must comply with Data Protection laws. The Charities data processors must ensure they have appropriate technical security measures in place, maintain records of processing activities and notify the Charity if a data breach is suffered.

19. If a data processor wishes to sub-contact their processing, prior written consent of the Charity must be obtained. Upon a sub-contracting of processing, the data processor will be liable in full for the data protection breaches of their sub-contractors.

### Data Storage and Security

20. All Personal Data held by the Association must be stored securely, whether electronically or in paper format.

a. Paper Storage

If personal data is stored on paper it should be kept in a secure place where unauthorised personnel cannot access it. When the Personal Data is no longer required it must be disposed of by the employee so as to ensure its destruction. If the personal data requires to be retained on a physical file then the employee should ensure that it is affixed to the file which is then stored in accordance with the Charities storage provisions.

b. Electronic Storage

Personal data stored electronically must also be protected from unauthorised use and access. If personal data is stored on removable media (CD, DVD, USB memory stick) then that removable media must be stored securely at all times when not being used. Personal data should only be stored on designated drives or servers. When personal data is stored on mobile devices, these devices are to be password protected and stored securely when not in use.

### Breaches

21. A data breach can occur at any point when handling personal data and the Charity has reporting duties in the event of a data breach or potential breach occurring. Breaches which pose a risk to the rights and freedoms of the data subjects who are subject of the breach require to be reported externally in accordance with paragraph 21b.

a. Internal Reporting

The Charity takes the security of data very seriously and in the unlikely event of a breach will take the following steps:

- As soon as the breach or potential breach has occurred, and in any event no later than six (6) hours after it has occurred, the Director of the Charity must be notified in writing of (i) the breach; (ii) how it occurred; and (iii) what the likely impact of that breach is on any data subject(s);
- The Charity must seek to contain the breach by whatever means available;
- The Director must consider whether the breach is one which requires to be reported to the ICO and data subjects affected and do so in accordance with this paragraph 21;

b. Reporting to the ICO

The Director will require to report any breaches which pose a risk to the rights and freedoms of the data subjects who are subject of the breach to the Information Commissioner's Office ("ICO") within 72 hours of the breach occurring. The Director must also consider whether it is appropriate to notify those data subjects affected by the breach.

### Data Protection – Responsible Person

22. A Data Protection responsible person is an individual who has an over-arching responsibility and oversight over compliance by the Charity with data protection laws. The Charity has elected to appoint the Director of The Ripple Pond who can be contacted through [data@theripplepond.org](mailto:data@theripplepond.org) for any data protection issues.

The Responsible person will be responsible for:

- Monitoring the Charities compliance with Data Protection laws and this Policy;
- Co-operating with and serving as the Charities contact for discussions with the ICO
- Reporting breaches or suspected breaches to the ICO and data subjects in accordance with Part 7 hereof.

### Data Subject Rights

23. Certain rights are provided to data subjects under the GDPR. Data Subjects are entitled to view the personal data held about them by the Charity, whether in written or electronic form.

24. Data subjects have a right to request a restriction of processing their data, a right to be forgotten and a right to object to the Charities processing of their data. These rights are notified to in the Charities Privacy Notices.

#### a. Subject Access Requests (SAR)

Data Subjects are permitted to view their data held by the Charity upon making a request to do so (a Subject Access Request). Upon receipt of a request by a data subject, the Charity must respond to the SAR within one month of the date of receipt of the request.

The Charity:

- Must provide the data subject with an electronic or hard copy of the personal data requested, unless any exemption to the provision of that data applies in law
- Where the personal data comprises data relating to other data subjects, must take reasonable steps to obtain consent from those data subjects to the disclosure of that personal data to the data subject who has made the SAR, or
- Where the Charity does not hold the personal data sought by the data subject, the Charity must confirm that it does not hold any personal data sought by

the data subject as soon as practicably possible, and in any event, not later than one month from the date on which the request was made

b. The Right to be Forgotten

A data subject can exercise their right to be forgotten by submitting a request in writing to the Charity seeking that the Charity erase the data subject's personal data in its entirety.

Each request received by the Charity will require to be considered on its own merits and legal advice may require to be obtained in relation to such requests from time to time. The Director will have responsibility for accepting or refusing the data subject's request in and will respond in writing to the request.

c. The Right to Restrict or Object to Processing

A data subject may request that the Charity restrict its processing of the data subject's personal data, or object to the processing of that data.

In the event that any direct marketing is undertaken from time to time by the Charity, a data subject has an absolute right to object to processing of this nature by the Charity, and if the Charity receives a written request to cease processing for this purpose, then it must do so immediately.

Each request received by the Charity will require to be considered on its own merits and legal advice may require to be obtained in relation to such requests from time to time. The Director will have responsibility for accepting or refusing the data subject's request and will respond in writing to the request.

### Privacy Impact Assessments ("PIAs")

25. These are a means of assisting the Charity in identifying and reducing the risks that our operations have on personal privacy of data subjects.

The Charity shall:

- a. Carry out a PIA before undertaking a new project or processing activity which poses a "high risk" to an individual's privacy. High risk can include, but is not limited to, activities using information relating to health or race, or the implementation of a new IT system for storing and accessing Personal Data; and
- b. In carrying out a PIA, include a description of the processing activity, its purpose, an assessment of the need for the processing, a summary of the risks identified and the measures that it will take to reduce those risks, and details of any security measures that require to be taken to protect the personal data.
- c. The Charity will require to consult the ICO in the event that a PIA identifies a high level of risk which cannot be reduced. The Data Protection Officer ("DPO") will be responsible for such reporting, and where a high level of risk is identified by those carrying out the PIA they require to notify the DPO within five (5) working days.

## Archiving, Retention and Destruction of Data

26. The Charity cannot store and retain personal data indefinitely. It must ensure that personal data is only retained for the period necessary. The Association shall ensure that all personal data is archived and destroyed in accordance with the periods specified within the table at Annex F.

## Privacy Notice - Beneficiaries

The Ripple Pond will be what is known as the 'Controller' of the personal data you provide to us. We only collect personal data about you which does not include any special types of information. This information does include name, date of birth, addresses, email, phone number and bank details.

### Why we need your data

We need and will use your personal data to enable contact with you and provide information on The Ripple Pond support services, on-going organisational updates containing information about The Ripple Pond Peer Support Network and other organisations which may be of assistance or provide support. We will only collect bank details if we pay expenses to you. We will not collect any personal data from you that we do not need to enable and oversee these support services to you.

### What we do with your data

We process all personal data legally to allow The Ripple Pond to provide the support that you have requested and is in your legitimate interest. All data is processed by our staff in the UK, however for the purposes of IT hosting and maintenance this information is located on servers within the European Union or within country's that meet EU security standards. We will not share your personal data with anyone outside The Ripple Pond and will ensure 3rd parties do not have access to your personal data unless the law allows them to do so.

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

### How long we keep your data

We will keep your personal data whilst you are a member of The Ripple Pond and for 3 months after leaving to allow you to easily re-join should you change your mind. Any financial information provided to us will be retained for 6 years in line with current statute. After which time it will be destroyed.

If at any point you believe the data we process on you is incorrect you can request to see this information (ACCESS) and have it corrected (RECTIFICATION) or deleted (FORGOTTEN). If you wish to raise a complaint on how we have handled your personal data, you can contact us to have the matter investigated.

[data@theripplepond.org](mailto:data@theripplepond.org)

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can raise a complaint with the Information Commissioner's Office <https://ico.org.uk>

Our full privacy policy can be found on the website at: [Privacy Policy](#)

## Privacy Notice - Staff

The Ripple Pond will be what is known as the 'Controller' of the personal data you provide to us. We only collect personal data about you which may include special types of information to enable your employment. This does include name, date of birth, addresses, email, phone number, passport number, national insurance number, allergies or health issues.

### Why we need your data

We need to know and use your basic personal data to prove your right to work in the UK, conduct basic DBS checks, administer payroll and pension and ensure we understand any health issues you may encounter at your place of work. We will not collect any personal data from you we do not need to provide to oversee this service to you.

### What we do with your data

We process all personal data legally to allow The Ripple Pond to employ you as a staff member and that is in your legitimate interest by our staff in the UK. For the purposes of IT hosting and maintenance this information is located on servers within the European Union or within country's that meet EU security standards. We will only share your personal data outside of The Ripple Pond with 3<sup>rd</sup> parties that provide services such as payroll, pension administration and DBS clearance. We will ensure other 3<sup>rd</sup> parties do not have access to your personal data unless the law allows them to do so.

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

### How long we keep your data

We will keep your basic personal data whilst you are a staff member of The Ripple Pond and it will be retained in line with Annex E to the privacy and data protection policy, after which time it will be destroyed.

If at any point you believe the information we process on you is incorrect you can request to see this information (ACCESS) and have it corrected (RECTIFICATION) or deleted (FORGOTTEN). If you wish to raise a complaint on how we have handled your personal data, you can contact us to have the matter investigated.

[data@theripplepond.org](mailto:data@theripplepond.org)

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the Information Commissioner's Office <https://ico.org.uk/>

Our full privacy policy can be found at: [Privacy Policy](#)

## The Ripple Pond Privacy Notice - Trustee

The Ripple Pond will be what is known as the 'Controller' of the personal data you provide to us. We only collect personal data about you which does not include any special types of information. This does however include name, date of birth, addresses, email address and phone number.

### Why we need your data

We need to know and use your personal data to allow contact with you as a Trustee of the charity and comply with Charity Commission regulations. We will not collect any personal data from you we do not need to provide and enable this requirement.

### What we do with your data

We process all personal data legally to allow you to function as a Trustee of The Ripple Pond and is in your legitimate interest. The data is processed by our staff in the UK, however for the purposes of IT hosting and maintenance this information is located on servers within the European Union or within country's that meet EU security standards. We will only share your personal data outside of The Ripple Pond with 3<sup>rd</sup> parties that we are required to do so by Charity Law. Some of this personal data is subsequently published in the public domain. If you do not wish this to happen you should contact the Director to gain an exemption from the regulations. We will ensure other 3rd parties do not have access to your personal data unless the law allows them to do so.

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

### How long we keep your data

We will keep your basic personal data whilst you are a Trustee of The Ripple Pond and for 10 years after leaving The Ripple Pond as required by Charity Law, after which time it will be destroyed.

If at any point you believe the information we process on you is incorrect you can request to see this information (ACCESS) and have it corrected (RECTIFICATION) or deleted (FORGOTTEN). If you wish to raise a complaint on how we have handled your personal data, you can contact us to have the matter investigated.

[data@theripplepond.org](mailto:data@theripplepond.org)

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the Information Commissioner's Office <https://ico.org.uk/>

Our full privacy policy can be found at: [Privacy Policy](#)

## The Ripple Pond Privacy Notice - General

The Ripple Pond will be what is known as the 'Controller' of the personal data you provide to us. We only collect personal data about you which does not include any special types of information. This may however include name, addresses, email address and phone number.

### Why we need your data

We need to know and use your personal data to allow contact with you as someone who supports the Charity, is a volunteer or has asked for information relating to the Charity. We will not collect any personal data from you we do not need to provide and enable this requirement.

### What we do with your data

We process all personal data legally to allow you to interact and engage with The Ripple Pond and is in your legitimate interest. The data is processed by our staff in the UK, however for the purposes of IT hosting and maintenance this information is located on servers within the European Union or within country's that meet EU security standards. We will ensure other 3rd parties do not have access to your personal data unless the law allows them to do so.

We have a Data Protection regime in place to oversee the effective and secure processing of your personal data.

### How long we keep your data

We will keep your basic personal data whilst you remain a supporter/volunteer of The Ripple Pond and in line with Annex F to our Privacy Policy.

If at any point you believe the information we process on you is incorrect you can request to see this information (ACCESS) and have it corrected (RECTIFICATION) or deleted (FORGOTTEN). If you wish to raise a complaint on how we have handled your personal data, you can contact us to have the matter investigated.

[data@theripplepond.org](mailto:data@theripplepond.org)

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the Information Commissioner's Office <https://ico.org.uk/>

Our full privacy policy can be found at: [Privacy Policy](#)

## SUBJECT ACCESS REQUEST FORM

You should complete this form if you want us to supply you with a copy of any personal data we hold about you. You are currently entitled to receive this information under the Data Protection Act 1998 (DPA) and will continue to be under the EU General Data Protection Regulation (GDPR), which comes into effect on 25 May 2018. We will also provide you with information about any processing of your personal data that is being carried out, the retention periods which apply to your personal data, and any rights to rectification, erasure, or restriction of processing that may exist.

We will endeavour to respond promptly and in any event within one month of the latest of the following:

- Our receipt of your written request; or
- Our receipt of any further information we may ask you to provide to enable us to comply with your request.

The information you supply in this form will only be used for the purposes of identifying the personal data you are requesting and responding to your request. You are not obliged to complete this form to make a request, but doing so will make it easier for us to process your request quickly.

### SECTION 1: Details of the person requesting information

Full name:

Address:

Contact telephone number:

Email address:

### SECTION 2: Are you the data subject?

Please tick the appropriate box and read the instructions which follow it.

**YES:** I am the data subject. I enclose proof of my identity (see below).

(please go to section 4)

**NO:** I am acting on behalf of the data subject. I have enclosed the data subject's written authority and proof of the data subject's identity and my own identity (see below).

(please go to section 3)

To ensure we are releasing data to the right person we require you to provide us with proof of your identity and of your address. Please supply us with a photocopy or scanned image (do not send the originals) of one of both of the following:

Please tick the appropriate box and read the instructions which follow it.

**YES:** I am the data subject. I enclose proof of my identity (see below).

**(please go to section 4)**

**NO:** I am acting on behalf of the data subject. I have enclosed the data subject's written authority and proof of the data subject's identity and my own identity (see below).

**(please go to section 3)**

To ensure we are releasing data to the right person we require you to provide us with proof of your identity and of your address. Please supply us with a photocopy or scanned image (do not send the originals) of one of both of the following:

1) Proof of Identity

Passport, photo driving licence, national identity card, birth certificate.

2) Proof of Address:

Utility bill, bank statement, credit card statement (no more than 3 months old); current driving licence; current TV licence; local authority tax bill, HMRC tax document (no more than 1 year old).

If we are not satisfied you are who you claim to be, we reserve the right to refuse to grant your request.

**SECTION 3:** Details of the data subject (if different from section 1)

Full name:

Address:

Contact telephone number:

Email address:

**SECTION 4:** What information are you seeking?

Please describe the information you are seeking. Please provide any relevant details you think will help us to identify the information you require.

Please note that if the information you request reveals details directly or indirectly about another person we will have to seek the consent of that person before we can let you see that information. In certain circumstances, where disclosure would adversely affect the rights

and freedoms of others, we may not be able to disclose the information to you, in which case you will be informed promptly and given full reasons for that decision.

While in most cases we will be happy to provide you with copies of the information you request, we nevertheless reserve the right, in accordance with section 8(2) of the DPA, not to provide you with copies of information requested if to do so would take “disproportionate effort”, or in accordance with Article 12 of the GDPR to charge a fee or refuse the request if it is considered to be “manifestly unfounded or excessive”. However we will make every effort to provide you with a satisfactory form of access or summary of information if suitable.

**SECTION 5:** Information about the collection and processing of data.

If you want information about any of the following, please tick the boxes:

- Why we are processing your personal data
- To whom your personal data are disclosed
- The source of your personal data

**SECTION 6:** Declaration

Please note that any attempt to mislead may result in prosecution.

I confirm that I have read and understood the terms of this subject access form and certify that the information given in this application to The Ripple Pond is true. I understand that it is necessary for The Ripple Pond to confirm my / the data subject’s identity and it may be necessary to obtain more detailed information in order to locate the correct personal data.

Signed..... Date .....

## Data Retention

The table below sets out retention periods for personal data held and processed by the Charity. It is intended to be used as a guide only. The Charity recognises that not all personal data can be processed and retained for the same duration, and retention will depend on the individual circumstances relative to the Data Subject whose personal data is stored.

### Personal Data - Retention Policy

Ser	Data Description	Retention Period	Start of Period	Relevant Provision/Reason
1	Beneficiary personal data	Whilst a member	On Joining	To provide contact and enable support
2	Beneficiary personal data	3 months	On request to leave	To allow a reasonable time for a change of mind
3	Beneficiary financial data	6 years	End of financial year the payment was made	Charities Act 2011 Section 131. Charities and Trustee Investment (Scotland) Act 2005 Section 44
4	Staff Personal Data – Personal files, including training records and notes	6 years	Start of employment on an ongoing basis	To cover the time for civil legal action claims
5	Staff Financial Records - Payroll, Income Tax and pension information	6 Years	End of financial year the payment was made	Charities Act 2011 Section 131. Charities and Trustee Investment (Scotland) Act 2005 Section 44
6	Documents proving the right to work in the UK	2 years	On leaving employment	Immigration Act 2016
7	Trustee personal data	10 years	Rolling basis	Charities Act 2011 – Board Meeting Minutes
8	Contact Information – Patrons Volunteers/Supporters	As long as a Patron/Volunteer/Supporter	On agreeing to become Patron/Volunteer/Supporter	To enable contact and provide information or for 6 Years if any financial transactions have taken place.