



# Data Protection Policy

This policy was agreed by KLS Trustees on 11<sup>th</sup> September 2013.

All KLS policies are reviewed annually.

This policy will be reviewed again in September 2017.

Katherine Low Settlement Ltd  
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[www.klsettlement.org.uk](http://www.klsettlement.org.uk)

Charity Number: 1081248  
Company Number: 3814833

## 1. About Katherine Low Settlement

Katherine Low Settlement is a multi-purpose charity that has been serving the communities of Wandsworth since 1924. It is dedicated to fighting poverty and isolation. We strive to provide an opportunity for people to realise their own potential and to understand the contribution they can make to their community.

Visit: [www.klsettlement.org.uk](http://www.klsettlement.org.uk) and @klsettlement (twitter)

## 2. Katherine Low Settlement's Data Protection Policy

Katherine Low Settlement's (KLS) Board of Trustees recognise its overall responsibility for ensuring that KLS complies with its legal obligations.

The purpose of this Data Protection policy is to enable KLS to:

- Comply with the law in respect of the data it holds about individuals.
- Follow good practice.
- Protect KLS's supporters, staff and other individuals.
- Protect KLS from the consequences of a breach of its responsibilities.

The policy is endorsed by the Katherine Low Settlement's Trustees and will be reviewed annually to make sure it remains relevant and appropriate to the needs of KLS: its staff, volunteers, users and visitors.

This Data Protection policy is freely accessible to all.

## 3. Key persons and contact details

Katherine Low Settlement is the Data Controller and is registered under the Data Protection Act 1998. All processing of personal data will be undertaken in accordance with the data protection principles (see below).

Agency	Name	Contact Details
KLS Data Protection Lead (trustee)	Margaret Robson (Chair)	020 8769 9043
KLS Data Protection Officer (staff)	Aaron Barbour (Director)	020 7223 2845
Information Commissioner 's Office		<a href="http://www.ico.org.uk">www.ico.org.uk</a>

KLS' Data Protection Officer is Aaron Barbour (Director), who has the following responsibilities:

- Briefing the board on Data Protection responsibilities
- Reviewing Data Protection and related policies
- Advising other staff on Data Protection issues
- Ensuring that Data Protection induction and training takes place
- Handling subject access requests
- Approving unusual or controversial disclosures of personal data
- Ensuring contracts with Data Processors have appropriate data protection clauses
- Electronic security
- Approving data protection-related statements on publicity materials and letters

Each member of staff and volunteer at KLS who handles personal data will comply with the organisation's operational procedures for handling personal data to ensure that good Data Protection practice is established and followed. All staff and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work. Significant breaches of this policy will be handled under KLS disciplinary procedures.

#### 4. Glossary of Terms – Definitions

**Data Controller:** is the legal ‘person’, or organisation, that decides why and how personal data is to be processed. The data controller is responsible for complying with the Data Protection Act 1998. This is the Katherine Low Settlement.

**Data Protection Officer:** is the name given to the person in the organisation who is the central point of contact for all data compliance issues. These are Margaret Robson, KLS’ Chair of Trustees (from the trustee governing board) and Aaron Barbour, KLS’ Director (from the staff team).

**Data Subject:** is the individual whose personal data is being processed. Examples include: employees – current and past; volunteers; job applicants; donors; users; and suppliers.

**Processing:** means the use made of personal data including:

- Obtaining and retrieving.
- Holding and storing.
- Making available within or outside the organisation.
- Printing, sorting, matching, comparing, destroying.

**Subject access:** Individuals have a right to know what information is being held about them. The basic provision is that, in response to a valid request, the Data Controller must provide a permanent, intelligible copy of all the personal data about that Data Subject held at the time the application was made. The Data Controller may negotiate with the Data Subject to provide a more limited range of data (or may choose to provide more), and certain data may be withheld. This includes some third party material, especially if any duty of confidentiality is owed to the third party, and limited amounts of other material. (“Third Party” means either that the data is about someone else, or someone else is the source.)

#### 5. About the Data Protection Act 1998

The [Data Protection Act 1998](#) gives individuals the right to know what information is held about them by organisations, businesses or the government. It provides a framework to ensure that personal information is handled properly.

The Act works in two ways. Firstly, it states that anyone who processes personal information must comply with eight ‘data protection principles’, which make sure that personal information is:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- handled according to people’s data protection rights
- Kept safe and secure
- Not transferred outside the UK without adequate protection

The second area covered by the Act provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.

#### 6. KLS’ Data Protection policy statement

KLS will:

- comply with both the law and good practice

- respect individuals' rights
- be open and honest with individuals whose data is held
- provide training and support for staff and volunteers who handle personal data, so that they can act confidently and consistently

KLS recognises that its first priority under the Data Protection Act 1998 is to avoid causing harm to individuals. In the main this means:

- keeping information securely in the right hands, and
- holding good quality information.

Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, KLS will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

## **7. Confidentiality**

As confidentiality applies to a much wider range of information than Data Protection, KLS has a separate Confidentiality Policy. This Data Protection Policy should be read in conjunction with KLS's Confidentiality Policy.

KLS has a privacy statement for clients, setting out how their information will be used. This is available on request (See Appendix 2).

Staff, volunteers and sessional workers are required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities. (See separate Confidentiality Policy and Statement.)

In order to provide some services, KLS will need to share client's personal data with other agencies (Third Parties). Verbal or written agreement will always be sought from the client before data is shared.

Where anyone within KLS feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done after discussions with the Data Protection Officer. All such disclosures will be documented.

## **8. Security**

This section of the policy only addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.

Any recorded information on clients, volunteers and staff will be:

- Kept in locked cabinets, in locked offices.
- Protected by the use of passwords if kept on computer.
- Destroyed confidentially if it is no longer needed.

Access to information on the main database is controlled by a password and only those needing access are given the password. Staff and volunteers should be careful about information that is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is on display.

Notes regarding personal data of clients must be shredded or destroyed.

## **9. Data recording and storage**

KLS is moving towards a single database holding basic information about all supporters and volunteers. Projects will for the time being, however, continue to hold separate registers of their members, and sessional workers may also keep separate information about those they are supporting.

KLS regularly review's its procedures for ensuring that its records remain accurate and consistent and, in particular:

- The database system is reviewed and re-designed, where necessary, to encourage and facilitate the entry of accurate data.
- Data on any individual will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets.
- Effective procedures are in place so that all relevant systems are updated when information about any individual changes.

KLS has agreed the it will retain data for a five (5) year period from the point of an individual leaving the KLS fold including members, supporters and users of services who elect not to become members, volunteers, staff and sessional workers.

KLS stores archived paper records of data subjects securely in the office.

## **10. Access to data**

All clients and customers have the right to request access to all information stored about them. Any subject access requests will be handled by the Data Protection Officer within the required time limit. Subject access requests must be in writing. All staff and volunteers are required to pass on anything which might be a subject access request to the Data Protection Officer without delay. Where the individual making a subject access request is not personally known to the Data Protection Officer their identity will be verified before handing over any information. The required information will be provided in 'permanent form' unless the applicant makes a specific request to be given supervised access in person.

Staff have the right to access their file to ensure that information is being used fairly. If information held is inaccurate, the individual must notify the Director so that this can be recorded on file.

## **11. Transparency**

KLS is committed to ensuring that in principle Data Subjects are aware that their data:

- Is being processed and for what purpose it is being processed.
- What types of disclosure are likely.
- How to exercise their rights in relation to the data.

Data Subjects will generally be informed in the following ways:

- Staff and sessional workers: in the staff handbook
- Volunteers: in the volunteer welcome/support pack
- Clients: when they request or sign up to services (on paper, on line or by phone)
- Members: in the welcome pack

Standard statements will be provided to staff for use on forms where data is collected. Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.

## **12. Consent**

**Staff:** Consent will normally not be sought for most processing of information about staff and sessional workers. Although staff details will only be disclosed for purposes unrelated to their work for KLS (e.g. financial references) with their consent.

**Volunteers:** Information about volunteers will be made public according to their role, and consent will be sought for (a) the means of contact they prefer to be made public, and (b) any publication of information which is not essential for their role.

**Clients:** Information about clients will only be made public with their consent (e.g. photographs, quotes, case studies, DVDs, CDs). 'Sensitive' data about clients (including health information) will be held only with the knowledge and consent of the individual.

Consent should be given in writing, although for some services it is not always practicable to do so. In these cases verbal consent will always be sought to the storing and processing of data. In all cases it will be documented on the database that consent has been given. KLS acknowledges that, once given, consent can be withdrawn, but not retrospectively. There may be occasions where KLS has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.

## **13. Complaints**

If a data subject thinks that their data has been misused or that KLS has not kept it secure, they should contact KLS' Data Protection Officer and tell them (follow KLS' complaints & compliments policy and procedures).

If the data subject is unhappy with their response or if they need any advice they should contact the Information Commissioner's Office.

## **14. Staff training and acceptance of responsibilities**

All staff who have access to any kind of personal data will be given a copy of the staff handbook and copies of all relevant policies and procedures during their induction process, including the Data Protection policy, Confidentiality policy and the operational procedures for handling personal data. All staff will be expected to adhere to all these policies and procedures.

KLS will provide opportunities for staff to explore Data Protection issues through training, team meetings, and supervisions.

Volunteers will receive information about Data Protection as part of their induction.

## **Appendix 1: Katherine Low Settlement's Privacy Statement**

When you request information from Katherine Low Settlement (KLS), sign up to any of our services or buy things from us, KLS obtains information about you. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act 1998 to prevent your information falling into the wrong hands. We must also ensure that the data we hold is accurate, adequate, relevant and not excessive.

Normally the only information we hold comes directly from you. Whenever we collect information from you, we will make it clear which information is required in order to provide you with the information, service or goods you need. You do not have to provide us with any additional information unless you choose to. We store your information securely on our computer system, we restrict access to those who have a need to know, and we train our staff in handling the information securely.

If you have signed up to a class or other service we will also pass your details to the professional worker providing that service. That worker may hold additional information about your participation in these activities.

We would also like to contact you in future to tell you about other services we provide, to keep you informed of what we are doing and ways in which you might like to support KLS. You have the right to ask us not to contact you in this way. We will always aim to provide a clear method for you to opt out. You can also contact us directly at any time to tell us not to send you any future marketing material.

You have the right to a copy of all the information we hold about you (apart from a very few things which we may be obliged to withhold because they concern other people as well as you). To obtain a copy, either ask for an application form to be sent to you, or write to the Data Protection Officer at Katherine Low Settlement. We aim to reply as promptly as we can and, in any case, within the legal maximum of 40 days.

## **Appendix 2: Katherine Low Settlement's confidentiality statement for staff and volunteers**

When working for Katherine Low Settlement (KLS), you will often need to have access to confidential information which may include, for example:

- Personal information about individuals who are supporters or otherwise involved in the activities organised by KLS.
- Information about the internal business of KLS.
- Personal information about colleagues working for KLS.

KLS is committed to keeping this information confidential, in order to protect people and the organisation itself. 'Confidential' means that all access to information must be on a need to know and properly authorised basis. You must use only the information you have been authorised to use, and for purposes that have been authorised. You should also be aware that under the Data Protection Act 1998, unauthorised access to data about individuals is a criminal offence.

You must assume that information is confidential unless you know that it is intended by KLS to be made public.

You must also be particularly careful not to disclose confidential information to unauthorised people or cause a breach of security. In particular you must:

- Not compromise or seek to evade security measures (including computer passwords).
- Not gossip about confidential information, either with colleagues or people outside KLS.
- Not disclose information unless you are sure that you know who you are disclosing it to, and that they are authorised to have it.

If you are in doubt about whether to disclose information or not, do not guess. Withhold the information while you check with an appropriate person (your Line Manager and/or the Data Protection Officer, Aaron Barbour) whether the disclosure is appropriate.

Your confidentiality obligations continue to apply indefinitely after you have stopped working for Katherine Low Settlement.

I have read and understand the above statement. I accept my responsibilities regarding confidentiality.

**Signed:**

**Name:**

**Date:**



### Appendix 3: Katherine Low Settlement's photography and video film consent form

At Katherine Low Settlement we produce a wide range of materials to tell people about our services and to raise money for our work. From time to time we take photographic images (moving and still) of subjects, and use case studies which can include these images and personal data (such as name and project, where appropriate and consented to) to enhance and illustrate our media applications to make them more accessible, and inspiring for our audiences.

By completing this form, you give us full permission to use these images and any personal information you supply to us in our media applications, which reasonably promote or advertise KLS' aims, throughout the world wherever KLS' chooses to do so. This may include our printed publications e.g. books, newspapers, magazine articles; adverts and publicity material; audio-visual and electronic materials; media work; display materials; direct mail; television programmes, internet publications and any other media we may use in the future. The images will not be used for any other purpose.

KLS' will keep all the images and use them for such period as it considers appropriate, and will move them into its image archive for posterity once they are no longer appropriate for the modern image library. *The copyright of any material which is generated as a result of this photographic session shall be assigned and shall be the property of the Katherine Low Settlement.*

**Your details:**

<b>First Name</b>		<b>Family Name</b>	
<b>Address</b>			
		<b>Postcode</b>	
<b>Telephone</b>			
<b>Email</b>			

<b>Please state here if there are any ways in which you do NOT want us to use photo(s)/films of you:</b>

<b>Consenting parent's/legal guardian's name, if child is under 18yrs old</b>	
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<b>Signed</b> or type if emailed		<b>Date</b>	
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**Data protection statement**

KLS' values your support and promises to respect your privacy. The data we gather and hold is managed in accordance with the Data Protection Act (1998). Other than as specified above, the information that you give us here will only be used to contact you about these photo(s) and videos. We will not pass the details recorded on this form on to any other organisation without your permission.

<b>For internal use only:</b>			
Name of shoot / event			
Location of shoot / event		Date	
Image reference(s)			
Contact name		Contact phone number	