

Transition Town Letchworth

Data Protection Policy

Reviewed by Trustees: 7th May 2019



1 Introduction

- 1.1 Transition Town Letchworth (TTL) collects and uses information about individuals whom it comes into contact with in order to meet its objectives. This personal information must be collected and dealt with appropriately, whether is collected on paper, stored in a computer database, or recorded on other material.
- 1.2 TTL will adhere to the General Data Protection Regulations (GDPR), introduced into UK Law on 25th May 2018. Article 2 of the Regulation states that it “applies to the processing of personal data wholly or partly by automated means and to the processing other than by automated means of personal data which form part of a filing system or are intended to form part of a filing system”.
- 1.3 TTL will adhere to the key principles behind the legislation which are personal data collected will be:
 - a) processed lawfully, fairly and in a transparent manner;
 - b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
 - c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
 - d) accurate and, where necessary, kept up to date;
 - e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
 - f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

2 Data Controller

- 2.1 **Transition Town Letchworth** is the “Data Controller” under the Act. It has determined that it will only hold and use personal information for the **purposes** of:
 - establishing or maintaining involvement with TTL, or support for it
 - providing or administering TTL activities
- 2.2 TTL as a not-for-profit organisation, is exempt from having to notify the Information

Commissioner's Office about data it holds and from having to register with them. TTL is not required to have a designated Data Protection Officer as it is not a public body, does not collect data to monitor data subjects and does not collect or process any of the data covered by Articles 9 and 10.

3 Disclosure

- 3.1 Disclosures of TTL's personal data are restricted to those third parties that are necessary for the purposes identified in paragraph 2.1 and for which consent for sharing was obtained when the personal data was first collected or in a follow up consent request which described any additional sharing of data.
- 3.2 TTL regularly receives email requests which are forwarded as a blind copy to the appropriate TTL member to respond. Members should respect the senders privacy and only forward the email to the TTL members required to respond to the email or remove any personal data before forwarding. TTL members can decide what level of personal data they are willing to share in a response to an enquiry. They can reply utilising their personal email account but also have the option to have a reply sent from TTLs email account.

4 Data Collection

- 4.1 TTL will ensure that personal data is only collected for the purposes identified in paragraph 2.1.
- 4.2 Processing of personal data by TTL is only lawful if the data subject has given consent to the processing of his or her personal data for one or more specific purposes. Conditions for consent are:
 - a) TTL must be able to demonstrate that the data subject has consented to processing of his or her personal data.
 - b) The request for consent shall be presented in a manner which is clearly distinguishable from the other matters, is in an intelligible and easily accessible form, using clear and plain language.
 - c) The data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal. It shall be as easy to withdraw consent as to give it.
 - d) Consent to process personal data should not be a condition of providing a service unless the service can only be provided if consent to the use of personal data is given.
- 4.3 TTL when requesting personal data will ensure that the person providing the information knows
 - a) the identity and the contact details of TTL.
 - b) that the data will only be held with their consent and this consent can be withdrawn at

any time, however, withdrawal of consent does not affect the right to have processed the data before withdrawal of consent was given.

- c) how their data will be used.
- d) the criteria for determining the period the personal data will be stored.
- e) they have the right to request TTL provide access to and rectification or erasure of personal data or to restrict how the data is used.
- f) They have the right to lodge a complaint with the information commissioners office.
- g) any recipients or categories of recipients of the personal data, if any.
- h) if the personal data is required in order to receive a service and any consequences of failure to provide such data.

4.4 Where personal data can be legitimately disclosed to another recipient, the data subject will be informed when the personal data is first disclosed to the recipient. If TTL wants to process personal data for a purpose other than that for which they were collected, TTL will provide the data subject, prior to that further processing, with information on that other purpose and other necessary information and obtain consent.

5 Data Storage

5.1 Information and records will be stored securely and will only be accessible to authorised volunteers.

5.2 Where processing is to be carried out on behalf of TTL, TTL shall use only processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of the General Data Protection Regulation and ensure the protection of the rights of the data subject.

5.3 Information will be stored for only as long as it is needed and will be disposed of appropriately. It will not be kept after the relationship between TTL and the data subject ends, unless (and for so long as) it is necessary to do so for the purposes stated in paragraph 2.1.

5.4 TTL will be responsible for ensuring all personal data is non-recoverable from any computer system previously used, which has been passed on/sold to a third party.

6 Data Access and Accuracy

6.1 All individuals have the right to access information TTL holds about them.

6.2 TTL will, through appropriate management and procedures:

- a) ensure people, about whom information is held, can:
 - access their personal information
 - correct, rectify, block or erase any incorrect information about them

- have their data erased ('right to be forgotten') without undue delay.
- a) respond to requests promptly and courteously but they must be responded to within a month.
- b) ensure the quality of information used and take reasonable steps to keep it up to date by asking data subjects whether there have been any changes.
- c) take appropriate technical and organisational security measures to safeguard personal information.
- d) Establish time limits for periodic review or erasure of the data.

7 Operation

7.1 TTL will ensure that:

- a) everyone processing personal information understands that they are responsible for following good data protection practice and these individuals will need to confirm that they have read this data protection policy.
- b) everyone processing personal information is appropriately trained.
- c) it regularly reviews the ways it holds, manages and uses personal information.

7.2 This policy will be updated as necessary to:

- a) reflect best practice.
- b) ensure compliance with any amendments to the General Data Protection regulation 2018.
- c) reflect relevant changes in TTL's operations.

7.3 TTL maintains a number of databases of personal information and the measures implemented to meet the GDPR are outlined for the three categories of personal database the organisation holds in Appendix A to this policy. The three categories of personal databases are:

- a) TTL Membership List– this contains personal data for individuals who sign up to share the aspirations of TTL, take part and run TTL activities and are eligible to vote at TTL's AGM.
- b) TTL Mailing List – this contains personal data for individuals who are kept informed by a monthly email bulletin of TTLs activities, other transition related activities in the locality and relevant news.
- c) TTL Project Groups – TTL has a number of projects where smaller groups of people come together for a particular activity and contact lists are maintained for the group. In most cases the people participating will be TTL members but this is not a requirement.

7.4 TTL maintains a set of documents relating to the management of TTL. Some of these documents e.g. Steering Meeting Minutes, may mention members' names but do not specify any other personal details. A copy of these minutes is held within the TTL mailing system.

7.5 TTL has a website which only contains a Public Domain Area. This can be accessed by anyone directly. It contains the name of trustees, information that is also publicly available on the Charity Commission website, but no other personal details will be placed on this website.

8 Data Breaches

8.1 TTL shall document any personal data breaches, comprising the facts relating to the personal data breach, its effects and the remedial action taken.

8.2 If a data breach is likely to result in a risk to the rights and freedoms of natural persons¹ TTL will within 72 hours of becoming aware of the data breach notify the personal data breach to the UK information commissioner (<https://ico.org.uk>) and will inform any person whose data has been breached without delay.

Any notification to the affected persons and the information controller should:

- a) describe the nature of the personal data breach
- b) communicate the name and contact details where more information can be obtained;
- c) describe the likely consequences of the personal data breach;
- d) describe the measures taken or proposed to be taken by the controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.

8.3 The information commissioner will also need to be advised on the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned;

8.4 However, given that the information that TTL collect and store would be insufficient to be used for identity theft it is unlikely that any breach would be considered a risk to the rights and freedom of natural persons and only paragraph 8.1 is expected to apply. If TTL change the data they collect this statement would need to be reviewed.

¹ <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/personal-data-breaches/>

Appendix A: Managing Personal Data Obtained and Stored By TTL

A1 Management of TTL Membership List

A1.1 Members complete and sign a paper membership form which is held in a document file by the membership secretary at their home. The following information about each Member is obtained and held:

- Full Name (Title, First name and Surname)
- Address
- Telephone Number
- Email Address
- Signature
- Date

A1.2 The title, first name, surname, address, telephone number and email collected on this form is entered into an excel file along with a date membership commenced.

A1.3 The information is used for general administration and for contacting members.

A1.4 Members information is NOT passed to any third parties. It is only retained by TTL.

A1.5 The information will be retained until the member resigns from TTL.

A1.6 Prior to the AGM Trustees will review the list of members and if any have not attended any TTL event during the past year they will be contacted to ask if they still wish to remain a member. If a response to this contact is not received within a month the member will be considered to have resigned and their information will be removed.

A1.6 Removal of a members information will involve shredding their paper membership form and deleting their record from the excel membership file.

A1.7 A Member may request that his/her information is deleted from TTL records, known as the right to be “forgotten”. If a Member does want all their information to be deleted, then this will be implemented and they will be advised that they will no longer be a member of TTL but they will still be welcome at TTL events.

A1.8 The master excel Membership List is maintained and held on the Membership Secretary’s home computer and is password protected. If another Trustee requires information on members this will be shared by:

- By processing the data to the required level. For example, if the trustee needs to know how many members we have and how many live in Letchworth the answer will be provided rather than the database or if an email list is required for emailing members then only the emails will be provided.
- If the file needs to be shared the file and password will be communicated separately.
- Ensuring that all communications to the membership are bcc communications from the Transition Town Letchworth email address.

A2 Management of TTL Mailing List

- A2.1 TTL maintain a mailing list of individuals who have asked to be kept informed, by a monthly email bulletin, of TTLs activities, other transition related activities in the locality and relevant news. Individuals can sign up to receive the bulletin through the contact form on the TTL website or on paper signup sheets that are made available at TTL events. The information that is collected from the website contact form is Name and Email. People who complete a paper sign up sheet are asked to provide Name, Email and a Telephone Number. The telephone number is only used if a problem occurs with the email address and an alternative means of contact is required to rectify the data error in the email address. Telephone numbers are shredded as soon as the emails are confirmed as valid email addresses.
- A2.2 TTL uses an email marketing service to manage subscribers to its monthly bulletin. TTL need to not only gain consent from people to join the mailing list to receive the bulletin but they need to have consent to the fact that their name, email and any interactions (including consent) will be stored by the email marketing service. A local backup of the mailing list will be taken each month and stored in a passworded file held by the Bulletin Manager.
- A2.3 TTL must gain assurance from whichever email marketing company they utilise that they are GDPR compliant and that the data TTL store with them cannot be accessed or used by any third party.

A3 Management of TTL Project Groups

- A3.1 TTL runs projects which involve smaller groups of people. These group will appoint a 'membership secretary' who sends information and maintains a membership list. The group 'membership secretary' must be a TTL member and the membership list, if stored electronically, should be password protected and any paper records should be inconspicuously stored.
- A3.3 When a member leaves a group all record of their membership should be destroyed, both paper and electronic.
- A3.4 A membership secretary can only pass on the contact details of another group member, or include them in the 'to' or 'cc' field in an email, if they have written or emailed consent to do so. Members who have not given permission for their email to be shared should be blind copied in any emails.
- A3.5 TTL are aware that group members sometimes choose to share their contact details with other group members as this can aid project working. This is a personal exchange of data, it is not necessary for group membership, and TTL cannot accept any responsibility for how this information may subsequently be shared and managed.