

Dalkeith CAB

Data Protection Policy (Services)



1. Introduction

- 1.1 The purpose of this policy is to explain Dalkeith & District CAB's commitment to processing data in accordance with its responsibilities under the Data Protection Act 2018 and good practice standards for Citizens Advice Bureau. It refers to other policies, procedures and forms related to Data Protection, Data Security, Confidentiality and Privacy ¹, which should be read in conjunction with this policy.
- 1.2 This policy will be implemented by all paid and voluntary staff of the CAB, and relates primarily to the protection of data related to those who engage with the CAB's advice and information services. Please note, there is a separate policy and Privacy Notice related to data protection and staff and volunteers.
- 1.3 This document will be reviewed and updated on an annual basis, or where required due to changes in legislation or recommended practice.

2. Definitions

- 2.1 **Organisation** refers to Dalkeith & District Citizens Advice Bureau (also known as Dalkeith CAB, or the CAB,) which is a Scottish Registered Charity and Company Limited by Guarantee in Scotland.
- 2.2 **DPA** means the Data Protection Act 2018, which implements the European Union's General Data Protection Regulation (GDPR).
- 2.3 **Responsible Person** means the individual responsible for managing data protection within Dalkeith CAB. Unless otherwise indicated, the Responsible Person is the CAB manager.
- 2.4 **Register of Systems** means a register of all the systems or contexts in which personal data is processed Dalkeith CAB.

3. Data protection principles

- 3.1 Dalkeith CAB is committed to processing data in accordance with its responsibilities under DBA. DPA requires that personal data will be:

¹ Other Dalkeith CAB Policies relevant to this policy include Privacy Policies for General Advice, Debt Advice, Complaints, Email and Website Compliance, PensionWise and Research and the Media, consent and permission forms, and the acceptable use of CASTLE client case management database.

- 3.1.1** Processed lawfully, fairly and in a transparent manner in relation to individuals;
- 3.1.2** Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes will not be considered to be incompatible with the initial purposes;
- 3.1.3** Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- 3.1.4** Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- 3.1.5** 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; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the DPA in order to safeguard the rights and freedoms of individuals; and
- 3.1.6** 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.”

4. General provisions

- 4.1** This policy applies to all personal data processed by Dalkeith CAB, with the exception of personal data related to paid staff and volunteers, for which there is a separate policy.
- 4.2** The Responsible Person will take responsibility for the CAB’s ongoing compliance with this policy.
- 4.3** The CAB will register with the Information Commissioner’s Office as an organisation that processes personal data.
- 4.4** Dalkeith CAB also has a set of Privacy Policies specific to all stakeholder groups from which personal data is processed, which should be read in conjunction with this policy.

5. Lawful, fair and transparent processing

- 5.1** To ensure its processing of data is lawful, fair and transparent, the CAB will maintain a Register of Systems.
- 5.2** The Register of Systems will be reviewed at least annually.
- 5.3** Individuals have the right to access their personal data and any such requests made to our organisation will be dealt with in a timely manner.

5.4 Dalkeith CAB will ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Lawful purposes

6.1 All data processed by the CAB must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests (see ICO guidance for more information).

6.2 Dalkeith CAB will note the appropriate lawful basis in the Register of Systems.

6.3 Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent will be kept with the personal data.

6.4 Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the CAB's systems.

7. Accuracy

7.1 The CAB will take reasonable steps to ensure personal data is accurate.

7.2 Where necessary for the lawful basis on which data is processed, steps will be put in place to ensure that personal data is kept up to date.

8. Archiving / removal

8.1 To ensure that personal data is kept for no longer than necessary, Dalkeith CAB will put in place an archiving policy for each area in which personal data is processed and review this process annually.

8.2 The archiving policy will consider what data should/must be retained, for how long, and why.

8.3 The archiving policy can be found in the Privacy Policy for each stakeholder group for which personal data is processed by the organisation.

9. Security

9.1 The CAB will ensure that personal data is stored securely using modern software that is kept-up-to-date.

9.2 Access to personal data will be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.

- 9.3** In circumstances where personal data is shared outwith Dalkeith CAB, this is clearly noted in the relevant Privacy Policy and the individual is made aware of this before consenting to provide personal information to the CAB.
- 9.4** When personal data is deleted, this will be done safely such that the data is irrecoverable.
- 9.5** Appropriate back-up and disaster recovery solutions will be in place.

10. Training and Support

- 10.1** New staff members, volunteers, Trustee Board members, students on placement and contracted staff must read and understand the policies on data protection as part of their induction.
- 10.2** All staff members and others listed in section 10.1, receive training covering basic information about confidentiality, data protection and the actions to take upon identifying a potential data breach.
- 10.3** The nominated Data Controller for the CAB is trained appropriately in their roles under data protection legislation.
- 10.4** All staff members and others listed in section 10.1, who need to use the computer system are trained to protect individuals' private data, to ensure data security, and to understand the consequences to them as individuals and Dalkeith CAB of any potential lapses and breaches of CAB policies and procedures.

11. Breach

- 11.1** In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data
 - 11.1.1** The CAB Manager will promptly assess the risk to people's rights and freedoms.
 - 11.1.2** The CAB Manager will immediately inform the Chair of the Trustee Board or the Board member agreed for this purpose if not the Chair, that there has been a breach of security and the Data Protection policy.
 - 11.1.3** The CAB Manager will report the breach to the Information Commissioners' Office (ICO) within 72 hours.
- 11.2** Where it is believed the breach may have occurred due to the action of a paid member of staff, the matter may be investigated using the Disciplinary Procedure.
- 11.3** Where the person is a member of the Trustee Board or a Volunteer, the appropriate policy for investigation and resolution may be used (i.e. for members of the Trustee Board or for volunteers.)