4th Potters Bar Scout Group

General Data Protection Regulations (GDPR) Policy

Up to date Scouting guidance on GDPR can be found [here](https://members.scouts.org.uk/supportresources/search/?cat=55,888).

or at Hyper Link

<https://members.scouts.org.uk/supportresources/search/?cat=55,888>

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**Index**

**Page Details**

**2 Index**

**3–8 GDPR Policy**

**9 appendix a GDPR Consent Form**

**10 appendix b Photograph and Video Permission**

**11 appendix c Data inventory record**

**12-13 appendix d Subject Access Request Form**

**14 appendix e Young Persons Information Form and**

 **Adult Information form**

**15-16 appendix f Privacy Notice**

**Introduction**

This policy applies to all volunteer adults with Scouting roles in the **4th Potters Bar Scout Group**, whatever their position, role or responsibilities. This includes its Leaders (including young leaders), Volunteers, Occasional Helpers and Group Executive members. This policy is about our obligations under the data protection legislation GDPR which came into effect 25 May 2018. Protecting Data is about storing and using information about identifiable people **(Personal Data)** in a responsible manner and for legitimate reasons. It also gives people **(Data Subjects)** rights regarding their data.

**The 4th Potters Bar Scout Group** resides in the town of Potters Bar in Hertfordshire at St John’s Methodist Church, 27 Baker Street, Potters Bar EN6 2DZ.

**The 4th Potters Bar Scout Group** Executive Committee (**The Trustees**) are responsible for ensuring that compliance of GDPR is adhered too across the whole group and that all Leaders, including Young Leaders, Helpers and Volunteers are accountable to the Trustees. The Trustees are the **Data Controller** for all the Personal Data processed and held by the Group.

**Status of the policy**

## This policy has been approved by the 4th Potters Bar Scout Group Executive Committee (The

## Trustees). It sets out our rules on data protection and the legal conditions that must be satisfied

## In relation to the obtaining, handling, processing, storage, transportation and destruction of

## personal information.

**Data Protection Lead**

The **Data Protection Lead (DPL)** is responsible for ensuring the 4th Potters Bar Scout Group is compliant with the GDPR and with this policy. This post is held by **Jim Leonard** and can be contacted via email: jimleonard@btinternet.com or by letter at: **St John’s Methodist Church, 27 Baker Street, Potters Bar EN6 2DZ.** Any questions or concerns about the operation of this policy should be referred in the first instance to the DPL.

The DPL will play a major role in embedding essential aspects of the GDPR into the 4th Potters Bar Scout Group, from ensuring the data protection principles are respected to preserving data subject rights, recording data processing activities and ensuring the security of processing.

The DPL should be involved, in a timely manner, in all issues relating to the protection of personal data. To do this, the GDPR requires that DPLs are provided with the necessary support and resources to enable the DPL to effectively carry out their tasks.

The DPL is responsible for ensuring that the **4th Potters Bar Scout Group** adequately safeguards Personal Data, in line with legal requirements. This means that the governance structure within the Group must ensure the independence of the DPL.

The requirement that the DPL reports directly to the Executive Committee (The Trustees) ensures that they are made aware of any pertinent data protection issues.

**What information is impacted by this policy?**

Data protection is about information about individuals. This is Personal Data which relates to a living person that can be identified either from that data, or from data and other information that is available. Information as simple as someone's name and address is Personal Data.

Some examples of documents where Personal Data might be seen include:

* + - photographs of adults and members;
		- contact details and other personal information held about members and Parents/Guardians;
		- contact details potential members and parents who put their child on a waiting list;
		- Bank details of a Parents/Guardians;
		- Information on a member’s progress in the Scout programme.

The above is not exhaustive and there may be many other ways that you use and create information that would use Personal Data. People must be extremely careful when dealing with Personal Data which falls into any of the categories below:

* information concerning Safeguarding matters;
* DBS information (handling identification papers and using the forms);
* information about confidential medical conditions and information about Special Needs;
* information concerning allegations made against an individual (whether or not the allegation amounts to a criminal offence and whether or not it has been proved in a UK Court or
* whether it is deemed ‘spent under The Rehabilitation of Offenders Act);
* banking information (for example of parents and volunteers);
* information about an individual's racial or ethnic origin;
* political opinions;
* religious beliefs or other beliefs of a similar nature;
* trade union membership;
* physical or mental health or condition;
* sexual orientation;
* genetic information;
* information relating to actual or alleged criminal activity; and
* biometric information.

These categories are referred to as Special Category Data this will only be collected for legitimate reasons, and only if absolutely necessary. If you are unsure on this, please ask before collecting.

**Our obligations.**

The law requires we ensure that all Personal Data is processed fairly, lawfully and transparently. "Processing" means virtually everything in relation to Personal Data, including using, disclosing, copying and storing Personal Data. We have to tell people what data is collected about them, what it is used for, and who it might be shared with, unless this is obvious.

**Why we hold personal data.**

The **4th Potters Bar Scout Group** holds personal data on all Adult volunteers through the Scouting **Compass database** and data on young people for District, Regional or International events. Personal Data is also held for safeguarding matters. When a child joins the 4th Potters Bar Scout Group their data is stored on the secure **Online Membership System (OSM).**

Our aim is to comply with the law and protect individuals’ privacy, whilst providing Scouting that is safe and responsible. We are only allowed to process Personal Data for the following purposes

* + - * 1. ensuring that the Scouting provides a safe and secure environment;
				2. providing the Scouting Programme and activities for members;
				3. protecting and promoting Scouting’s interests and objectives (for example fundraising);
				4. safeguarding and promoting the welfare of our young people; and
				5. fulfilling the expected obligations of members and parents.

**Consent.**

We may sometimes rely on the consent of the individual, or their parents, to use their Personal Data e.g. use of photographs. This consent must meet certain requirements and therefore you should speak to the **Data Controller** if you think you may need to obtain consent for something, apart from those things in **Policy, Organisation and Rules** (**PO&R**) such as camping, swimming etc. (please see appendix a & b) **Note:** There is an option for this information to be collected electronically without the need of completing the appendices.

**Accuracy and inventory of data.**

The Personal Data that we hold must be accurate – we must ensure that Personal Data is complete and kept up to date e.g. if a parent or volunteer notifies us that their contact details have changed, we must update our records.

The **Executive** will keep a simple **Data inventory record** of data storage including a ‘’traffic light system’’ to highlight any risks. It will include any methods taken to protect it and how long the data is kept for. This will be reviewed annually but should also be kept up to date as processing changes are made. (see appendix c)

**Time limits**.

We must not keep Personal Data longer than necessary. This applies to both paper and electronic documents. We must be careful when destroying or deleting data; to ensure no one else can ever see or recover it.

**Sharing Personal Data outside of Scouting**

* + - We share Personal Data on a need to know basis within Scouting.
		- We must encrypt emails and attachments which contain any special category Personal Data.
		- **We should be** aware of “phishing”. Phishing is a way of making something e.g. an email or a letter appear as if it has come from someone you trust. This method is used by fraudulent people to access key personal details, such as usernames and passwords. Never reply to email, text, or pop-up messages that ask for personal or financial information or click on any links in an email from someone that you don't recognise. Also do not open links or attachments even from people you know unless you were expecting them to send them to you. If you are not sure then contact the person by another means than email and check.
		- We must not disclose Personal Data to third parties such as travel agents without permission from the **Data Controller**.

**Sharing Personal Data within Scouting**

We must only share Personal Data within Scouting on a "need to know" basis e.g. never casually chat about personal information about a child or volunteer. Examples of sharing which are likely to comply with the law:

* + - a Leader discussing a Cubs progress with the Scout Leader (for example, to ask for advice on how best to support them);
		- informing the District team for an event that a Scout suffers from claustrophobia; and
		- disclosing details of a Leaders allergy to wasp stings to colleagues so that you/they will know how to respond (but more private health matters must be kept confidential).

Some examples of sharing which are **unlikely** to comply with the law:

* + - the District Commissioner being given access to all records kept by Leaders (seniority does not necessarily mean a right of access);
		- informing all Leaders in the Scout Group that a Cub has been diagnosed with autism (rather than just informing those adults who need to know and support the Cub); and
		- disclosing personal contact details for an Assistant Leader (e.g. their home address and telephone number) to other Leaders (unless the Assistant Leader has given permission or it is an emergency).

You are allowed to share Personal Data to avoid harm, for example in safeguarding matters. You should have received training on when to share information regarding welfare and safeguarding issues.

**Individuals' rights concerning their Personal Data**

People have key rights concerning their personal information. We must be able to recognise when someone is exercising their rights so that you can refer the matter to the **Data Controller**. Please let the **Data Controller** know immediately if anyone:

* + - * + wants to know what information Scouting holds about them or their child – this is called a Subject Access Request (see below);
				+ wants Scouting to delete any information;
				+ asks to withdraw any formal consent that they have given to use their information or information about their child such as use of images;
				+ asks Scouting to correct or change information e.g. bank details, health record (unless this is a routine updating of information such as contact details);
				+ asks for electronic information which they provided to Scouting to be transferred back to them or to another Scout Group;
				+ wants Scouting to stop using their information for promotional purposes. For example, this could mean for data protection purposes communications such as a Group newsletter; or
				+ objects to Scouting is using their information or wants you to stop using their information in a particular way, for example, if they are not happy that information has been shared with a third party.

**Requests for Personal Data (Subject Access Requests)**

A common exercised right mentioned above is the right to make a subject access request.(Appendix d) Under this right people are entitled to request copies of the Personal Data which the Group holds about them or in their child if under 13.

Subject access requests are often not called as such and do not even have to mention data protection. For example, an email which simply states "Please send me copies of all emails you hold about me" is a valid subject access request. You must always let the **Data Controller** know immediately when you receive any such requests because we are required to act within a strict timeframe as set out by law.

Receiving a subject access request is a very serious matter and involves complex legal rights. You must never respond to a subject access request yourself unless the **Data Controller** authorises it.

When a subject access request is made, Scouting must disclose all of that person's Personal Data to them - there are only very limited exceptions. There is no exemption for embarrassing information - so think carefully when writing letters and emails as they could be disclosed following a subject access request.

**Reporting Data Breaches**

We are obligated to report data breaches to all concerned within 72 hours of becoming aware of it.

Actions to be taken are;

1. Immediately take any steps possible to stop further data loss.
2. Inform the **Data Controller** as soon as possible. At this point the breach will be logged on our Breach Register.
3. The **Data Controller** will work with you to inform all possibly involved, even if we are not fully aware of the extent of the loss we should make people aware.
4. After further urgent investigation all should be made the **Data Controller** will email all possibly effected with the apology, findings and steps taken to stop this reoccurring.

**Breach of this policy**

Any volunteer who deliberately or recklessly discloses Personal Data held by Scouting without proper authority could be guilty of a criminal offence, and gross misconduct would be subject to the consequences of the rules of the organisation. Treat Data Protection as you would Safeguarding matters – confidentially, carefully and most seriously.

**Policy Review**

It is the responsibility of the Executive Committee to facilitate the review of this policy on a regular basis. Recommendations for any amendments should be reported to the DPL.

We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

**Enquiries**

Further information about the Group’s Data Protection Policy is available from the DPL.

**Document Control**

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| --- | --- | --- |
| **Date modified** | **Description of modification** | **Modified by** |
| 26th Sept 2018 | Issue 1 | Ed Sullivan |
| 6th Jan 2020 | Issue 2. Hyper link added to access Young Persons Information Form & Adult Information Form.Note added stating that information could be collected electronically without the need to complete appendices. | Ed Sullivan |
|  |  |  |
|  |

**Appendix a**

**GDPR Consent Form**

Dear Parents,

Due to the new General Data Protection Regulations (GDPR) we are seeking your consent to holding some personal information.

All the information you submitted when your child joined the 4th Potters Bar Scout Group is stored on our Online Membership System (OSM). This is a secure password protected site used by most Scout Groups around the country. Access is only given to leaders who require it and will only be retained for the duration of their membership within the group.

I would be grateful if you could sign and return the consent below.

Kind regards

Scout/Cub/Beaver Leaders

Childs Name: ……………………………………………………………

**GENERAL DATA PROTECTION REGULATIONS**

Young Persons details are stored on our Online Membership System. Some information is considered sensitive personal data and under the GDPR will be managed as required under the regulations.

By signing this form, I agree to the 4th Potters Bar Scout Group during my child’s involvement with the Group:

1. Retaining personal data to facilitate any involvement with Scouting;
2. Retaining personal data regarding religion, special needs/disabilities, ethnicity and

 medical information.

1. Allowing access to personal data to appropriate individuals within the Group or Unit.

### Parent’s/Guardian’s Name:…………………………………………………………

 Parent’s/Guardian’s Signature:………………………………….. Dated: ……………………….

### **Appendix b**

**Photograph and Video Permission**

From time to time, photographs and video will be taken, which may be used to enhance newsletters, displays, presentations, or on our website and our social media sites, they may also occasionally be used in local Newspapers.

In line with new regulations, we are required to obtain parental permission. I would therefore be grateful if you could sign where indicated and return the slip below.

Photographs and videos used will always aim to show the values, fun and adventure promoted in Scouting. In all cases, except where additional permission will be sought, these photographs will remain anonymous.

You have the right to retract your consent at any time. Photographs and videos will cease to be used when your child leaves the 4th Potters Bar Scout Group.

Kind regards

Scout/Cub/Beaver Leaders

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I give permission for the use of my child’s photograph and video for;

(Please tick the relevant boxes).

* Newsletters
* Displays & Presentations
* Website
* Social media sites
* Local news paper

Childs Name: ……………………………………………………………

Parent’s/Guardian’s Name:………………………………………………………….

Parent’s/Guardian’s Signature:………………………………….. Dated: ……………………….

**Appendix c**

**Data inventory record**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Data Record** | **Type** | **Special Category Data** | **Who Store** | **Who has Access** | **Where** | **Basis** | **Data Retention** | **Data Security** | **Risk**  |
| Entry in **Compass database** for each individual member of scouting or volunteer | Digital | Yes | Scout Association | Adult Members and volunteers | Website managed by Scout Association | Legitimate Interest | Whist member is in Scouting | GDPR compliant provider, two form factor validation, need to see access |  |
| Entry in the **Online Membership System** each young member of the Scout Group | Digital | Yes | Scout/Cub/Beaver Leader | Scout Group Leaders | Website managed by Scout Group Leaders | Legitimate Interest | Whist member is in Scouting | GDPR compliant provider, two form factor validation, need to see access |  |
| Emergency contact details for camping | Paper | No | Camp leader | Camp leader and assistants | Camp leaders briefcase | Legitimate Interest | End of camp | locked case, only needed data taken |  |
| Phone numbers and addresses of Exec members | Digital | No | Exec Members | Exec Members | mobile phones / PC | Legitimate Interest | Whist member is on the Executive Committee | locked personal phones/PC |   |

**Green is personal data deemed to be secure.**

**Amber is sensitive personal data deemed to be secure or any personal data with a higher risk of loss.**

 **Red is any sensitive personal data at risk requiring urgent review.**

**Appendix d**

**Subject Access Request Form**

It would help us find your data you require if you would please complete this form. In the case of young people under 13 this must be a parent/career.

|  |  |  |
| --- | --- | --- |
| Applicants full name: |  |  |

|  |  |  |
| --- | --- | --- |
| Subjects full name: |  |  |

|  |  |  |
| --- | --- | --- |
| Subjects full address: |  | Post code: |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant Phone numbers: |  | Home: |  | Mobile: |  |

|  |  |  |
| --- | --- | --- |
| Subjects Date of birth: |  |  |

|  |
| --- |
| Your Data Search |
| It is important you give us as much information as you can about the data you want e.g. any specific dates, events or times for the search.  |
| Your comments: |

Please continue overleaf

|  |
| --- |
| Your comments continued: |

**Please email return this form to:**

(INSERT THE CONTACT]

**Subject Header**: Subject Access Request:

**Suggested email text:**

Dear xxxxxxxx,

Please find attached a Subject Access Request form and I am asking you to supply the information I am entitled to under the Data Protection Act 2018.

If you need any more information from me please let me know as soon as possible. I understand that the Group will reply to this request within 30 calendar days from today.

Yours faithfully

[Your Name]

**Appendix e**

**YOUNG PERSON INFORMATION FORM**

The **Young Person Information Form** aims to assist in the collecting of information regarding young people under 18 years of age who are looking to join the 4th Potters Bar Scout Group. Parents/guardians must sign the form.

**ADULT INFORMATION FORM**

The **Adult Information Form** is to be used by anyone over 18 years of age who wishes to volunteer with the Scouts, or become a member of Scout Network. The form is designed to support the collecting of information to help input data onto Compass, the Scouts online membership system.

**Both of these forms can be found at the Hyper link below:-**

[https://members.scouts.org.uk/supportresources/search/?cat=419,368,406](https://members.scouts.org.uk/supportresources/search/?cat=419,368,406%20%20)

**Appendix f**

**Privacy Notice**

**What is this Privacy Notice?**

This Privacy Notice sets out what we do with Personal Data and what you can expect from us as part of our obligations when processing this Personal Data.

**What data are we gathering?**

We may hold Personal Data (including Sensitive Personal Data) about members, parents/guardians and volunteers. We believe it is important to be open and transparent about how we will use your Personal Data. Information we may hold includes the following:

* name and contact details
* age/date of birth
* details of any health conditions
* race or ethnic background and native languages;
* religion

**Why do we collect this information?**

We use this information to communicate with you and to carry out our obligations as Scout Leaders. We also have a responsibility to keep information about you, both during your membership and afterwards (due to our safeguarding responsibilities and also to help us if you leave or rejoin). In addition, we may collect data for registration to events, including nights away, in some cases this data will be Sensitive Personal Data, which we ask for to allow us to provide appropriate care for members whilst under our supervision. The list of activities we carry out as part of Scouting that may require the use of Personal Data include:

* To enable us to provide a voluntary service for the benefit of the public;
* To manage our volunteers
* To manage our membership records
* To update you on events and
* To conduct surveys on our performance
* For financial accounting
* To fundraise for the Scout Group
* To process Gift Aid applications

**How do we gather data?**

We gather data through a variety of methods, these include:

* contact form on our website or by email
* waiting lists for new members
* Joiners forms
* Event registration forms.

**When will we delete this data?**

We may keep information for different periods of time for different purposes as required by law or best practice.

As far as membership information is concerned, to make sure of continuity (for example leavers and then re-joiners) and to carry out our legal responsibilities relating to safeguarding young people, we keep membership information throughout the membership and after it ends.

**Who has access to this data and who do we share it with?**

Only those members who need membership information to carry out their role have access to that information.

We may share membership data with other local scouting groups where this activity is required to deliver the scouting group obligations, such as stand in leaders. We may also share data within The Scout Association. We do not store credit card details, nor do we share data with third parties without permission.

**Where will the data be stored?**

This data is securely storedin an online membership system or as paper records in locked storage.We take data security seriously.

**What are your rights to your Personal Data**

As a Data Subject you have rights over your own data that you can exercise at any time, these are:

* Data is accurate – we must keep your data accurate
* Data is erased – we must erase data if not needed or requested by you, that is not excessive and is possible
* Data is portable – we must provide a copy of your data back to you
* Data processing is limited – we must cease a processing activity if you object to it
* Consent withdrawal – we must allow you to withdraw consent at anytime

In the event that you wish to contact us to exercise these rights or for any further queries on this Privacy Notice please contact the [**Beaver/Cub/Scout leader as appropriate**]