



# Data Protection

UK Youth Operations



## Purpose

UK Youth recognises the need to comply with the relevant law when processing data about our employees, clients, freelancers, young people and other stakeholders. Such processing will be necessary, for example, to allow the organisation to monitor performance, achievements, health and safety, and in order that employees, children and young people can be involved in participation, recruitment, personnel and salary administration.

There are restrictions on what data can be collected and held and how such data can be used. This is set out in the Data Protection Act 1998 (DPA 1998). The employer has a responsibility for ensuring that the collection and use of data complies with this legislation and the duty is extended to each individual employee who has access to such data.

This policy outlines the principles of data collection, usage and the duties attached. All employees, consultants, freelancers workers and young people will be made aware of this policy at their induction, the duties that apply, and adhere to them at all times. Individuals need to be aware that contravention of this policy could lead to disciplinary action being taken under the UK Youth disciplinary procedure. Individuals could also be in breach of DPA and it is possible they could be held personal responsible and prosecuted if they deliberately fail to follow the policy/guidance.

The essential message therefore is to be aware of the rules and adhere to them.

## Policy Statement

This policy applies to the processing of 'personal data'. Personal data relates to a living individual who is identifiable from that data or in conjunction with other data the data controller holds or is likely to obtain, e.g. a reference number is personal data if it can be linked with an individual's name elsewhere in an organisation. All personal data will fall within the DPA 1998.

'Sensitive personal data' is personal data that includes personal data relating to the health, religious beliefs or sexual orientation of individuals, or other information of a similarly sensitive nature as set out in the DPA 1998.

This policy will therefore apply to personal data relating to:

- all current and former employees;
- all applicants for jobs (whether successful or unsuccessful);
- all current and former temporary workers;
- all current and former freelancers;
- all current and former contract workers;
- all current and former clients including young people.

All employees, temporary employees, consultants, freelancers, young people of the Office of UK Youth are required to adhere to this policy.

The purpose of this policy is to ensure that all the UK Youth employees or associates who process any personal data about other people must ensure that they follow these principles at all times.

## Responsibilities

The DPA 1998 lists a number of data protection responsibilities to which UK Youth must adhere. These are:

1. Personal data is to be processed fairly and lawfully.

In order for personal data to be processed fairly and lawfully, either the data subject (the person to whom the data applies) must give consent to the processing or the processing must be held to be necessary for variety of other reasons, such as protecting the vital interest of the data subject or the performance of the contract to which the data subject is a party.

The processing of sensitive personal data can only take place if the subject has given expressed consent or where there is a necessity such as to protect the vital interests of the data subject, or the processing is for the purposes of racial or ethnic monitoring.

It is necessary to provide the data subject with information about the purpose for which data is being processed.

2. Personal data is to be obtained only for specified and lawful purposes. Data must not be further processed in any manner incompatible with the purposes for which it was obtained.
3. Personal data held will be adequate, relevant and not excessive in relation to the purpose for which it is processed.
4. Personal data should be accurate and where necessary kept up to date.
5. Personal data should not be kept for longer than is necessary for the purpose for which it was obtained.
6. Personal data must be processed in accordance with the rights of the data subject under the DPA 1998.
7. Appropriate technical and organisational measures must be taken against unauthorised or unlawful processing of personal data and of accidental loss, destruction or damage to this data.

This responsibility concerns the security of the data held. Measures should include controls on access to records by restricting information to those who need to know it (e.g. by use of passwords).

8. Personal data must not be transferred outside the European Economic Area (EEA) without adequate protection.

## Specific responsibilities for UK Youth.

### UK Youth will provide:

- Data protection training as part of the Charity's induction programme.
- Update training as required.
- Ongoing advice on data protection as needed from a fully trained Data Protection Advisor.
- A policy statement will be posted in the UK Youth shared directory for policy and procedures and on our websites.

## Specific Management Responsibilities

### Line Managers must:

- Ensure that they are fully trained on the DPA 1998 and are aware of the duties arising.
- Ensure that their knowledge is up to date.
- Ensure that all their employees are aware of this policy and trained to comply with the provisions of it; and; adhere to this policy at all times.

## Responsibilities for all employees

### All employees are responsible for:

- Checking that personal data they provide to UK Youth in connection with their work is accurate and up to date.
- Informing UK Youth of any changes to information that they have provided about themselves e.g. change of address.

## Data Security

All employees, consultants, agency workers, freelancers and young people are responsible for ensuring that:

- Any personal data that they hold about other people is kept securely.
- Personal information about other people is not disclosed in any form to any Unauthorised third party.
- Unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct.

## Rights to Access Information

All data subjects have the right to access any of their personal data kept by UK Youth either on computer or in manual files.

A request for information should be made to the Director of Operations.

The Charity aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within 21 days unless there is good reason for delay and in any event within 40 days, free of charge.



When a request for access cannot be met within 21 days, the reason will be explained in writing to the data subject making the request.

### **Retention of Data**

In general all information about employees, clients, contractors, children and young people will be kept for six years after their employment ceases.

Unsuccessful applicant's data for recruitment purposes will be kept for twelve months after the closing date of a post.

For further information see the ['UK Youth Retention of Data Policy'](#).

### **Right to Complain**

If an employee, client, contractor, freelancer or young person has any concerns, questions or complaints regarding the processing or use of personal data, you could contact the Director of Operations, who acts as the organisations Data Protection Advisor.

If the matter is not resolved, employees should raise this as a formal grievance under the Grievance Procedure. Clients, freelancers and young people should use the Complaints procedure.

If an employee is processing data and has any doubt as to whether the processing is legitimate under this policy, they should immediately cease to process the information, and contact the local Data Protection Officer or Director of Operations for clarification.

You have the right to make a complaint to the Information Commissioner if you feel that your complaint has not been dealt with correctly.

### **Review and Evaluation of this Policy**

This Policy will have a formal review date of two years however, if any aspect is found to be inadequate, the Policy will be reviewed earlier.



## DOCUMENT CONTROL SHEET

**Document Name:** Data Protection Policy  
**Document Owner:** Director of Avon Tyrrell & Operations  
**Issue Date:** July 2016  
**Review Date:** July 2017  
**Document History:** First issue November 2010

**Document approved by:** SMT  
**Date approved:** June 2016