

Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

Data Protection Policy

1. Introduction

Linkes' data protection procedures are governed by the EU General Data Protection Regulation 2018 (GDPR 2018). Formerly, Linkes' data protection procedures were governed by the Data Protection Act, 1998. GDPR 2018 builds on the data protection principles of the Data Protection Act.

In this policy you will find information on the following:

- What information do Linkes gather?
- What Data Protection principles govern Linkes?
- What is the lawful basis for processing information?
- Data Controller or Processor?
- Data Protection Officer / Representative?
- What are the rights of people to their personal information?
- Information Management
- Data Breach
- Data Protection Impact Assessment Report

2. What Information do Linkes Gather?

Under GDPR 2018, Linkes is legally obliged to protect the personal information that we hold and process. This includes personal and *sensitive* personal information.

Personal information is any data which may be deemed as private or personal, or information which could identify the individual. **Sensitive personal data** means personal data consisting of information as to i) the racial or ethnic origin of the data subject, ii) political opinions, iii) religious beliefs or other beliefs of a similar nature, iv) whether the person is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992), v) physical or mental health or condition, vi) sexual life, vii. the commission or alleged commission of any offence, or viii) any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

LINKES DATA PROTECTION POLICY

Implemented Date: Jan 2022

Reviewed: June 2023

Review date: July 2024



Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

Linkes collect personal data in registration forms from our service users. We collect personal data from our staff and volunteers in accordance with the needs of the organisation. Sensitive personal information is collected in the Linkes Equal Opportunities form, information is anonymous and gathered for statistical purposes only.

3. Data Protection Principles

GDPR 2018 builds on the principles outlined in DPA 1998, and requires that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and where necessary kept up to date
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which those data are processed
- Processed in a manner that ensures appropriate security of the personal data.

In addition to these requirements, GDPR 2018 has introduced the following new responsibilities, which are applicable to the work of Linkes:

- Consent must be clear and recorded and able to be withdrawn
- Data breaches must be reported within 72 hours, where feasible
- Data controllers must be able to demonstrate compliance with GDPR

Linkes have addressed these new requirements. Further details are provided below.

4. Lawful Basis for Processing Information

Under GDPR 2018 the processing of personal data is lawful only if one of the following reasons apply: consent, contract, legal obligation, vital interests, public task or legitimate interests, and only for as long and to the extent provided by that reason.

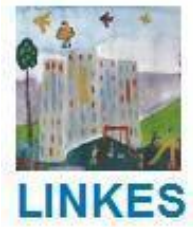
Linkes' lawful basis for collection of personal data is 'consent'. Our members consent to provide us with personal information to allow us to deliver activities and monitor who is attending.

LINKES DATA PROTECTION POLICY

Implemented Date: Jan 2022

Reviewed: June 2023

Review date: July 2024



Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

In addition to the vital and basic personal information that we require from service users, we ask for specific consent to provide our clients with information on relevant community events, classes and other opportunities. This is an opt-in service. People who choose to opt-in, may opt out at any time in writing or email.

Linkes require personal data from our employees, both contractual and sessional staff, in order to comply with legal requirements.

5. Data Controller or Data Processor?

Across our operations, Linkes both 'control' and 'process' personal data. These are two distinct roles under GDPR 2018.

Linkes gather personal information from service users, board members, volunteers and staff for the purposes of the smooth running of our services. This personal data is controlled and managed by Linkes.

Linkes also process personal data for our partners. 'Processing' in relation to information or data means obtaining, recording or holding the information or data or carrying out any operation on the information or data. Information gathered on behalf of our partners belongs to them. This is the case where Linkes works with partner organisations e.g. a college.

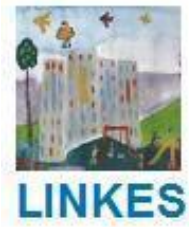
Linkes acknowledge that we perform both roles and that in each case, we have a responsibility to manage information in accordance with GDPR 2018 principles.

6. Data Protection Officer / Representative

Linkes is not required to appoint a Data Protection Officer under GDPR 2018, but we do have a Data Protection representative, who is responsible for promoting good practice and reviewing procedures - this is our Senior Community Development Workers Elaine Connelly and Rachel Ferguson.

7. Rights of People who Supply Linkes with Personal Information

There are several new or expanded rights under GDPR 2018 for people who provide Linkes with their personal information. These are outlined below.



Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

a) **Right to access your own personal information**

Under GDPR 2018 any individual has the right to obtain: i) confirmation that Linkes is processing their data; ii) access to their personal data; and iii) other supplementary information. The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data, as well as other supplementary information. It helps individuals to understand how and why you are using their data, and check it is being done lawfully.

An individual can make a SAR verbally or in writing, including on social media. A request is valid if it is clear that the individual is asking for their own personal data. If a request is made for a third party, Linkes need to be satisfied that the third party making the request is entitled to act on behalf of the individual. It is the third party's responsibility to provide evidence of their authority. If the request is from a child and you are confident they can understand their rights, you should usually respond directly to the child. You may, however, allow the parent or guardian to exercise the child's rights on their behalf if the child authorises this, or if it is evident that this is in the best interests of the child. If a child is competent, they may authorise someone else, other than a parent or guardian, to make a SAR on their behalf.

Linkes must comply with a SAR without undue delay and at the latest within one month of receiving the request. This can be extended by a further two months if the request is complex or a number of requests have been received by an individual. This process will be managed by the Senior Community Development Worker(s).

Linkes may refuse to provide all or some of the requested information, depending on the circumstances. If the request is manifestly unfounded or manifestly excessive, it may be refused. In those circumstances Linkes will follow the ICO's detailed guidance on this.

If a request is: i) manifestly unfounded or excessive, particularly if it is repetitive; or ii) for further copies of the same information (that's previously been provided), Linkes will charge a 'reasonable fee' to cover administrative costs, unless we refuse to respond.

If Linkes refuses to comply with a request, we must inform the individual of:

- the reasons why;
- their right to make a complaint to the ICO or another supervisory authority; and

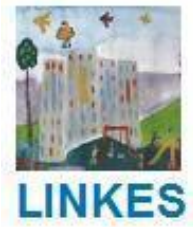
their ability to seek to enforce this right through the courts

LINKES DATA PROTECTION POLICY

Implemented Date: Jan 2022

Reviewed: June 2023

Review date: July 2024



Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

b) Right to change incorrect information

Under GDPR 2018, individuals have the right to have personal data rectified if it is inaccurate or completed if it is incomplete. An individual can make a request for rectification verbally or in writing. Linkes will respond to a request within 28 days of the request.

c) Right for personal information to be time limited

Individuals have the right to be forgotten and can request the erasure of personal data when: i) it is no longer necessary for the purpose we originally collected/ processed it for; ii) the individual withdraws consent; iii) we are relying on legitimate interests as our basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing; iv) we are processing the personal data for direct marketing purposes and the individual objects to that processing; v) it was unlawfully processed (i.e. otherwise in breach of the GDPR 2018); vi) it has to be erased in order to comply with a legal obligation; or vii) it is processed for information society services to a child.

Individuals can make a request for erasure verbally or in writing. Linkes will verify the identity of the person making the request, using “reasonable means”. Linkes will respond to a request within 28 days of receipt.

d) Right to stop Linkes using your personal information

Individuals have a right to block or restrict the processing of their personal data. Individuals can make a request verbally or in writing. Linkes will verify the identity of the person making the request, using “reasonable means”. Linkes will respond to a request without delay and at least within 28 days of receipt.

8. Information Management

Documents that contain personal information are securely stored in a locked filing cabinet. Electronic documents are stored on the Linkes server which is password protected. Linkes have conducted Information Risk Assessments, which are reviewed annually.

Paper adult registration forms are shredded annually in the autumn. Youth profile forms are retained for the duration that the young person engages with Linkes. When a young person

LINKES DATA PROTECTION POLICY

Implemented Date: Jan 2022

Reviewed: June 2023

Review date: July 2024



Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

disengages with Linkes, moves away, or when a profile form is updated, the original form is shredded.

Electronic records are reviewed annually.

9. Data Breach

In the event of a personal information data breach, Linkes will follow data breach procedures, in line with the Information Commissioner's Office.

Linkes will notify the supervisory authority without undue delay, and at the latest within 72 hours after having become aware of a breach. If the data breach poses a high risk to those individuals affected then they should all also be informed, unless there are effective technical and organisational protection measures that have been put in place, or other measures that ensure that the risk is no longer likely to materialise. Linkes maintain a record of data breaches. We record the date of the incident, a description of the incident, consequences and actions taken to mitigate further incidents.

10. Data Protection Impact Assessment Report

This requirement of GDPR 2018 is not applicable to Linkes. We continue to monitor this annually.

11. Training of Staff and Volunteers

As part of an induction and ongoing training, staff and volunteers will be informed of our GDPR procedures, have a copy of this policy and have the knowledge to follow the guidelines and procedure in the event of a data breach, as well as have an understanding of who to report this to within Linkes




Tel: 0141 954 7554
Web: www.linkes.org.uk
Email: contact@linkes.org.uk
Registered Charity Number SC037175

Community Rooms, 200 Lincoln Avenue, Glasgow, G13 3PP

Appendix

Example Registration Form

| | | | |
|---|--|-------------|--|
|  | LINKES Tel: 0141 387 0391 Web: www.linkes.org.uk Email: contact@linkes.org.uk Registered Charity Number SC037175 Community Rooms, 200 Lincoln Avenue, Knightawood, G13 3PP | | |
| WOMEN'S GROUP 2018 LINKES REGISTRATION FORM | | | |
| CONTACT DETAILS | | | |
| First Name: | | Surname: | |
| Address: | | | |
| Postcode: | | | |
| Email: | | | |
| Mobile: | | | |
| Languages: | | | |
| PRIVACY STATEMENT | | | |
| <p>Your personal information is strictly confidential. LINKES will never share your information with third parties without your consent. We store paper information in a locked cabinet and digital information with password protection. LINKES require your details for the smooth running of the group and for monitoring and evaluation purposes. Registration forms are renewed annually, old paper copies are shredded.</p> | | | |
| <input type="checkbox"/> Tick to give permission for your photograph to be used in LINKES publicity, printed and online. You may opt out at any time by written or email request. | | | |
| <input type="checkbox"/> Tick to receive information by email about relevant local community events, classes or opportunities. You may unsubscribe at any time by email request. | | | |
| Signed: _____ | | Date: _____ | |
| Registered Charity Number SC037175 | | | |