

## Policy Statement

Everyone has rights with regard to how their personal information is handled and this policy aims to respect those rights.

Safety and providing quality services is at the heart of everything we do, not just when we provide support services. It is very important to us that we keep all personal information that we hold safe and only use it in line with the data subject's wishes. We want them to be in control of their own data.

Data Protection legislation aims to prevent harm to those individuals we process data about by creating legal responsibility for keeping the information we hold as safe as possible. There are no secrets when it comes to how we use personal data and we only keep the information we need to help carry out our work.

The types of personal data that we may be required to handle relates to:

- Employees;
- Volunteers (including trustees);
- The people we support and their relatives and people who are looking for support;
- Professionals (Local Authorities or health care professionals);
- Customers/suppliers and business contacts;
- People who have a complaint about our services;
- People who are interested in our work (marketing);
- Visitors to our website;
- People who live in the properties that we own.

The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in Data Protection Law which is in force at any given time ('the Law') and other regulations. The Law imposes restrictions on how we may use that information.

Non-compliance with the Law could result in damage to Avenues' reputation and financial sanctions imposed by the Information Commissioners Office (ICO).

This policy does not form part of any employee's contract of employment and it may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action.

## Scope

This policy applies to all employees including those working casual hours, temporary, agency, volunteers or work experience, trustees and those contractors working for Avenues and any of its subsidiaries.

## Status of the Policy

This policy sets out our rules on data protection and the legal conditions that must satisfy in relation to the personal information that we hold.

Our Data Protection Officer (DPO) is responsible for ensuring compliance with the Law and with this policy. Any questions or concerns about the operation of this policy should be referred in the first instance to our Data Protection Officer.

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If you consider that the policy has not been followed in respect of personal data about yourself or others you should raise the matter with your line manager in the first instance.

## Responsibilities

**The Board / Company Directors** has overall responsibility for ensuring that the organisation complies with its legal obligations.

### Data Protection Officer

Responsibilities include:

- Briefing the Board on Data Protection responsibilities;
- Reviewing Data Protection and related policies;
- Advising other employees on tricky Data Protection issues;
- Ensuring that Data Protection induction and training takes place;
- Notification to the ICO;
- Handling subject access requests;
- Approving unusual or controversial disclosures of personal data;
- Approving contracts with Data Processors.

### Department Heads

monitoring their own compliance with this policy and reporting back to the DPO if they have any queries or concerns. Additional key responsibilities are outlined in the procedure.

### Employees & Volunteers

All employees and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work. (From now on, where 'employees' is used, this includes both paid employees and volunteers.)

## Definitions

**"Data"** is information which is stored electronically, on a computer, or in certain paper based filing systems;

**"Data subjects"** for the purpose of this policy include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal data;

**"Personal data"** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal);

**"Data controllers"** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They have a

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responsibility to establish practices and policies in line with the Act. We are the data controller of all personal data used in our business;

**"Data users"** include employees whose work involves using personal data. Data users have a duty to protect the information they handle by following our data protection and security policies at all times;

**"Data processors"** include any person who processes personal data on behalf of a data controller. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on our behalf;

**"Information Commissioners Office (ICO)"** is the UK regulator of Data Protection Law;

**"Processing"** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties;

**"Special Category data"** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, genetic or biometric data, health information, sex life or sexual orientation, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions.

## Related Policies

All Information Governance Policies and Procedures

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