

Data Protection Policy

Help a Guernsey Child LBG

Last updated	19 December 2018 (adopted by the Board)
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Definitions

Administrator	means the Administrator of the Charity
Charity	means Help a Guernsey Child LBG, a registered charity in Guernsey.
GDPR	means the General Data Protection Regulation.
The Law	means the Data Protection (Bailiwick of Guernsey) Law 2017.
Responsible Person	means the person responsible for data protection within the Charity.

1. Data protection principles

The Charity is committed to processing data in accordance with its responsibilities under the GDPR and local legislation.

The Law requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. 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 shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. 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;
- e. 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; and
- f. 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.”

2. General provisions

- a. This policy applies to all personal data processed by the Charity.
- b. The Responsible Person shall take responsibility for the Charity's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The Charity shall register with the Data Protection Commissioner's Office as an organisation that processes personal data.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, the Charity shall review this policy, the procedure set out within and compliance with it at least annually.
- b. Individuals have the right to access their personal data and any such applications made to the charity shall be dealt with in a timely manner.

4. Lawful purposes

- a. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests. The activities of the Charity and the relevant legal basis for each is contained in the Charity's Privacy Notice.
- b. Due to the nature of the Charity and the fact that applications for funding are likely to involve processing of Special Category Data (as defined in the Law) relating to children, the Charity considers that consent is the primary appropriate lawful basis for processing such data when considering such applications.
- c. Accordingly, evidence of opt-in consent is required as part of every application for funding.
- d. 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 recorded accurately.

5. Data minimisation

- a. The Charity shall ensure that personal data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy

- a. The Charity shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the Charity shall retain personal data for a period of 6 years, as explained more fully at paragraph 10(g) below.
- b. This policy shall be reviewed annually.

8. Security

- a. The Charity shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

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, the Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the Office of the Data Protection Commissioner.

10. Procedure for Data Processing for Applications for Funding

- a. The Charity currently considers applications for funding to help children living in the Bailiwick of Guernsey, both from third parties and parents on behalf of children.
- b. When an application for funding is made by a third party, on the application form the third party shall confirm that it has obtained consent from the parents, legal guardian or person with parental responsibility of the child or children to the making of the application and the disclosure to and processing of personal data (including Special Category Data) relating to the parents and the child or children concerned to enable the application to be fully considered by the Charity, and if the application is granted, to enable the provision of goods or services to them by third parties.
- c. When an application is made from the parents of the children, on the application form the parents, legal guardian or person with parental responsibility shall confirm they consent to the processing of personal data (including Special Category Data) relating to them and the child or children concerned to enable the request to be fully considered by the Charity, and, if the application is granted, to enable the provision of goods or services to them by third parties.
- d. Once an application form has been provided to the Administrator in accordance with sub paragraphs b or c above, the Administrator shall review the application and redact any personal data that he or she determines to be irrelevant to enable the directors of the Charity to fully consider the application.

- e. The redacted application form shall then be sent by email by the Administrator to each director.
- f. The directors shall delete all data provided to them by the Administrator relating to each application once the application has been determined.
- g. The Administrator shall keep a record of each application (both electronically and in hard copy, if so provided when the application for funding was made) for a period of 6 years from the date of each application.

END OF POLICY