



DATA PROTECTION POLICY

1. Introduction

- 1.1 Good for the Soul CIC Ltd is fully committed to compliance with the requirements of the Data Protection Act 1998 (“the Act”), which came into force on 1 March 2000.
- 1.2 The company will therefore follow procedures to ensure that all directors, employees and contractors or others, who have access to any personal data held by or on behalf of the company, are fully aware of and abide by their duties and responsibilities under the Act.

2. Statement of Policy

- 2.1 In order to operate efficiently, Good for the Soul has to collect and use information about people. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. This personal information must be handled and dealt with properly in its collection, recording and use, whether this be on paper, in computer records or recorded by any other means.
- 2.2 Good for the Soul regards the lawful and correct treatment of personal information as very important to its work and to maintaining confidence between the company and those with whom it carries out business. The company will ensure that it treats personal information lawfully and correctly.
- 2.3 To this end the company fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

3. The Principles of Data Protection

- 3.1 The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable.
- 3.2 The Principles require that personal information:
 1. Shall be processed fairly and lawfully and in particular, shall not be processed unless specific conditions are met;
 2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any

manner incompatible with that purpose or those purposes;

3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed;
4. Shall be accurate and where necessary, kept up to date;
5. Shall not be kept for longer than is necessary for that purpose or those purposes;
6. Shall be processed in accordance with the rights of data subjects under the Act;
7. Shall be kept secure, ie protected by an appropriate degree of security;
8. Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

3.3 The Act provides conditions for the processing of any personal data. It also makes a distinction between **personal data** and **“sensitive” personal data**.

3.4 Personal data is defined as, data relating to a living individual who can be identified from:

- That data and other information which is in the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

3.5 Sensitive personal data is defined as personal data consisting of information as to:

- Racial or ethnic origin;
- Political opinion;
- Religious or other beliefs;
- Trade union membership;
- Physical or mental health or condition;
- Sexual life;
- Criminal proceedings or convictions.

4. Handling of Personal/Sensitive Information

4.1 Good for the Soul will, through appropriate management and the use of strict criteria and controls:

- Observe fully the law relating to conditions regarding the fair collection and use of personal information;
- Meet its legal obligations by specifying the purpose for which information is used;
- Collect and process appropriate information only to the extent that is needed to fulfil operational needs or to comply with any legal requirements;

- Ensure that the information used is correct;
- Apply strict procedures and checks to determine the length of time information is held;
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act.

These include:

- The right to be informed that processing is being undertaken;
- The right of access to one's personal information within 40 days;
- The right to prevent processing in certain circumstances;
- The right to correct, rectify, block or erase information regarded as wrong information.

4.2 In addition, Good for the Soul will ensure that:

- There is someone with specific responsibility for data protection in the organisation;
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Everyone managing and handling personal information is appropriately trained to do so;
- Everyone managing and handling personal information is appropriately supervised;
- Anyone wanting to make enquiries about handling personal information, whether a member of staff or a member of the public, knows what to do;
- Queries about handling personal information are promptly and courteously dealt with;
- Methods of handling personal information are regularly assessed and evaluated;
- Performance in handling personal information is regularly assessed and evaluated;
- Data sharing is carried out under a written agreement, setting out the scope and limits of the sharing. Any disclosure of personal data will be in compliance with approved procedures.

4.3 All managers and staff will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and in particular will ensure that:

- Paper files and other records or documents containing personal/sensitive data are kept in a secure environment;
- Personal data held on computers and computer systems is protected by the use of secure passwords, which where possible have forced changes periodically;

- Individual passwords should be such that they are not easily compromised.

4.4 All contractors, consultants, partners or other agents of the company must:

- Ensure that they and all of their staff who have access to personal data held or processed for or on behalf of the company, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Act. Any breach of any provision of the Act will be deemed as being a breach of any contract between Good for the Soul and that individual, company, partner or firm;
- Allow data protection audits of data held on its behalf (if requested);
- Indemnify the company against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

4.5 All contractors who are users of personal information supplied by Good for the Soul will be required to confirm that they will abide by the requirements of the Act with regard to information supplied by the company.

5. Implementation

5.1 The Company Secretary is responsible for ensuring that the Policy is implemented and monitored. The Company Secretary also has overall responsibility for:

- The provision of cascade data protection training for staff and, where appropriate, contractors or associates.
- The development of best practice guidelines.
- Carrying out compliance checks to ensure adherence with the Data Protection Act.

6. Caldicott and PCT activity

This policy is compliant with Caldicott principles. As a willing provider, and where subject access is required for Freedom of information, referrals will be made to Catherine Parker of Co Durham and Darlington PCT.

ADOPTION OF THIS POLICY

This Data Protection Policy was adopted by Good for the Soul CIC Ltd on the

day of , 2009 by:

Jane Dancer (Director)

Louise Taylor (Director)

Stephen Marshall (Director)

This policy will be reviewed on an annual basis.