

Guidance notes

Data Protection for voluntary organisations

For voluntary organisations *good Data Protection practice* is important not only to comply with the law but also helps to build good trusting relationships with clients, volunteers, donors, etc.

The Data Protection Act is concerned with '*personal data*', i.e. *information about an individual (i.e. the data subjects) that enables him/her to be identified, held on computer, or other electronic equipment and information held in a filing system or other record systems where information about an individual can be readily located.* Personal data includes text as well as photographs, and video records.

Data protection does not apply to information about companies or organisations but it could apply to people named within the organisation.

Some examples of personal data are:

- Client or casework records
- Records of staff and volunteers
- Membership records
- Newsletter mailing lists
- Fundraising or supporter databases
- Training administration records
- Most conference administration and booking systems
- Contact databases (with named individuals)
- Computer-based sales records
- Lists of consultants

Personal data and organisations holding personal data must comply with the *eight Data Protection Principles*.

The eight Data Protection principles

1. Personal Data must be processed fairly and lawfully;
2. Be collected and used only for specified purposes;
3. Be adequate, relevant and not excessive in relation to the purposes for which it is collected;
4. Be accurate and up to date;
5. Be held no longer than necessary;
6. The rights of those you hold information about must be respected;
7. Be held securely with appropriate measures to prevent unauthorised access and use;
8. Special rules apply to transfer of data abroad.

The practical implications of these principles are:

1. You should ensure that people about whom you hold data know that you hold that information and have given consent.
2. You should inform people of the purposes for which you use the data and if you share that information with anyone else.
3. You should inform people about whom you hold information, of the rights they have to know what information you hold about them and to place restrictions on the use of that information.
4. You should include a data protection statement in forms, leaflets and/or website or place a notice in the office.
5. You should not continue to keep data without a good reason and if you keep information longer than what might be expected, than you need to inform the people about whom you are holding data.
6. You should have in place security systems which are appropriate to the type of personal information you hold, in order to prevent unauthorised access to information as well as lost or damage of information.
7. You should have a confidentiality and security policy.
8. You should ensure that staff and volunteers know about and implement the organisation's confidentiality policy and data protection procedures.

People you hold data about have the following rights:

- To know what information is being kept about them and for which purposes.
- To be given the option to opt out of direct and telephone marketing.
- To prevent the use of information if this is likely to cause them harm.
- To see any information held about them.
- To request the Information Commissioner to make an assessment of whether an organisation or individual is complying with the Act.

Note:

Organisations or individuals who hold and use personal data might be required to notify the Information Commissioner by registering. Manually held data is exempt of notification, as well as membership records of non-profit organisations.

E-mail and Web based information:

- E-mail addresses are considered personal data under the Data Protection when they are specific to a person. You should take care in not disclosing them inadvertently.
- You should ensure that your organisation respects transparency and confidentiality in the use and distribution of e-mails.
- You should use a confidentiality disclaimer when sending organisation's e-mails and measures to improve the confidentiality of e-mails when necessary.
- You should ensure that your website provides the necessary information, when collecting personal data online.
- You should seek consent when publishing personal data (including photographs) on your website.

It is also important to note that ...

- ✓ Staff and volunteers who access personal data should be properly briefed and trained on their responsibilities in relation to data protection.
- ✓ The management committees also need to be aware of their responsibilities in relation to data protection, as they have the ultimate responsibility in terms of compliance with data protection.

If you would like further information or advice on any of the issues in this 'Guidance Notes', contact the Wandsworth Voluntary Sector Development Agency (WVSDA) on 020 8875 2844/5/6 or Email: smallgroups@wvsda.org.uk, or outreach@wvsda.org.uk

The Wandsworth Voluntary Sector Development Agency (WVSDA) provides information, advice and training to assist voluntary and community groups with issues relating to setting up and managing effective organisations. Whilst every effort is taken to ensure the information, advice and support we offer is current, relevant and accurate, it does not constitute legal advice.