

HADARA



*Hartley and District Active Retirement Association*

## Hadara Data Protection Policy

### Introduction

The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the European Council and the European Commission intend to strengthen and unify data protection for individuals within the European Union (EU). It also addresses the export of personal data outside the EU. The primary objectives of the GDPR are to give citizens back control of their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU. GDPR replaces the data protection directive (officially Directive 95/46/EC) from 1995. The regulation was adopted on 27<sup>th</sup> April 2016 and after a two-year transition period applies from 25<sup>th</sup> May 2018.

The Regulations cover both written and computerised information and the individual's right to see such records.

All Hadara members are required to follow this Data Protection Policy at all times.

The Chairman has overall responsibility for data protection within Hadara and is therefore the Controller. Each individual committee member processing data is acting on the controller's behalf and therefore has a legal obligation to adhere to the Regulations.

### Definitions

**Processing of information** – how information is held and managed.

**Information Commissioner** - formerly known as the Data Protection Commissioner.

**Notification** – formerly known as Registration.

**Data Subject** – used to denote an individual about whom data is held.

**Data Controller** – used to denote the entity with overall responsibility for data collection and management.

**Data Processor** – an individual handling or processing data

**Personal data** – any information which enables a person to be identified

# Data Protection Principles

Hadara is required to comply with the principles of good information handling.

**These principles require the Data Controller to:**

1. Process personal data **fairly, lawfully and in a transparent manner.**
2. Obtain personal data only for one or more **specified and lawful purposes** and to ensure that such data is not processed in a manner that is incompatible with the purpose or purposes for which it was obtained.
3. Ensure that personal data is **adequate, relevant and not excessive** for the purpose or purposes for which it is held.
4. Ensure that personal data is **accurate** and, where necessary, **kept up-to-date.**
5. Ensure that personal data is not kept for any longer than is necessary for the purpose for which it was obtained.
6. Ensure that personal data is kept secure.
7. Ensure that personal data is not transferred to a country outside the European Economic Area unless the country to which it is sent ensures an adequate level of protection for the rights (in relation to the information) of the individuals to whom the personal data relates.

## Consent

Hadara must record members' explicit consent to storing certain information (known as 'personal data' or 'special categories of personal data') on file.

For the purposes of the Regulations, personal and special categories of personal data covers information relating to:

1. The racial or ethnic origin of the Data Subject.
2. His/her political opinions.
3. His/her religious beliefs or other beliefs of a similar nature.
4. Whether he/she is a member of a trade union.
5. His/her physical or mental health or condition.
6. His/her sexual life.
7. The commission or alleged commission by him/her of any offence
8. Online identifiers such as an IP address
- 9. Name and contact details**
10. Genetic and/or biometric data which can be used to identify an individual

Consent is not required to store information that is not classed as special category of personal data as long as only accurate data that is necessary for a service to be provided is recorded.

Hadara will always seek consent where personal or special categories of personal information is to be held.

It should also be noted that where it is not reasonable to obtain consent at the time data is first recorded and the case remains open, retrospective consent should be sought at the earliest appropriate opportunity.

## Obtaining Consent

Consent may be obtained in a number of ways and consent must be recorded on or maintained with the membership list.

- face-to-face
- written
- email.

### Face-to-face/written

- A form should be used for retrospective consent.
- The membership application form should include all relevant statements.

### E-mail

- The initial response should seek consent.

Individuals have a right to withdraw consent at any time. As this affects the provision of membership service(s) by Hadara then the committee should discuss the case and agree the way forward.

## Ensuring the Security of Personal Information

### Unlawful disclosure of personal information

1. It is an offence to disclose personal information 'knowingly and recklessly' to third parties.
2. It is a condition of receiving a service that all members for whom we hold personal details sign a consent form allowing us to hold such information.
3. Personal information should only be communicated within Hadara for the purposes of administering the club and its activities. Hadara committee members and role players (e.g. Friends in Need volunteer) should hold only the contact details for members as necessary.

## Privacy Statements

Any documentation which gathers personal and/or special categories of personal data should contain the following Privacy Statement information:

- Explain who we are
- What we will do with their data
- Who we will share it with
- How long we will keep it for
- That their data will be treated securely
- How to opt out
- Where they can find a copy of the full notice

## The Rights of an Individual

Under the Regulations an individual has the following rights with regard to those who are processing his/her data:

- Personal and special categories of personal data cannot be held without the individual's consent (however, the consequences of not holding it can be explained and a service withheld).
- Individuals have a right to have their data erased and to prevent processing in specific circumstances:
  - Where data is no longer necessary in relation to the purpose for which it was originally collected
  - When an individual withdraws consent
  - When an individual objects to the processing and there is no overriding legitimate interest for continuing the processing
  - Personal data was unlawfully processed
- An individual has a right to restrict processing – where processing is restricted, Hadara is permitted to store the personal data but not further process it. Hadara can retain just enough information about the individual to ensure that the restriction is respected in the future.
- An individual has a 'right to be forgotten'.
- Data Subjects can ask, in writing to the Membership Secretary, to see all personal data held on them, including e-mails and computer or paper files. The Data Processor (Hadara) must comply with such requests within 30 days of receipt of the written request.

## Policy Review

This document should be reviewed on a three-yearly basis. Next review due May 2021.

## Powers of the Information Commissioner

The following are criminal offences, which could give rise to a fine and/or prison sentence

- The unlawful obtaining of personal data.
- The unlawful selling of personal data.
- The unlawful disclosure of personal data to unauthorised persons.

## Further Information

Further information is available at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

## Details of the Information Commissioner

The Information Commissioner's office is at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Switchboard: 01625 545 700

Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

**Data Protection Help Line:** 01625 545 745

**Notification Line:** 01625 545 740