

## **DATA PROTECTION POLICY AND PROCEDURE: VOLUNTEERS**

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### **INTRODUCTION:**

The General Data Protection Regulations (GDPR) protects volunteers against the misuse of personal data and may cover both manual and electronic records.

All records, whether they be held electronically or physically, fall within scope of the Regulations.

The Regulations require that any personal data held should:

- a. Be fairly and lawfully processed.
- b. Be processed for limited purposes and not in any manner incompatible with those purposes.
- c. Be adequate, relevant and not excessive.
- d. Be accurate.
- e. Not be kept for longer than is necessary.
- f. Be processed in accordance with individuals' rights.
- g. Be secure; and
- h. Not be transferred to countries without adequate protection.

The Regulations also give volunteers certain rights. For volunteering purposes, the most important right is a volunteer's right to access personal data held about them.

### **PURPOSE:**

The purpose of this policy is to ensure that the General Data Protection Regulations are understood and can be applied by all volunteers of Bethany.

### **SCOPE:**

This policy applies equally to all volunteers of Bethany.

## **PROCEDURE**

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### **WHAT INFORMATION IS HELD?**

In the course of your volunteering at BCT, you may come into contact with, and have to use, confidential personal information about clients, employees, and other volunteers. This can include names and addresses, and even information about personal circumstances, families, health and other private matters.

Bethany Christian Trust also holds personal data about you. A privacy notice will be provided separately which tells you what information we hold, what we do with it, who we share it with and the lawful basis for the processing of your data. If this information changes you should let us know at the earliest opportunity so that our records can be up-dated.

Bethany Christian Trust considers that the following personal data includes:

- a. Personal details, including name, address, age, contact information
- b. References and CVs.
- c. Emergency contact details.
- d. Pertinent notes on discussions between management and the volunteer
- e. Appraisals and documents relating to problems or complaints.
- f. Training records.

### **WHY IS THIS INFORMATION HELD?**

The personal data that has been collected about you will be kept for the following purposes:

- a. Recruitment, training and development.
- b. Administration
- c. Performance review.
- d. Recording of pertinent communication with volunteers
- e. Compliance with legislation.

Bethany Christian Trust will review the nature of the information being collected and held on an annual basis to ensure there is a sound business reason for requiring the information to be retained.

### **HOW LONG IS THIS INFORMATION HELD FOR?**

Subject to the aforementioned review, information collected will be retained throughout the duration of the volunteer's occupation of a role. After a volunteer has left their role, information collected will be reviewed and, where there is no business reason for keeping the information, the information will be securely destroyed.

Volunteer information will be held, as a minimum, for the statutory retention period as outlined in the table below

<b>Record</b>	<b>Statutory Retention Period</b>
Accident Reports	Three years after date of last entry. These are rules on recording incidents involving hazardous substances
Training records/Bethany Academy	Six years after volunteering ceases
Working Time Regulations	2 years from date volunteering ended
Application forms/interview notes for unsuccessful candidates	6-12 months
Minutes of trustee	Permanently
Volunteering Reports	Permanently
Health and Safety report/records	5 years or longer (see appendix 1 on privacy notice)
Eligibility to Volunteer documents	Two years after volunteering ceases

In exceptional circumstances, however, this information may be held for longer periods and, in this case, Bethany Christian Trust will explain the legal basis for retaining the data upon request.

The volunteer has the right to request that their personal data is deleted; such requests will be dealt with by the Volunteer Co-ordinator who will review the request and take appropriate steps. If the request is denied, Bethany Christian Trust will respond with the organisation's reasons, including the legal basis, for retaining data.

### **USE OF PERSONAL DATA**

To ensure compliance with the Regulations and in the interests of privacy, volunteer confidence and good volunteer relations, the disclosure and use of information held by Bethany Christian Trust is governed by the following conditions:

- a. personal data must only be used for one or more of the purposes specified in this Policy
- b. Bethany Christian Trust documents may only be used in accordance with the statement within each document stating its intended use; and
- c. provided that the identification of individual volunteer is not disclosed, aggregate or statistical information may be used to respond to any legitimate internal or external request for data (for example, surveys, staffing level figures); and
- d. personal data must not be disclosed, either within or outside Bethany Christian Trust to any unauthorised recipient

If you are in any doubt about what you may or may not do seek advice from your line manager, the Volunteer Coordinator or the HR Team.

### **SPECIAL CATEGORY DATA**

Special category data includes information relating to the following matters:

- a. The volunteer's racial or ethnic origin.
- b. His or her political opinions.
- c. His or her religious or similar beliefs.
- d. His or her trade union membership.
- e. His or her physical or mental health or condition.
- f. His or her sex life; or
- g. The commission or alleged commission of any offence by the employee.

To hold special category data, the organisation must additionally satisfy a special category data condition. The most appropriate condition for volunteer purposes is that the processing is necessary to enable the organisation to meet its legal obligations (for example, to ensure health and safety or to avoid unlawful discrimination).

#### **PERSONAL DATA HELD FOR EQUAL OPPORTUNITIES MONITORING PURPOSES**

Where personal data obtained about candidates is to be held for the purposes of equal opportunities monitoring, all such data will remain anonymous.

#### **ACCURACY OF PERSONAL DATA**

Bethany Christian Trust will review personal data regularly to ensure it is accurate, relevant and up to date.

In order to ensure the Bethany Christian Trust's files are accurate and up to date and, so that the organisation is able to contact the volunteer or, in the case of an emergency, another designated person, volunteers must notify the organisation as soon as possible of any change in their personal details.

These records will be stored in the volunteer's electronic file.

#### **ACCESS TO PERSONAL DATA ('SUBJECT ACCESS REQUEST')**

Volunteers have the right to access personal data held about them. Bethany Christian Trust will arrange for the volunteer to see or hear all personal data held about them within 30 days of receipt of a written request. A Subject Access Request form can be obtained HR or your Volunteer Co-ordinator. Information will be provided electronically in a commonly used format.

#### **RIGHT TO REMOVE INFORMATION**

You may request to delete personal information from our records, we will comply with your request unless there is a legal reason/valid reason where we are unable to do so.

## **DATA BREACHES**

Where Bethany Christian Trust becomes aware of a personal data breach it will, without undue delay and where feasible, notify the personal data breach to the Information Commissioner's Office, not later than 72 hours of becoming aware of it. This is unless the controller is able to demonstrate that the breach is unlikely to result in a risk to the rights and freedoms of individuals.

Where the above aim cannot be achieved within 72 hours, an explanation of the reasons for delay will accompany the notification to the Information Commissioner's Office and information may be provided in phases without undue further delay.

In addition, data subjects will be notified without undue delay if the personal data breach is likely to result in a high risk to their rights and freedoms, in order to allow them to take the necessary precautions. This notification will describe the nature of the personal data breach as well as recommendations for the individual concerned to mitigate potential adverse effects.

This will be done as soon as reasonably feasible and in close co-operation with the Information Commissioner's Office.

## **ENSURING OUR COMPLIANCE**

Bethany Christina Trust's Data Protection Officer is Lorna Fyfe who will monitor GDPR compliance within the organisation and advise the organisation of their obligations. If you have any concerns or need further information then please contact the Data Protection Officer.

Volunteers who have access to personal data must comply with this Policy and adhere to the procedures as laid down. Failure to comply with the Policy may result in the lodging of a complaint, and result in a volunteer having to leave their role.