

Data Protection for Community Groups

Introduction

Information provided by individuals as part of a community plan process may fall within the definition of personal data in the Data Protection Act. A community plan steering group might hold personal data on computer and might use this data. For example, names, addresses telephone numbers and email addresses could be used to inform residents about the Plan process. It is very important to minimise the risk of inappropriate use or disclosure of personal information.

What is personal data?

Check the flow chart in Annex A to see whether your group is likely to hold personal data.

Best Practice

If you do hold personal data, follow the best practice guidelines below to minimise the risk of inappropriate use or disclosure of personal information. In some cases a group may need to inform the Information Commissioner that it holds personal data (see below). Data protection is particularly important when you are carrying out a community survey. But it may also be relevant to check for identifiable personal data in any progress report, website information and in the final publication of the community plan.

1. Clarity on how you will use the information

This simply means making sure that people completing the questionnaire understand who is going to use their personal information and what limitations will be placed on its use. It is important that the questionnaire sets out why a survey is being carried out and contains some form of confidentiality statement emphasising that the purpose of the questionnaire is not to collect personal information about an individual. The following sample text can be used in the questionnaire to outline this:

*“All personal data will be held by the ***** steering group and treated as confidential. It will be used only for the purpose of collating results and compiling the ***** Plan. No data will be published in such a way as to identify the responses of an individual or household.”*

2. Separate sheet for personal details

You may wish to collect personal information (e.g. names, addresses, postcodes, telephone numbers) such as if you are having a free prize draw or want postcode information to help with the collection of completed forms. If so, make sure you request this information on a separate sheet of paper or tear-off slip that is handed in separately from the main questionnaire and not associated with the individual's questionnaire responses.

Prize draw

If you wish to collect personal information for running a prize draw, you could have a tear off slip at the end of the questionnaire with a statement like the following¹:

*“If you would like to be entered into the prize draw, please fill in your contact details below. The ***** community Plan Steering Group Committee will use the personal information on this tear-off slip only for the purpose of managing the prize draw and will not disclose any of the information to any other person or organisation. This tear-off slip will be separated from the main questionnaire.”*

Volunteer details

If you wish people to indicate that they would like to help with carrying out community actions, request this on a separate sheet, such as the example in Annex B. Those offering to volunteer for activities should be encouraged to write their contact details on a sheet that will be detached and processed separately from the remainder of the document.

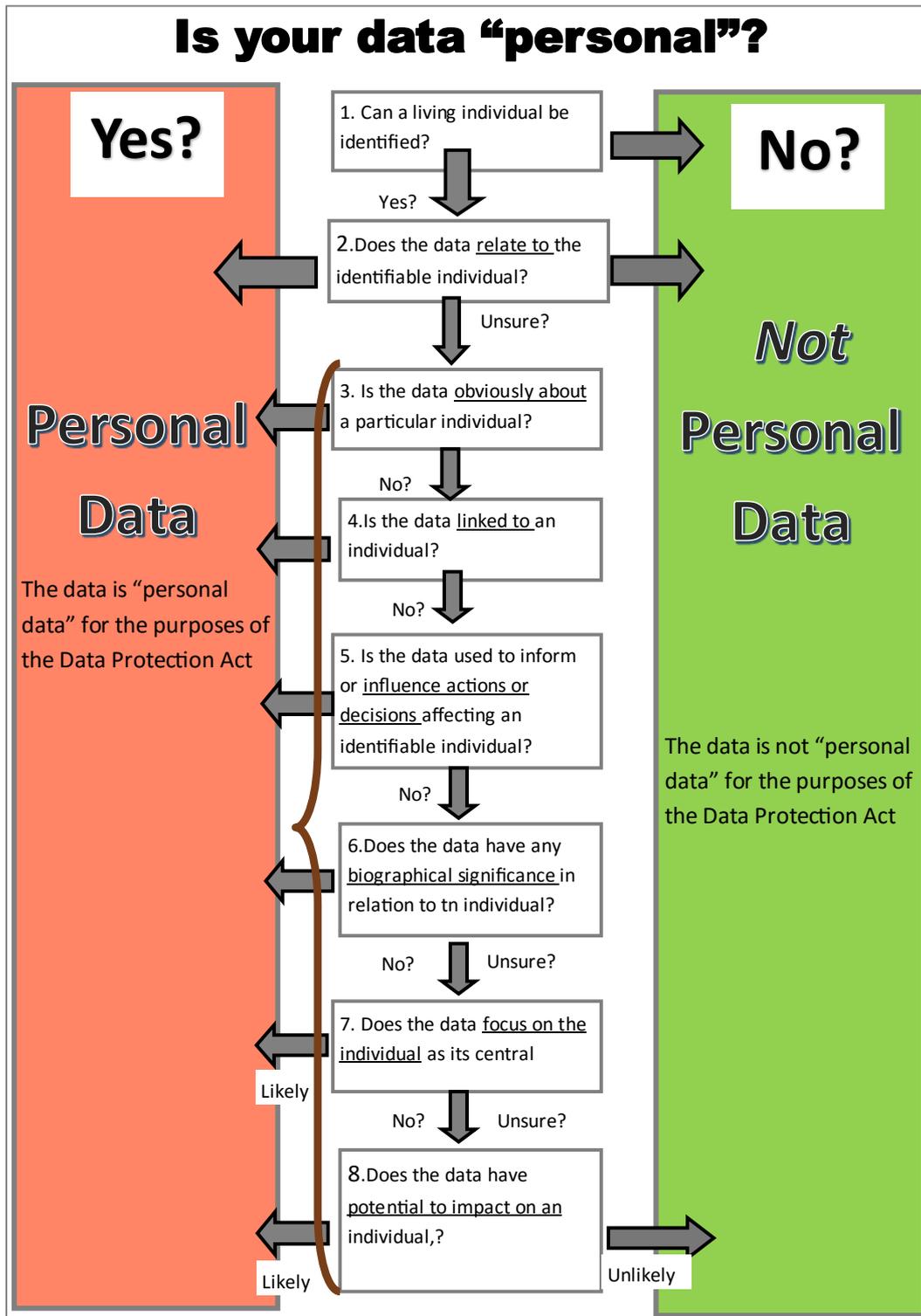
Security

Thought should be given about the security of the completed questionnaires and of any processing that is done with the information within them. For example, how long should completed questionnaires be kept? where should they be kept? how should we handle on-line forms? who is authorised to see and to process the information? what is the risk that any of the personal information might be inadvertently disclosed to some unauthorised person? You may wish to draft a data protection policy which seeks to answer these questions. A sample data protection policy template is available in Annex C.

Notification: It is a criminal offence to hold and process personal data on computer without appropriate notification unless your community plan group falls within one of the exemptions. One of the exemptions under the Act is for ‘not for profit organisations’, provided that their processing of data is for ‘the purposes of establishing or maintaining membership of or support for the body or association, or providing or administering activities for individuals who are either members of the body or association or have regular contact with it.’ For further information contact the Information Commissioner 0303 123 1113 (local rate) or 01625 545 745 (national rate) or email: casework@ico.org.uk.

¹ The Market Research Society has good practice guidance on free prize draws at the following web address: www.mrs.org.uk

Annex A²



² Extracted from: Information Commissioners Office What is personal data? – A quick reference guide Data Protection Act 1998 www.ico.org.uk

Annex B Separate page for personal information



Volunteer or prize draw page

– please separate this page from the questionnaire to ensure anonymity

Would you like to?

Question number	Activity	I am interested in helping/would like further information (please tick)
1	Litter pick	
2	Youth Club	
3	etc	
10	etc	

Please let us have your details below if you want to volunteer and/or you would like to enter the Prize Draw. (Please note that your personal details will not be used for any other purpose and there is no connection to your completed Questionnaire)

Your name

Your telephone number

Your email address

Your post code

Annex C: Data Protection Policy³

Consider these issues if you wish to draft a data protection policy

- What information will we collect about people and what is it used for?
- Will we ever share the information? Why?
- How secure is the information?
- How long will we keep the information?
- How can people check, amend or request the deletion of the information we hold about them?

The Data Protection Act 1998 describes how organisations must collect, handle and store personal information. These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained only for specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held for any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be protected in appropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

³ For full information about Data Protection, see <https://www.gov.uk/data-protection/the-data-protection-act>

Example Data Protection Policy

Date

Purpose

***** respects privacy and realises how important it is to you that personal information remains secure. Your personal data is protected by the Data Protection Act 1998, and the Privacy and Electronic Communications (EC Directive) 2003. ***** aims to follow best practice. ***** may need to gather and use certain information about individuals. This may include volunteers who wish to help in the community or in response to a survey. Data held by ***** will only be used in relation to the *****Community Plan.

This data protection policy ensures that the group:

- Complies with data protection law and follow good practice
- Protects the rights of residents and volunteers
- Is open about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

Scope

This policy applies to the ***** steering group and volunteers and all contractors, suppliers and other people working on behalf of*****.

It applies to all data that ***** holds relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act 1998. This can include: Names of individuals; Postal addresses; Email addresses; Telephone numbers; ...plus any other information relating to individuals.

Guidelines

Everyone who works for or with ***** has some responsibility for ensuring data is collected, stored and handled appropriately.

- The only people able to access data covered by this policy should be those who need it for their work.
- Data should not be shared informally. When access to confidential information is required, employees can request it from their line managers.
- People using personal data should keep it secure, by taking sensible precautions and following the guidelines below.
 - strong passwords must be used and they should never be shared.
 - personal data should not be disclosed to unauthorised people
 - data should be regularly reviewed and updated. If no longer required, it should be deleted and disposed of.

Providing information

***** aims to ensure that individuals are aware that their data is being processed, and that they understand how the data is being used.