



**POLICY:
DATA PROTECTION POLICY**

1. Purpose

This policy sets out the ways in which YANA shall work when collecting and processing personal data. YANA's confidentiality is of paramount importance to the services it delivers and this policy ensures the highest standards of data protection are adhered to. It also ensures YANA meets its statutory requirements under the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

2. Responsible Person

The Charity Manager is the named responsible person.

The named responsible Trustee is Virginia Edgecombe.

3. Data Protection Principles

The Charity is committed to processing data in accordance with its responsibilities under the UK GDPR. Article 5 of the UK GDPR requires that personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures."

4. General Provisions

- This policy applies to all personal data processed by the Charity.
- The responsible person shall take responsibility for the Charity's ongoing compliance with this policy.
- This policy shall be reviewed at least annually.
- The Charity shall inform the Information Commissioner's Office that YANA is an organisation that processes personal data but is exempt from registering due to the fact it does not seek to make a profit and has regular (not necessarily frequent) contact with those it supports.

3a. Lawful, Fair and Transparent Processing

- To ensure its processing of data is lawful, fair and transparent, the Charity shall maintain a Register of Systems.
- The Register of Systems shall be reviewed at least annually.
- Individuals have the right to access their personal data and any such requests made to the charity shall be dealt with in a timely manner and no later than a month later.

3b. Lawful Purposes

- All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- The Charity shall note the appropriate lawful basis in the Register of Systems.
- Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Charity's systems.

3c. Data Minimisation

- The Charity shall ensure that personal data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

3d. Accuracy

- The Charity shall take reasonable steps to ensure personal data is accurate.
- Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

3e. Archiving /Removal

- To ensure that personal data is kept for no longer than necessary, the Charity shall put in place a retention policy for each area in which personal data is processed and review this process annually.
- The retention policy shall consider what data must be retained, for how long, and why.

3f. Security

- The Charity will ensure personal data is stored securely using modern software that is

kept-up-to-date.

- Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- When personal data is deleted this should be done in such a way that the data is irrecoverable.
- Appropriate back-up and disaster recovery solutions shall be in place.

5. Breach of Data

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO.

A record of all breaches of data will be held by YANA, including any action taken.

Related Documents:

- Retention Policy
- Records of Processing Activities

Revision history

This policy and related guidance will be monitored by the Chair of Trustees/Charity Manager on a regular basis for compliance and will be reviewed at least annually.

Date policy approved or amended	Amendments	Signed
December 2021	First approval of re-written policy by trustees	E Haley