



1st Winchester Scouts

Data Protection Policy



Revision History:

Version	Description	By	Date
1.0	Version 10 for approval	Dave Kesby/Tom Shaw	23/05/2018

This document is the responsibility of the Executive Committee of the 1st Winchester Scout Group. It will be reviewed regularly to ensure that it remains appropriate and continues to fulfil its purpose; ideally annually and no longer than once every two years. The next review date should be no later than June 2020.

Review and Approval

Approval to be by all members of 1st Winchester Scout Group Executive Committee

Signed by Chair on behalf of Executive Committee Date

Executive Committee Approval minuted:

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1 Introduction

1.1 Privacy and data protection as a key policy for Scouting

1.1.1 1st Winchester Scout Group is committed to the protection of privacy and data. This policy ensures that the Group, as a Data Controller, complies with the legal obligations of Data Protection. It is also important to note that as a member of The Scout Association, 1st Winchester Scout Group has a responsibility to comply with the constitution of the wider organisation, called Policy, Organisation and Rules, including The Scout Association's own Data Protection Policy and this Policy is directly compliant.

1.2 Purpose of this Data Protection policy and what it covers

1.2.1 This policy sets out 1st Winchester Scout Group's approach to protecting personal data and explains the Data Subject's rights in relation to how we may process their personal data.

1.2.2 1st Winchester Scout Group ("We" in this document) is registered with the Information Commissioner's Office at the following address:

1st Place
Fleming Road
Weeke
Winchester
SO22 6EE

1.2.3 If you have any queries about anything set out in this policy or about your own rights, please write to the Chairman, 1st Winchester Scout Group Executive Committee at the above address or via email at chairman@firstwinchester.org.uk

1.2.4 We may update this policy from time to time in minor respects, although we will make sure that any substantial or significant changes will be notified to you directly.

1.3 Definitions

'We' means 1st Winchester Scout Group

'TSA' means The Scout Association

'ICO' is the Information Commissioner's Office, the body responsible for enforcing data protection legislation within the UK and the regulatory authority for the purposes of the GDPR

'Personal Data' is defined in section 3

'Processing' means all aspects of handling personal data, for example collecting, recording, keeping, storing, sharing, archiving, deleting and destroying it.

'Data Controller' means anyone (a person, people, public authority, agency or any other body) which, on its own or with others, decides the purposes and methods of processing personal data. We are a data controller insofar as we process personal data in the ways described in this policy.

'Data Processor' means anyone who processes personal data under the data controller's instructions, for example a service provider. We act as a data processor in certain circumstances.

'Data Subject' – is a natural person whose personal data is processed by a controller or processor.

'Subject Access Request' is a request for personal data that an organisation may hold about an individual. This request can be extended to include the deletion, rectification and restriction of processing.

'Section' – the 1st Winchester Scout Group consists of six sections, two each of: Beaver Scouts (age 6-8), Cub Scouts (age 8-10 ½), and Scouts (age 10 ½ -14).

'Compass' Compass is a web-based membership system owned and controlled by TSA for processing Adult membership data. We are bound to use Compass according to TSA Data Protection Policy, the Data Protection Act 1998 and the GDPR.

'Online Scout Manager' Also known as OSM. This is a web-based membership system which is used by 1st Winchester Scout Group for the processing of Adult and Young Person data.

'GDPR' means EU regulation number 2016/679 on data protection and privacy for all individuals within the European Union, which comes into force in the UK on 25 May 2018 and will be supplemented by UK legislation coming into force on or around that date.

2 Personal Data

2.1 What is Personal Data

- 2.1.1 Personal data means any information about an identified or identifiable person. For example, an individual's home address, personal (home and mobile) phone numbers and email addresses, occupation, and so on can all be defined as personal data.
- 2.1.2 Some categories of personal data are recognised as being particularly sensitive ("sensitive personal data"). These include data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic and biometric information, and data concerning a person's sex life or sexual orientation.

2.2 How does data protection apply to 1st Winchester Scout Group?

- 2.2.1 1st Winchester Scout Group is a membership organization made up of adults and young people who are all members of The Scout Association. The parents and/or guardians of each young person who is a member are automatically members of the Scout Council of 1st Winchester Scout Group in accordance with our constitution, Policy, Organisation and Rules (POR). We are a community organisation – run by the community for the community.
- 2.2.2 Scouting provides a programme of adventure (physical, social and spiritual) through several age ranges. As such we require to capture, hold, process and transfer personal identifiable information (PII) such as contact details, names and age. In addition, a stretching programme requires safeguards to be put in place to ensure health and safety, so it is necessary to capture, hold, process and transfer Sensitive Personal Data (SPD) such as doctor's details, health details and dietary requirements to adults involved in the delivery of specific activities within the programme. Data is needed by Leaders, Group Scout Leaders, District and County Leaders (on certain occasions) as well as people outside of 1st Winchester Scout Group with specific qualifications to support us in the preparation, management and delivery of such adventurous activities. For safety and safe-guarding, it may be necessary to provide SPD to such qualified people or their organisations so that the programme of adventure can be delivered safely.

3 What type of personal data do we collect and why?

3.1 People interested in 1st Winchester Scout Group

- 3.1.1 We maintain basic information about those interested in joining 1st Winchester Scout Group, or those interested in maintaining contact with the Group after leaving as a member. Minimum information is required such as name, date of birth and contact details.
- 3.1.2 Parents or guardians express an interest in their young person joining 1st Winchester Scout Group through an on-line form on our website. This form is emailed to our Membership Secretary and loaded into OSM. This does not mean they are or will be a member as we are typically over-subscribed. Every year people on this list will be asked if they wish to remain or they will be taken off. Data required at this stage is minimal and includes:

- Name of young person
- Names and contact details of parents or guardians (email, postal addresses and telephone numbers)
- Date of Birth
- Gender

This information is required to manage new joiners in accordance with our published selection policies.

- 3.1.3 In addition, members leaving the Group may have their data transferred to an Interest Group register held on OSM should they give permission to do so. This list is used to keep leavers up to date with the Group's activities. It may also be used to maintain records should a person decide to re-join the Group and not lose all data on their historic accomplishments.

3.2 Young People

- 3.2.1 All Young Members have personal and sensitive data stored within OSM. Sensitive data is required at this level for safeguarding purposes. This data includes the following:

- Name of young person
- Names and contact details of parents or guardians (email and postal addresses and telephone numbers)
- Details of period within the Group
- Details of badges that a young person has received or is working towards
- Details of scouting events and activities that a young person has attended
- Age/date of birth
- Details of any health conditions including disabilities
- Race or ethnic background and native languages
- Religion
- Nationality

- 3.2.2 We need this information to run activities in a safe, age-appropriate way and to make appropriate adjustments based on the specific needs of individual young people. Some of this information is additional to the information collected for People Interested in 1st Winchester Scout Group; the additional information is input directly into OSM.

3.3 Adult Leaders and volunteers

3.3.1 Personal data including sensitive personal data for Adult Leaders and Volunteers is stored on OSM and Compass. OSM holds similar information as listed for Young People. The information held in Compass and controlled by TSA includes the following:

- Name and contact details
- Length and periods of service (and absence from service)
- Details of training you receive
- Details of your experience, qualifications, occupation, skills and any awards you have received
- Details of Scouting events and activities you have taken part in
- Details of next of kin
- Age/date of birth
- Details of any health conditions
- Details of disclosure checks
- Any complaints we have received about the member
- Race or ethnic background and native languages
- Religion
- Nationality

3.3.2 We and TSA need this information to communicate with Adult Members and to carry out any necessary checks to make sure that they can work with young people. We also have a responsibility to keep information about adult members during membership and TSA requires to keep this information afterwards due to safeguarding responsibilities and to help if the leaver wishes to re-join. Much of this information is collected from the member joining forms

3.4 Suppliers and Donors

3.4.1 From time-to-time we benefit from working with or receiving donations from people outside the Group and TSA. We hold personal data about these suppliers and donors so that we can process payments and donations.

3.5 Users of 1st Place

3.5.1 Our Scout Hall, called 1st Place, is hired to various regular or ad hoc users. We hold personal data as part of the booking process including

- Name and contact details
- Bank details (for regular users)
- Purchase and payment history

This data is used to coordinate the use of 1st Place and ensure the safe use of the hall.

3.6 Photographs

3.6.1 We take photographs of scouting activities taking place for the purposes of celebrating the memories of such events and for promoting Scouting generally. Photographs will always be treated as personal data and will be used only with the permission of those involved.

4 Conditions for collecting personal data

4.1 Keeping to the law

4.1.1 We must keep to the law when processing personal data. To achieve this, we have to meet at least one of the following conditions:

- The Data Subject must give (or have given) permission for us to use their information for one or more specific purposes
- We need to process the information to meet the terms of any contract the Data Subject has entered into
- Processing the information is necessary to keep to our legal obligations as data controller
- Processing the information is necessary to protect the vital interests of the Data Subject
- Processing the information is necessary for tasks in the public interest or for us as the data controller to carry out our responsibilities
- Processing the information is necessary for our legitimate interests (see below)

4.1.2 Also, information must be:

- Processed fairly and lawfully
- Collected for specified, clear and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary
- Processed securely

4.2 Systems we use to capture and store data

4.2.1 1st Winchester Scout Group uses a combination of Group, 3rd Party and personal systems through which we capture, store, process and destroy personal data. These include:

SYSTEM	Group	3rd Party	Personal
<p>OSM Only available on-line. It is accessed via a two-stage login and password. Access to personal data is managed by a nominated “owner” at section level who limits access to named Leaders and Executive Members. OSM has an email capability that allows emails to be sent to individual sections or all sections as required without sharing personal email addresses with other recipients.</p>		X	
<p>Compass Only available on-line. It is login and password protected. Access to personal data is restricted by a “top-down” hierarchy of need directly associated with an adult’s role requirement.</p>		X (TSA)	
<p>Dropbox A system used to store shared documents such as Word documents that are necessary for the safe running of scouting activities (for instance lists of names and contact details as part of the In Touch process required by TSA when young people are staying overnight somewhere). It is 1st Winchester Scout Group policy to use Dropbox as the single and preferred system to store shared documents.</p>		X	
<p>Email In most circumstances the OSM email (above) is used to email parents and members. Occasionally email can be used to pass personal data to 3rd parties involved in the safe running of scouting activities. For instance, when specialist qualified people are required to run an adventurous activity, they may need specific personal data to ensure their duty of care and safety for those taking part.</p>			X
<p>Atlantic Data This system is online and accessed by a restricted number of named and recorded personnel within the Group. The system is used to check all adult volunteers and leaders for disclosures for safeguarding purposes (DBS). All adults are</p>		X (TSA)	

prevented from access to personal data on all the other systems without DBS clearance.			
Paper Paper documents will be produced from time-to-time in order to practically run activities without relying on IT systems and hardware.			X
Official documents (i.e. meeting minutes) As a registered charity the Group is legally required to produce and maintain official documents recording the names of Trustees and Leaders within the Group and important activities and decisions taken for the appropriate running of the Group.	X		
Webforms and online surveys Waiting list information is captured via a webform on the 1st Winchester Scout Group website (www.firstwinchester.org.uk). This data is emailed to the Membership Secretary who loads it into OSM manually. Surveys, such as Doodle, are used to coordinate volunteers for specific events.	X	X	
MyScout Once someone joins the Group, further data is added directly into OSM by the Section or Group Scout Leader or by the parent/guardian of the young person via an individual login to OSM branded for parents as "MyScout". Most personal data for a young person is visible and editable via the MyScout login allowing "live" personal data to be controlled by the individual themselves.	X		
Go Cardless Only available online. Links to OSM and MyScout in order to manage online payments for membership subscriptions and other sums due. Information held is name of person paying, email address and payment history. Access is via password-protected log-in which is only accessible by the Chair of the Executive Committee, Treasurer and the Membership Secretary.		X	

4.3 Information that we share

4.3.1 We may have to share the Data Subject's personal data with others within TSA such as District, County and National entities to provide an appropriate level of adventure and safeguarding in keeping with our scouting programme. We do not share personal data with companies, organisations and people outside the Association, unless one of the following applies:

- We have clear permission from the Data Subject to do so.
- For safeguarding young people or for other legal reasons.

5 Data retention and security

5.1 General

5.1.1 Everyone who handles personal data within the Group must make sure it is held securely to protect against unlawful or unauthorised processing and accidental loss or damage.

5.1.2 Personal data shall be retained for the duration of a young person or adult volunteer's membership of the Group. After this period the data will be deleted or destroyed within 1 month of the member leaving the Group with the following exceptions:

- Claims, concerns or requests involving the young person or adult volunteer remain outstanding and unresolved, for instance outstanding finances. Once the claim, concern or request has been resolved the record will be deleted within 1 month.
- Adult Leaders details on Compass and Atlantic Data will be retained indefinitely for safeguarding reasons and the need for historical records of members of TSA.
- A specific request is made by the member to transfer to an Interest group, in which case only minimal personal data pertaining to contact details (section 3.1) will be retained. All other data will be deleted.
- Information that we are legally required to hold (for instance Gift aid data needs to be retained for 7 years to meet audit requirements by HMRC.)

5.1.3 In addition:

- OSM maintains records from one term to another, copying over records and leaving an auditable trail. Leaders will delete sensitive data within past terms and then only maintain such past records for 2 terms for monitoring payment histories and attendance registers. Records that are 3 terms in the past will be deleted.
- Paper based registers of young members taken during activities should be destroyed within 7 days of the activity completing.

5.1.4 If justification cannot be made for the retention of data, then it will be securely deleted at the point it is no longer required.

5.1.5 For security purposes the following is general guidance for everyone involved in the Group:

- You must only store personal data on networks, drives or files that are password protected and regularly backed up.

- Back-up files must be protected from unauthorised access
- You should have proper entry-control systems in place, and you should report any stranger seen in entry-controlled areas.
- You should keep paper records containing personal data secure. If you need to move paper records, you should do this strictly in line with data protection rules and procedures.
- You should not download personal data to mobile devices such as laptops and USB sticks unless absolutely necessary. Access to this information must be password protected and the information should be deleted immediately after use.
- You must keep all personal data secure when travelling.
- Personal data relating to members and volunteers should usually only be stored on the membership database or other specific databases which have appropriate security in place.
- When sending larger amounts of personal data by post, you should use registered mail or a courier. Memory sticks should be encrypted.
- When sending personal data by email this must be appropriately authenticated and password protected. Do not send financial or sensitive information by email unless it is encrypted.
- You should not share your passwords with anyone.
- Different rights of access should be allocated to users depending on their need to access personal or confidential information. You should not have access to personal or confidential information unless you need it to carry out your role.
- Before sharing personal data with other people or organisations, you must ensure that they are GDPR compliant.
- In the event that you detect or suspect a breach you should follow your defined breach response process.

6 Responsibilities

6.1 Expectations

6.1.1 We expect our volunteers and members to keep to the guidelines as set out in this Data Protection Policy when they are using or processing personal data and other confidential or sensitive information. This is set out more clearly below:

6.2 Executive Committee

6.2.1 Our Executive Committee, as charity Trustees, monitors compliance with GDPR and other Data Protection laws, our data protection policies, awareness-raising, training, and audits. The Executive Committee is responsible for:

- Making sure that this data protection policy is up to date
- Advising on data protection issues
- Dealing with complaints about how we use personal and sensitive personal data
- Reporting to the ICO if we do not keep to any regulations or legislation

6.3 Leaders and Adult Volunteers

- 6.3.1 All Leaders and Adult Volunteers have a responsibility to keep to the requirements of this data protection policy and our related procedures and processes. Section Leaders are responsible for making sure that all adults volunteering within their sections are aware of and keep to this. If anyone becomes aware of a data protection issue you must report it immediately to the Executive Committee so that we can comply with our regulatory notification obligations.
- 6.3.2 All Leaders and Adult Helpers must complete the [mandatory GDPR e-learning module](#) and have this validated by the Groups Training Advisors (TAs).
- 6.3.3 If you do not keep to this data protection policy and its associated policies and procedures, we may take action to exclude you from your role within the Group.

7 Rights to accessing and updating personal data

7.1 Data Subject's rights

- 7.1.1 Under data protection law, Data Subjects have a number of rights in relation to their personal data.
 - (a) The right to information: As a data controller, we must give the Data Subject a certain amount of information about how we collect and process information about them. This information needs to be concise, transparent, understandable and accessible.
 - (b) The right of subject access: If the Data Subject wants a copy of the personal data we hold about them, they have the right to make a subject access request (SAR) and get a copy of that information within 30 days.
 - (c) The right to rectification: The Data Subject has the right to ask us, as data controller, to correct mistakes in the personal data we hold about them.
 - (d) The right to erasure (right to be forgotten): The Data Subject can ask us to delete their personal data if it is no longer needed for its original purpose, or if they have given us permission to process it and withdraw that permission (or where there is no other lawful basis for processing it).
 - (e) The right to restrict processing: In certain circumstances where, for lawful or legitimate purposes we cannot delete the Data Subjects relevant personal information or if they do not want us to delete it, we can continue to store it for restricted purposes. This is an absolute right unless we have a lawful purpose to have it that overwrites the rights of the Data Subject.
 - (f) The obligation to notify relevant third parties: If we have shared information with other people or organisations, and Data Subject then ask us to do either (c), (d) or (e) above, as data controller we must tell the other person or organisation (unless this is impossible or involves effort that is out of proportion to the matter).
 - (g) The right to data portability: This allows the Data Subject to transfer personal data from one data controller to another.

(h) The right to object: The Data Subject has a right to object to us processing their personal data for certain reasons, as well as the right to object to processing carried out for profiling or direct marketing.

(i) The right to not be evaluated on the basis of automatic processing: The Data Subject has the right not to be affected by decisions based only on automated processing which may significantly affect them.

(j) The right to bring class actions: The Data Subject has the right to be collectively represented by not-for-profit organisations.

8 Subject access requests

8.1 Request

8.1.1 The Data Subject is entitled to ask us, in writing, for a copy of the personal data we hold about them. This is known as a subject access request (SAR). In line with legislation, we will not charge a fee for this information and will respond to the request within one month. This is unless this is not possible or deemed excessive, in which case we will contact the Data Subject within the month of making the SAR.

8.1.2 Subject access requests for data held by 1st Winchester Scout Group should be made the chairman of the Executive Committee (chairman@firstwinchester.org.uk) or by writing to:

Chair of the Executive Committee

1st Place

Fleming Road

Weeke

Winchester

SO22 6EE