

Data Protection Policy

Data Protection Policy

RCT is committed to protecting personal data and this policy sets out how we will implement that commitment with respect to the collection and use of personal data. We will ensure that the Rights of Individuals we comply with the nine rights for individuals of the General Data Protection Regulation (GDPR) listed below, and meet the legal obligations set out in the regulation.

Data Protection Principles

Personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
- d) 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;
- e) 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 solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate measures to safeguard the rights and freedoms of individuals; and
- f) 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

RCT is registered with the Information Commissioner's Office. Our registration number is Z1004256X

We are committed to:

- ensuring that data is collected and used fairly and lawfully.
- processing personal data only in order to meet our operational needs or fulfil legal requirements.
- taking steps to ensure that personal data is up to date and accurate.
- establishing appropriate retention periods for personal data.
- ensuring that data subjects' rights can be appropriately exercised.
- providing adequate security measures to protect personal data.
- ensuring that a nominated officer is responsible for data protection compliance and provides a point of contact for all data protection issues.
- ensuring that all staff are made aware of good practice in data protection.
- providing adequate training for all staff responsible for personal data.

- ensuring that everyone handling personal data knows where to find further guidance.
- ensuring that queries about data protection, internal and external to the organisation, is dealt with effectively and promptly
- regularly reviewing data protection procedures and guidelines within the organisation.

Record Keeping Policy

Introduction

This guidance applies to the retention of all records at Rochdale Connections Trust. Some of the guidance below relates to records that contain 'personal data'. Personal data is defined under the General Data Protection Regulation (GDPR) as:

Any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person (GDPR article 4).

Under the new data protection laws Rochdale Connections Trust is wholly responsible for ensuring compliance with GDPR which came into force on 25 May 2018. GDPR introduces several legal obligations in relation to records containing personal data. This includes obligations such as advising data subjects of the information you hold on them, the purpose for which you hold or process such information, how long you hold it for (the retention period), the legal basis for which you process the personal data and what the data subject's rights are in relation to the data.

Overall, personal data should be kept for no longer than necessary. As such Rochdale Connections Trust need to be aware of how long each type of record needs to be retained in law, where it might be judicious to retain records for a longer period, and how to destroy records that are no longer needed. Rochdale Connections Trust recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the organisation.

Objectives and targets

This policy applies to all records created, received or maintained by Rochdale Connections Trust staff and volunteers in the course of carrying out its functions. This policy also applies to all accounting records required for retention by the Charity Commission under the Charities Act 2011 and under the Companies Act 2006, as well as those records required by HMRC and others to be retained. Records are defined as all those documents which facilitate the business carried out by the Charity and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

Records

Rochdale Connections Trust keeps records containing personal data under a wide variety of headings, including:

- Service-user's
- Board Members
- Staff
- Volunteers
- Personnel records of staff
- Local Authority (LA)
- Students on work experience placements
- Programmes of work
- Health and safety
- Administration
- Finance
- Property
- CCTV

Rochdale Connections Trust has a corporate responsibility to maintain these records and record keeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Operations Manager who will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely fashion. The storage and retention of digital information will also be handled by the Operations Manager, who will ensure that all records are held securely, backed-up on suitable systems, archived when necessary and checked regularly for ease of retrieval when required.

Individual staff must ensure that records for which they are responsible, particularly any that are kept on devices, are accurate, kept securely, and are maintained and disposed of in accordance with the Charity's records management guidelines. Loss and destruction of records that contain personal data can carry significant penalties from the Information Commissioner's Office (ICO). Personal data must not be placed at risk and appropriate safeguards are in place. There may be further consequences for individuals who fail to comply with safe record keeping guidelines and policies.

Updating client (service-users) records

Staff must only record information on the records of service-user's that they are responsible for. Organisational policy dictates that all records should be updated in a timely manner and in accordance with the specific requirements for their programme or funder.

For those staff working on our **Domestic Violence and Abuse** programmes, information relating to **contact with service-users; contact with other professionals; case specific supervision; multi-agency working** and **reviews of risk and need** must be clearly recorded in the appropriate location (client file; Lamplight) within one working day.

RETENTION PERIODS

TABLE A

Record	Recommended Retention Period
Application forms and interview notes	6 months
Assessments under health and safety regulations and records of consultations with safety representatives and committees	Permanently
Inland Revenue/HMRC approvals	Permanently

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Money purchase details	6 years after transfer or value taken
Parental leave	Until child is 18 (birth/adoption)
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy
Pensioners' records	12 years after end of benefit
Personnel files, training records (disciplinary records, grievance records)	6 years after end of employment
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after date of redundancy
Statutory Sick Pay records, calculations, certificates, selfcertificates	at least 3 months after the end of the period of sick leave, but 6 years after the employment ceases advisable
Trade Union agreements	10 years after end
Works Council minutes	Permanently
Service User Records	3 years

TABLE B

Record	Statutory Retention Period	Authority
Accounting	Private companies – 3 years from the date they were made; Public companies – 6 years from the date they were made.	s. 388 Companies Act 2006 Note that accounting records may be required to be kept for longer periods under other legislation or for tax reasons.
Income Tax, NI returns, HMRC correspondence	3 years after the end of the financial year	The Income Tax (Employments) Regulations 1993
Children/young adults	Until the child reaches 21	Limitation Act 1980
Retirement Benefits Schemes	6 years from the end of the scheme year	The Retirement Benefits Schemes (Information Powers) Regulations 1995
Statutory Maternity Pay (calculations, certificates, medical evidence)	3 years after the end on the tax year in which the period ends	The Statutory Maternity Pay (General) Regulations 1986
Wage/salary (overtime, bonuses, expenses)	6 years	Taxes Management Act 1970
NMW	3 years after the end of the consequent pay reference period	National Minimum Wage Act 1998
Working time	2 years after they are made	The Working Time Regulations 1998

Archives

Funders often require records to be archived for a set period of time to allow for future auditing. Archived records stored by Rochdale Connections Trust are:

- treated as being as confidential as current records
- not necessarily as accessible as current records, but will still be retrievable
- stored physically and may also be kept electronically
- stored in their original format

Disposal of records

When the period of retention has expired, and there is no other reason to keep them, the records may be disposed of safely and securely. Particular regard must be paid when disposing of records containing personal data. The records will be completely destroyed by shredding paper, cutting up CDs and similar items and dismantling and destroying hard drives. Non-sensitive papers will be bundled and disposed of to a waste paper recycling merchant. A list is kept of records which have been destroyed.

REVIEW SCHEDULE:

The Data Protection and Record Keeping Policy is formally reviewed on an annual basis.

Date of last review: August 2023

Reviewed by: Lizl Donnelly

Job Role: Business Support Manager

Date of next Review: August 2024