

ST AUSTELL U3A
Data Protection & Privacy
Regulations
October 2020

GDPR BACKGROUND

- GDPR (General Data Protection Regulation) is an EU Regulation governing the use of personal data
- The aim of GDPR is to put individuals in control of their own data
- The regulation came into force in May 2018 and remains in force even though the UK has left the EU as the UK adopted the EU GDPR Regulation

WHAT IS PERSONAL DATA

- Information relating to an identifiable living person who could be directly or indirectly identified using those data, for example:
 - Name
 - Address
 - Membership Number
 - Photos
 - Bank Account Details/Credit Card Number

How does this apply to St Austell U3A?

- St Austell U3A need to follow GDPR guidelines regarding how we collect and process information for membership purposes
- We need to inform our members how personal information will be collected, stored and managed in line with general data collection principles and the GDPR

Why does the St Austell Data Protection policy exist?

- To ensure that St Austell U3A:
 - Complies with data protection law and follows good practice
 - Protects the rights of members
 - Is open about how it stores and processes members data
 - Protects itself from the risk of a data breach

Who in St Austell U3A should have access to Member's Personal Data

- Only those who need to communicate with or provide a service to St Austell U3A members
- For us this is Committee Members and Group Convenors

Keeping Data Secure

- St Austell U3A Committee Members and Group Convenors should keep all data secure, by taking sensible precautions:
 - Using Beacon to store Member's personal data and to communicate to members
 - Using strong passwords (a mixture of uppercase letters, lower case letters, symbols and numbers)
 - Not sharing passwords

Sharing Data Outside St Austell U3A

- Data should not be shared outside of St Austell U3A unless with prior consent and/or for specific reasons, for example:
 - Gift Aid information provided to HMRC
 - Data provided to National U3A
 - Data sent to the Distribution Company for Third Age Matters mailing

Accuracy of Member's Data

- Membership should be refreshed periodically to ensure accuracy:
 - Via the Membership Renewal Process
 - When there is a change to GDPR regulations
 - When we make a change to the member personal data we are collecting via our Membership Form, for example when/if we decide to collect information so that we can use Gift Aid

Data Protection Principles

- We need to adhere to the six key data protection principles
- These are listed in detail in the St Austell U3A Data Protection Policy available on the St Austell U3A website (www.staustellu3a.org) under the Policies/Group Admin Tab

Key Data Protection Principles

1. Lawful fair and transparent data processing
2. Data processed for specified, explicit and legitimate purposes
3. Adequate, relevant and limited data processing
4. Personal data needs to be accurate and up to date
5. Personal data is not to be kept longer than is necessary
6. Personal data must be processed in a manner that ensures appropriate security of data

Lawful Fair & Transparent Data Processing

- Members are informed via the St Austell Membership Form why we are collecting the information we are requesting
- Members will be asked to provide consent for specific processing purposes such as the taking of photographs
- Members will be informed as to who they should contact should they wish for their data not to be used for specific purposes for which they have previously provided consent

Specified, Explicit & Legitimate Purpose

- Members will be informed how their information will be used and St Austell U3A Committee will seek to ensure that member information is not used inappropriately
- Appropriate use will include:
 - Communicating with members about St Austell U3A events & activities
 - Group Convenors communicating with group members about specific group activities
- Inappropriate use will include:
 - Sending members marketing and/or promotional materials from external service providers

Managing Information so as not to Infringe Member's Rights

- These include:
 - The right to be informed
 - The right of access
 - The right to rectification
 - The right to erasure
 - The right to restrict data processing
 - The right to data portability
 - The right to object

Adequate, Relevant and Limited Data Processing

- Members of St Austell U3A will only be asked to provide information that is relevant for membership purposes. This will include:
 - Name
 - Postal Address
 - Email address
 - Telephone Number
 - Mobile Phone Number

Photographs

- Photographs are classified as personal data
- Where group photos are being taken, members will be asked to step out of shot if they don't wish to be in the photograph
- Otherwise consent will be obtained from members in order for photographs to be taken and members will be informed as to where photographs will be displayed
- Should a member wish at any time to remove their consent and to have their photograph removed, then they should contact a St Austell U3A committee member to advise that they no longer wish their photograph to be displayed

Accuracy of Data & Keeping Up to Date

- Members will be informed to let the Membership Secretary know if any of their personal information changes
- On an annual basis, the membership renewal process will provide an opportunity for members to inform St Austell U3A as to any changes in their personal information

Accountability & Governance

- St Austell U3A Committee are responsible for ensuring our U3A remains compliant with data protection requirements and that we can evidence that we have done this
- St Austell U3A Committee are also responsible for ensuring that new committee members receive a GDPR induction and are made aware of their responsibilities in relation to the data they hold and process
- St Austell U3A will ensure Group Convenors are made aware of their responsibilities in relation to the data they hold and process
- When Committee Members and Group Convenors relinquish their roles they will be asked to pass on data to those who need it and/or delete data
- St Austell U3A Committee will review data protection requirements on an on-going basis (at least annually) as well as reviewing who has access to data and how the data is stored

Secure Processing

- St Austell U3A Committee members have a responsibility to ensure that data is both securely held and processed, this will include:
 - Committee Members using strong password
 - Committee Members not sharing passwords
 - Setting up access rights to Beacon that are appropriate to the Committee Member's/ Group Convenor's need to communicate with members
 - Using password protection, a membership database (Beacon) or secure cloud systems when sharing data between committee members and/or group convenors
 - Paying for firewall security to be put on Committee Member's laptops or other devices

Subject Access Request

- Our members are entitled to request access to the information held by St Austell U3A
 - The request needs to be received in the form of a written request to the Membership Secretary
 - The request need to be formally acknowledged and dealt with expediently (within one month)
 - A written response detailing all information held on the member will be provided
 - A record needs to be kept of the date of the request and the date of the response

Data Breaches

- Data breaches are when a breach of security leads to the destruction, loss, alteration, unauthorised disclosure of, or access to personal data
- Data breaches are generally associated with the activities of malicious criminals, but research (Verdict 2018) has shown that the majority of breaches are due to human error

Data Breaches due to Human Error

- Sending sensitive information to the wrong destination
- Loss or theft of paperwork or storage devices (USB Memory Sticks/USB Hard Drives)
- Leaving post-its with passwords written out on, or close to devices
- Careless and uninformed people are most likely to cause data breaches

Data Breach Notification

- Action will be taken to minimise harm
- Committee Members will be made aware that a breach has occurred and how it has taken place
- The Committee will seek to rectify the cause of the breach as soon as possible to prevent further breaches
- The Chair will contact National Office to notify them of the breach.
- The Chair and National Office will evaluate the seriousness of the breach, what action is to be taken and whether the Information Commissioner's Office (ICO) needs to be notified
- The Committee will contact the relevant U3A members informing them of the breach and the actions being taken to resolve the breach

Data Breaches Reported by U3A Members

- A Committee Member will ask the member to provide an outline of the breach
- If the initial contact was by telephone, the Committee Member will ask the U3A member to follow this up with an email or letter detailing their concern
- The alleged breach will be investigated by members of the Committee who are not in any way implicated in the breach
- If the Committee needs support or the breach is serious, National Office will be notified
- The U3A member should also be informed that they can report their concerns to the National Office if they are not satisfied with the response from St Austell U3A
- Breach matters will be subject to a full investigation, records need to be kept and all those involved notified of the outcome

U3A ST AUSTELL PRIVACY POLICY

- The Privacy Policy confirms to the members that we recognise their rights and treat their rights seriously
- The Privacy Policy sets out the basis on which we collect and use member's personal data
- The Privacy Policy works in conjunction with the Data Protection Policy and is available on the St Austell U3A website (www.staustellu3a.org) under the Policies/Group Admin Tab

U3A St Austell Privacy Policy

- Describes:
 - Who is responsible for the personal data we collect
 - What personal data we collect
 - How we use this personal data
 - Who we may disclose the personal data to
 - Members rights and choices in relation to their personal data

Who is responsible for the Personal Data we Collect

- We (St Austell U3A) are the data controller for the purposes of data protection law, in respect of the personal data collected and used by us.

What Personal Data do we hold?

- Personal Data we hold falls under the following categories:
 - General (Contact Information, Optional Information)
 - Marketing (Subscription Preferences)
 - Other (On-line activity information – to the extent that it constitutes personal data)

Contact Information

- When you express an interest in becoming a member of St Austell U3A you will be asked to provide certain information, this includes:
 - Your name
 - Home address
 - Email address
 - Telephone number
 - Mobile number
 - Emergency contact details

Optional Information

- We also ask for details of:
 - Your previous occupation
 - Interests
 - Skills
- It is the member's choice whether they provide this information or not.

Marketing

- Subscription Preferences
 - This includes details of marketing preferences that members express, including any opt outs they provide
 - To receive the TAM (Third Age Matters) Magazine members need to confirm on the membership form that they want to receive it.
 - Members can change their marketing preferences at any time by notifying the Membership Secretary

Online Activity Information

- Technical information St Austell U3A receive through member's internet browsers or electronic devices
- This information may be provided:
 - In the course of communication between the member and St Austell U3A (including by phone, email or otherwise)
 - When members provide personal data via our Website or other systems which St Austell U3A provide to them
 - Via St Austell U3A social media pages, other social media content, tools and applications

Information about Third Parties

- Third Parties
 - In the course of St Austell U3A communicating with the members, members may provide St Austell U3A with personal data relating to third parties
- Consent and Third Parties
 - St Austell U3A will use this personal data in accordance with this Privacy Policy. If the member is providing personal data to us relating to a third party, the member will need to confirm that they have the consent of the third party to share this personal information with us and that they have made the information in this Privacy Policy available to the third party

How do St Austell U3A use the Personal Data we collect about Members

- Under data protection law, St Austell U3A (we/us) can only use member's personal data if there is a legal basis to do so
- Examples of a legal basis are:
 - If we have the member's **consent**
 - If we need to enter into or perform a **contract** with members (or take steps at the member's request prior to entering into that contract)
 - It is necessary for us to comply with a **legal obligation**
 - It is in our **legitimate interests** to process member's data
- Legal Basis is listed in detail in the Privacy Policy (Table 5.2)
- Some examples follow

Examples of Legal Basis

- Consent
 - To manage any issues, complaints, feedback or enquiries

- Contract
 - To set up and manage membership
 - To manage membership information on Beacon
 - To deliver the TAM magazine

Examples of Legal Basis Continued

- Legal obligation
 - To comply with any legal or regulatory obligations (including in connection with a court order)
- Legitimate Interests
 - To administer, plan and manage our U3A
 - To communicate with members about our U3A products, services, activities and events
 - To share with the Trust (National U3A) and TATTL (Operators of Beacon) to manage, develop and make improvement to the Beacon system

How long will we keep Personal Data

- Retention
 - St Austell U3A will keep member's personal data for different periods, depending on the nature of the information, the purpose for which it was collected, any legal obligation and/or business reason to retain
- Extensions
 - The retention period may be extended where St Austell U3A need to preserve and use personal data for the purposes of bringing or defending a legal claim. In such cases the Personal Data will be held for as long as possible to deal with the legal proceedings

Member's Rights

- Section 10 of the Privacy Policy gives detailed information on these Personal Data rights which are:
 - Right of access
 - Right to rectify
 - Right to erasure
 - Right to restrict use
 - Right to data portability
 - Right to object to its use
 - Right to withdraw consent
 - Right to complain to the relevant data protection authority

Who is Personal Data shared with?

- Schedule 1 of the Privacy Policy gives detailed information about who Personal Data is shared with
- These are:
 - U3A service providers and business partners
 - U3A professional advisers
 - Government authorities and third parties involved in court action
 - Police and law enforcement agencies
 - Regulatory bodies

Changes to the St Austell U3A Privacy Policy

- Our Privacy Policy is available on the St Austell website www.staustellu3a.org under the Policies and Group Admin tab
- The policy may change from time to time and will be reviewed at least annually
- Members will be informed via the newsletter and the monthly meetings when any material changes are made to St Austell policies and procedures

Where do we go from here?

- Our aim is that St Austell U3A continues to develop a culture where personal data is respected and protected.
- We are doing this by:
 - Not sharing member's personal data including home addresses, email addresses or phone numbers to anyone without permission
 - Using strong passwords to protect the data and not sharing these passwords
 - Ensuring that our membership form is GDPR and Privacy compliant
 - Only using the personal data for legitimate purposes
 - Ensuring Beacon is used for storage of personal data and communication
 - Ensuring the personal data on Beacon is accurate and up to date
 - Limiting access to personal data to those who need to communicate with or provide a service to St Austell U3A members, (Committee Members, Group Convenors)
 - Ensuring that member's are aware of their rights and that St Austell U3A are respecting these rights
 - Providing GDPR and Privacy training to committee members and group convenors