Whinfield Residents Association: Data Protection Policy

A guide for WRA members.

(last updated: March 2020)

'It has been brought to our attention that our original GDPR Policy was written in such a way that meant we were excluding those who wished to join the association who were not able to provide an email address. In line with Darlington Borough Council advice and Residents Association's guidance nationwide the association was effectively 'Digitally' excluding residents. It is for that reason that our GDPR Policy has had to be reviewed and revised accordingly to reflect this from happening'.

Whinfield Residents Association is aware of an EU-wide regulation, called the General Data Protection Regulation (GDPR), effective from 25th May 2018, which affects our organisation and which we have to implement by law. Essentially, it involves making members aware of any data WRA holds on them, how it is used and their rights with regard to such data. In particular, WRA will need to obtain explicit consent to hold and use members' data in a specified way. Set out below as a 15 point policy plan are the main issues from a member's point of view which WRA has to address:

(1) WHO ARE WE AND WHAT DO WE DO?

(a) Winfield Residents Association incorporating Friends of Beech Wood is a non-profitable residents association. We are self managed and run by an elected Management Committee.
(b) Personal information is only collected in order to enable the day to day running of the association.
(c) For the purposes of Data Protection, Whinfield Residents Association incorporating Friends of Beech Wood is the Data Controller.

(2) WHAT DATA DOES WRA HOLD ON ME?

(a) WRA has only a record of your name, and either your address, telephone number, or associated email address that you supplied to us.

(3) WHAT IS THE DATA USED FOR?

(a) It is used for the sole purpose of contacting you to inform you about WRA business.
(b) WRA business includes notices of meetings and events and news about our activities.

(4) HOW IS THE DATA STORED?

(a) Data will be stored securely. When it is stored electronically it will be kept in password protected files. Paper mailing lists will be stored securely in a locked cabinet.
(b) The Secretary also records and maintains a list of members which will include addresses and email addresses in accordance with the WRA Constitution in both electronic and paper format.
(c) We only collect, store and use the minimum amount of data that we need for clear purposes, and will not collect, store or use data we do not need.
(d) Note that the minutes of meetings are publicly accessible documents which are published on the WRA website.

(5) HOW SECURE IS THE DATA?

(a) The data is as secure as any other data held on an electronic device or information sent by email or post.
(b) The computer is protected by an effective firewall and anti-virus software, and other security programs and confidential features.
(c) Apart from the WRA Secretary and officers, no other person has access to the stored data and it will not be disclosed to any 3rd party for any purpose.
(d) Emails and letters in paper format received from members which need to be forwarded on to WRA Management Committee members for appropriate attention will not be regarded as disclosure of the stored data, but such emails or letters in paper format will be kept confidential as far as is practicable.

(6) Management Committee members agree to share their own contact details amongst themselves only for the purpose of allowing the routine business of WRA to carry on efficiently, in the interests of good communications, without this being regarded as a data breach.
(f) When a group email is sent out to WRA members using the stored data, it is sent "Bcc" so that your name and email address are not visible to any other recipient of the group email.
(g) The data has been risk-assessed as being relatively low sensitivity and low risk.

(7) **WHAT HAPPENS IF A DATA BREACH OCCURS?**
(a) The Information Commissioner's Office would be informed by WRA if necessary, within 72 hours if possible.
(b) Members would also be informed about the nature of the breach and given advice on its implications and any action to be taken.

(8) **HOW DO I FIND OUT EXACTLY WHAT DATA IS HELD ON ME? HOW DO I AMEND OR WITHDRAW THE DATA?**
(a) You can email or contact the WRA Secretary at any time by address, or **email** at whinfieldresidents@gmail.com to request a copy of the data held. This data will normally be simply your name and associated address/ email address which you have supplied to WRA, and a copy will be sent to you promptly by email or by letter in paper format if requested.
(b) You can also email or send a letter in paper format to the WRA Secretary to make amendments or to request that your data be deleted. This will normally be carried out immediately the request is received.
(c) Note that if your data is deleted from our systems we will no longer have any means of contacting you directly with details of meetings or any other WRA business. Such information may still be available to you from the WRA website at www.whinfieldresidents.co.uk/ a publicly accessible website.

(9) **HOW DO I COMPLAIN ABOUT AN ISSUE WITH THE DATA HELD ABOUT ME?**
(a) Contact the WRA Secretary in the first instance to raise your concern.
(b) If after contacting the WRA Secretary to resolve your issue you are unhappy with the response, you can contact the Information Commissioner's Office via the official ICO website at https://ico.org.uk/concerns/ .

(10) **DOES WRA NEED MY PERMISSION TO HOLD AND USE MY DATA?**
(a) Yes, explicit and unambiguous consent is required from you to allow WRA to store and use your data for the stated purpose, which in this case is only to email, or upon request, in paper letter format, you information about WRA business and activities.
(b) No specific time limit has been set on how long WRA may hold and use your data after consent has been given, but WRA may periodically undertake an audit of the data, check with you that the data is still valid and that you wish to continue to allow it to be used.
(c) If there is a material change in circumstances about who has access to the data, how it is stored, or how it is to be used, WRA may well seek your consent again for the new arrangements.

(11) **HOW IS CONSENT OBTAINED?**
(a) When a new member is recruited, the WRA Secretary will email the new member to confirm that their correct name and email address are being held, bring to their attention the principles of data protection itemised here and ask for their explicit and unambiguous consent for WRA to hold and use their data for the stated purpose. If the new member does not have an email address the same principle will be apply but the new member will be sent a paper letter format.
(b) Existing members will be periodically emailed by the Secretary, reminded of these principles of data protection and asked for the renewal of their consent. For those members whom do not have access to an email address a paper format will be sent.
(c) Note that if a member fails to respond to the question about consent within a reasonable time frame, it is likely that WRA will be forced to delete their data in order to comply with GDPR, and thus no further communications will be able to be sent to that person about WRA business.

(12) **WHAT DO I HAVE TO DO NOW**?

(a) Please respond as promptly as possible to any email or letter you receive from the WRA Secretary about consent, clearly giving your consent to WRA to hold and use your data for the stated purpose. A statement something like: "I give my consent for WRA to hold and use my name and email address for the sole purpose of contacting me about WRA matters" will be sufficient.

(b) In the case of 2 or more people sharing the same email address, including husband & wife, 2 partners, 2 or more friends, the statement of consent given must clearly be seen to apply to all of the parties involved.

(13) **MARKETING**

(a) At no time will your information be passed to organisations or companies external to us or for marketing or sales without your prior express consent.

(14) **TO RECAP, WHAT ARE YOUR INFORMATION RIGHTS?**

Your information rights are set out in law. Subject to some legal exceptions, you have the right:

- to have inaccuracies corrected
- to have your personal data erased
- to place a restriction on our processing of your data
- to object to processing
- to request your data to be ported (data portability)
- to request a copy of any personal information held about you

(15) **WHAT DO I DO IF YOU ARE UNHAPPY WITH THE RESPONSE FROM THE ASSOCIATION REGARDING THE DATA WE HOLD ABOUT YOU or WANT MORE ADVICE?**

You can contact the Information Commissioners Office at :
INFORMATON COMMISSIONER'S OFFICE**,** Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF Tel: 0303 123 1113 (local rate) or 01625 545 745 or Fax: 01625 524 510