

Leatherhead Community Association

The Institute, 67 High Street, Leatherhead, Surrey, KT22 8AH

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www.leatherheadca.org.uk



Data Protection Policy

Approved by Council June 2024

(Next Review June 2025)

1. Data protection principles

The Leatherhead Community Association (LCA) is committed to processing data in accordance with the General Data Protection Regulations (GDPR).

Article 5 of the GDPR requires that 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; 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;
- c. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. Accurate and, when 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 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 GDPR in order to safeguard the rights and freedoms of individuals;
- 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, using appropriate technical or organisational measures.

2. General provisions

This policy applies to all personal data processed by the LCA.

- a. An LCA Trustee will take responsibility for the LCA's ongoing compliance with this policy.
- b. This policy shall be reviewed at least annually.
- c. The LCA shall register with the Information Commissioner's Office (ICO) as an organisation that processes personal data.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, the LCA shall maintain a Register of Systems which contain personal data (**Annex 1**)
- b. The Register of Systems shall be reviewed at least annually
- c. Individuals have the right to access their personal data and any such requests made to the LCA shall be dealt with in a timely manner. This is set out in LCA's Subject Rights Requirements. (**Annex 2**)

The Leatherhead Community Association is a Company limited by Guarantee

Registered No 7608015 England and Wales

Registered Charity No 1142164 England and Wales

Registered Address: The Institute, 67 High Street, Leatherhead, Surrey, KT22 8AH

Affiliated to Community Matters (NFCO)

- g. Where personal data is transferred to a third party (i.e. Mailchimp) for processing then the LCA will ensure that the third party is GDPR compliant. As part of any agreement a statement from the third party will include confirmation of their GDPR compliance.

9. Breach

In the event of a breach of security leading to the accidental or lawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the LCA shall promptly assess the risk to individuals' rights and freedoms. Following investigation and if confirmed, the LCA will report the breach to the ICO within 72 hours of being made aware of the breach.

DATA RETENTION POLICY

The Leatherhead Community Association (LCA) seeks to ensure that it retains only data necessary to effectively conduct its program activities and work in fulfilment of its mission. The need to retain data varies widely with the type of data and the purpose for which it was collected. The LCA strives to ensure that data is only retained for the period necessary to fulfil the purpose for which it was collected and is fully deleted when no longer required. This policy sets forth the LCA's guidelines on data retention and is to be consistently applied throughout the organisation.

Scope

This policy covers all data collected by the LCA and stored on the LCA's systems and media, regardless of location. It applies to both data collected and held electronically (including photographs, video and audio recordings) and data that is collected and held as hard copy or paper files.

Reasons for Data Retention

The LCA retains only that data that is necessary to effectively conduct its program activities, fulfil its mission and comply with applicable laws and regulations.

Reasons for data retention include:

- Providing an ongoing service to our members (e.g. sending a newsletter)
- Compliance with applicable employment, tax and charity laws
- Other regulatory requirements
- Security incident or other investigation
- Litigation

Data Duplication

The LCA seeks to avoid duplication in data storage whenever possible, though there may be instances in which for programmatic or other business reasons it is necessary for data to be held in more than one place. This policy applies to all data in the LCA's possession, including duplicate copies of data

Retention Requirements

The LCA has set the following guidelines for retaining all personal data as defined in the Data Protection Policy

- Membership data is collected annually for renewal by 31 March. Should a Member not renew by that date then their data will be retained until 30 June. If they have not renewed their Membership by that date their data will be removed from the LCA Membership List.
- The LCA is also required under UK Tax Law to keep certain personal data (name, address, contact details) for a minimum of 6 years after which time it will be destroyed.
- This would include data relating to our members of staff and trustees, which is held for the duration of the appointment, and then for 6 years post cessation.
- Recruitment data, including interview notes of unsuccessful applicants, will be held for 1 month after the closing of the position recruitment process.
- Data associated with tax payments (including payroll, gift aid and corporation tax) will be held for 6 years.

Data Destruction

Data destruction ensures that the LCA manages the data it controls and processes it in an efficient and responsible manner. When the retention period for the data as outlined above expires, the LCA will actively destroy the data covered by this policy. If an individual believes that there exists a

legitimate business reason why certain data should not be destroyed at the end of a retention period, he or she should identify this data to the trustees and provide information as to why the data should not be destroyed.

Annex 2

Subject Access Requirements

Under the GDPR, individuals have a number of rights regarding the personal data that the LCA is processing and/or holding. These are set out below;

1. Right to Informed

Individuals have the right to be informed about who is responsible for processing their personal data, the purposes of the processing, who else may use/share their data, the retention periods of the data and their rights in respect of their data.

The LCA is committed to being open and transparent in its processing of personal data and will ensure that individuals are informed of their rights. See LCA's Privacy Notice at **Annex 3**.

2. Right of Access

Individuals have the right to obtain confirmation on the personal data the LCA is holding and/or processing and to be given access to that data.

The LCA will, upon request and with identity proven, provide a copy of the personal data in the format requested (i.e. email, paper) free of charge within 40 calendar days. Repetitive and unfounded requests may incur a charge.

3. Right of Rectification

Individuals have the right to have their personal data rectified if it is inaccurate or incomplete. Where a request has been made, and it is proven the personal data is inaccurate or incomplete, the LCA will rectify such information within one month of being informed.

4. Right of Erasure (Right to be forgotten)

Individuals may request the deletion or removal of personal data where there is no compelling reason for its continued processing. This will apply 1) when personal data is no longer necessary in relation to the purpose it was originally collected 2) consent is withdrawn 3) when an objection is made that there is no legitimate interest for continued processing 4) when the personal data was unlawfully processed and 5) when the personal data has to be erased in order to comply with a legal obligation.

Where the above rights apply the LCA will erase such data within one month of such requests being received. However, the LCA may refuse such requests where the LCA is required to comply with a legal obligation. In such cases the individual will be informed of the LCA's decision in the format the request was made.

Annex 3

LCA Privacy Notice

The LCA will be what is known as the 'Controller' of the personal data you provide to us. We only collect basic personal data about you which does not include any special types of information or location-based information. This does however include name, address, phone number, email.

Why we need your data

We need to know your basic personal data in order to provide you with the latest and on-going information about the LCA and its activities and events in line with your Membership contract. We will not collect any personal data from you that we do not need in order to provide and oversee our service to you.

What we do with your data

All the personal data we process is processed, within the UK, by LCA staff, LCA Trustees and those LCA Members responsible for LCA activities. No Third Parties will have access to your personal data without your permission.

How long we keep your data

Membership data is collected annually for renewal by 31 March. Should a Member not renew by that date then their data will be retained until 30 June. If they have not renewed their Membership by that date their data will be removed from the LCA Membership List. The LCA is also required under UK Tax Law to keep certain personal data (name, address, contact details) for a minimum of 6 years after which time it will be destroyed.

What are your rights

If at any time you believe the information we process on you is incorrect you can request to see this information and have it corrected or deleted. You can also opt out of any communications with the LCA by contacting us. If using email, you can simply 'unsubscribe'.

If you wish to raise a complaint on how we have handled your personal data, you have the right to have the matter investigated. Contact us at **Administrator, Leatherhead Community Association, The Institute, 67 High Street, Leatherhead, Surrey KT22 8AH. Email lca2@leatherheadca.org.uk**. We will respond within one month.

LCA Privacy Statement

The LCA takes your privacy seriously and any information that you provide to us will be held in accordance with the General Data Protection Regulations. The information provided will only be used for the LCA's legitimate activities and will not be shared with any third party without your permission. Your details will be kept safely and securely. If you wish to opt out of communications please contact us or if using email 'unsubscribe'.

LCA Members will be given the option of how they wish to be contacted by ticking;

Post Email Telephone