LEAF

Data Protection & .
Information Handling Policy

Review Date:	May 2024
Lead Trustee:	Anna Nugent
Approved by:	LEAF Trustees - Date: 16th June 2021

This Policy relates to the way that all employees of LEAF will handle and protect their employees, former employees, volunteers and service users' personal information and advises on our position with regard to the Freedom Of Information Act 2000 (FOI).

1   Policy Statement

1.1   This policy ensures that LEAF protects their employees', former employees' and customers' information in accordance with the requirements of the Data Protection Act 1998. LEAF recognises that people have a right to privacy and will respect this, only sharing information where the law allows for appropriate information exchange. It will comply with the instructions of the information commissioner's office, advising of what information is processed by the organisation. It also advises of the way Freedom of Information requests will be handled.

2   Policy Purpose and Aims:

2.1   Definitions:

- **LEAF** means the whole group including its projects.
- **Personal Data** – Information that relates to a living individual who can be identified from the data and is held by the organisation.
- **Subject Access Requests** – A right of individuals to have access to the information
- that an organisation holds and is personal to them.
- **Service users** – Users of our services, Employees (past and present), Board Trustees, volunteers, other third parties whom we may hold information about.
- **Freedom of Information** – People have rights under the Freedom of Information Act 2000 that allows them to have access to some recorded information (such as emails, meeting minutes, research or reports) held by **public authorities** in England, Northern Ireland and Wales.
- **Authority to Act** – Permission from the Data Subject to allow another person or
- organisation acting on their behalf to be given information.
- **Data Subject** – The person who is the subject of personal data.

3   Our Policy

3.1   LEAF employees will act in line with the requirements of the Data Protection Act 1998 and its eight Data Protection Principles and they will receive training
to allow them to do this.

3.2   These specify that personal data must be:
1. Processed fairly and lawfully.
2. Obtained for specified and lawful purposes.
3. Adequate, relevant and not excessive.

4. Accurate and up to date.

5. Not kept any longer than necessary.

6. Processed in accordance with the "data subject's" (the individual's) rights.

7. Securely kept.

8. Not transferred to any other country without adequate protection in situ.

3.3 LEAF will take measures to protect information when passing it to contractors, voluntary workers, board members and other agents acting on behalf of the organisation. We will set out requirements with regards to our agreed standards of protection and will only share 'relevant' data for the performance of the required functions.

3.4 We will take seriously any reported breaches or alleged breaches of this policy and our associated procedures. Data security breaches may potentially lead to liability for financial penalties against LEAF or action against individual employees. If a breach or alleged breach is reported, a thorough investigation will be conducted and findings will be presented to LEAF trustees who will take appropriate action under the organisation's Disciplinary Policy.

3.5 This policy will take into account guidance issued by the Information Commissioners Office and will amend working practices as necessary to reflect new guidance issued.

3.6 This policy should be read together with our Information Security Policy to understand how information will be handled and protected taking into account legislation such as the Telecommunications Regulations 2000. LEAF will use security measures as appropriate to safely store and use information relating to their customers taking into account Information Commissioner Guidance.

3.7 This policy recognises that Public Authorities are required to provide certain information to people under the Freedom of Information Act 2000. LEAF is not deemed to be classed as a Public Authority and is therefore not required to provide information under the FOI Act. However, LEAF will respond to requests where either law dictates or where they consider it appropriate to respond due to its openness with its service users and partner agencies.

3.8 We will only share information in accordance with the requirements of the Data Protection Act 1998.

3.9 All staff will receive regular, appropriate training on this policy and associated guidance notes and procedures. This will ensure that all staff and volunteers are able to understand and comply with this policy. All staff and volunteers will be expected to sign a Data Protection awareness sheet.

3.10 The policy will be managed by LEAF's nominated lead for Data Protection, the CEO.

3.11 There are some exceptions and qualifications to this policy, for example some information may need to be disclosed for the purposes of prevention or detection of crime or as required by our regulators.

4   Monitoring and Review
This policy will be reviewed every 3 years (from the date of the Trustees approval) to ensure its continuing suitability, adequacy and effectiveness or as required by the introduction new legislation.

5   Responsibility
Implementation of this policy is the responsibility of the CEO and Board.

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