
Privacy Policy

This document sets out London Youth's policy regarding data protection in respect of all personal data held in relation to young people, member organisations or other third parties working with London Youth (the "Data Subjects"). This policy identifies the obligations imposed on London Youth by the Data Protection Act 1998 ("DPA") in respect of the collection, handling, storage and transmission of personal data received from the Data Subjects. This policy is in addition to other requirements which may be necessary for specific operations. There is a separate policy on employee data which is in the [Employee Handbook](#).

What is data protection?

The basic principles of the DPA are designed to:

- ✓ Safeguard the handling and use of personal information;
- ✓ Respect a person's rights over his/her personal information; and
- ✓ Enable organisations, such as London Youth, to legitimately use personal information to operate its business.

London Youth needs to capture, obtain, store, access and disclose certain personal data in relation to the people and organisations that we work with when carrying out our activities to enable us to:

- ✓ Monitor and evaluate our reach and impact;
- ✓ Inform others of the work we are doing that may benefit them; and
- ✓ Ensure we effectively safeguard young people.

London Youth recognises the importance of the correct and lawful treatment of personal data and the failure to do so can cause real harm and distress to the individual to which the information relates and also cause harm to London Youth's reputation.

What is personal data?

Any information which relates to and which can specifically identify an individual living person. This includes, but is not limited to, names and addresses, telephone numbers, email addresses, credit or debit card details or HR details.

Data may constitute personal data even if the individual is only identifiable when the information is tied to other data which is held by London Youth.

When does the DPA apply?

The DPA applies whenever there is **processing** of personal data. This includes collecting, handling, storing, transmitting, using or doing anything else with the data, including accessing the data, whether such access is from inside or outside of the UK.

The DPA only applies to personal data which is stored (a) electronically (i.e. on a computer or server) or b) manually if in a filing system that is very sophisticated so that the data is readily accessible.

DPA principles:

London Youth fully endorses the eight data protection principles listed under the DPA and complies with the DPA by ensuring that any personal data held in respect of the Data Subjects is:

1. Processed fairly and lawfully

London Youth informs all Data Subjects about the nature of the required data, the purposes for which it processes the personal data and to whom it will be disclosed. Additionally, London Youth seeks to ensure that it has legitimate reasons for using the Data Subject's information and that the use of such information is in line with what that person would expect. London Youth will always provide the Data Subject with an option for this information not to be provided should the individual so wish.

2. Obtained and processed only for specified and lawful purposes and not in any manner incompatible with those purposes

London Youth must process personal data in a way which is compatible with the original purposes for which the data was obtained.

3. Adequate, relevant and not excessive

London Youth seeks to ensure that the volume and extent of the personal data it holds on a Data Subject is the minimum amount of data required. London Youth also takes steps to limit access to such data to those employees, contractors, agents and suppliers who reasonably require access to the data for the performance of their obligations and duties.

4. Accurate and kept up to date

London Youth must take reasonable steps to ensure the accuracy of the data.

5. Not kept for longer than is necessary

London Youth will review the nature of the information being collected and held on an annual basis to ensure there is a valid business reason for requiring the information to be retained. London Youth takes steps to remove personal data which is no longer needed for the purposes for which it was obtained. Out of date data or any information deemed unnecessary must be securely and systematically destroyed.

6. Processed in accordance with the individual's rights

Personal data should be processed in accordance with an individual's rights under the DPA. This means that London Youth will consider each reasonable request of an individual to access his/her personal data, under a "Data Subject access request".

London Youth, where appropriate, will provide individuals with the opportunity to express preferences relating to receiving marketing material and will honour those preferences.

7. Kept secure

London Youth will seek to ensure that it has adequate measures in place to prevent unauthorised or unlawful processing of personal data and to prevent accidental loss, destruction or damage. Every effort will be made to ensure that data is accurate and up-to-date, and that inaccuracies are

corrected quickly. All data is stored securely in lockable files, on our secure shared drive, and within our Salesforce CRM database. More particularly, London Youth takes reasonable steps to ensure that:

- any doubt about a person's authorisation to be in any of London Youth's workplaces is reported;
- desks and cupboards must be securely locked if they hold confidential information of any kind;
- paper documents which are no longer required are shredded and CD-ROMs and USBs are physically destroyed when they are no longer required;
- personal information is not disclosed either orally or in writing or otherwise to any unauthorised third party;
- access to Salesforce CRM database is password protected and restricted to staff members with a requirement to access the system; and
- third party access to Salesforce CRM database is password protected and is only made available to specific partner organisations who are working with us on specific programmes, and they are only able to access the data of those young people whose data they have put into the Salesforce CRM database.

8. Not transferred to countries without adequate protection

London Youth is entitled to transfer personal data to countries which are outside of the European Economic Area, provided that it will first take steps to satisfy itself that there are adequate safeguards in place in respect of the transfer of the data outside of this area.

Access to Personal Data

All Data Subjects have the right under the DPA to be:

- told whether any of their personal data is being processed;
- given a description of the personal data, the reasons why it is being processed and whether it will be given to any third party organisation or other person;
- given a copy of the personal data (subject to such redaction as London Youth considers necessary to comply with its DPA obligations and/or protect its commercial interests); and
- given details of the source of the data.

If the Data Subject wishes to exercise these rights they should contact the London Youth contact responsible for the project they are participating in or write to the Director of Finance and Resources, London Youth, 47-49 Pitfield Street, London, N1 6DA.

London Youth reserves the right to charge a maximum fee payable for each subject access request and if personal details are inaccurate these can be amended upon request. London Youth will aim to comply with any subject access request as quickly as possible, but will ensure that it is provided within 40 days of a written request.

If any individual feels uncomfortable about anything related to data protection at London Youth they can contact their project officer or the Director of Finance and Resources.

Publication of charity information relating to London Youth

Information published as part of journalistic material is exempt from the DPA. Any individual who wishes for their personal information to be excluded from any such publications should inform their project officer or the Director of Finance and Resources.

Data Subject consent

- ✓ Whenever personal data is given to London Youth, the Data Subject should be asked to consent to that information being stored. If the Data Subject is under the age of 12, such consent should be obtained from that child's parent or guardian:
- ✓ the nature of the data storage and any possible uses of the data should be declared at the point of consent being given;
- ✓ data should only be stored if consent has been given;
- ✓ all consent forms must be retained;
- ✓ the relevant personal data obtained should not be publicly accessible to anyone other than parties declared at the point of consent being given; and
- ✓ any individual who has their personal data held by London Youth should be informed of their rights to access such data (as described above).

Sensitive Information

If the data is of a sensitive nature (i.e. includes information about health, religious or other beliefs, racial or ethnic origin, political opinions, mental health, sexual life, trade union membership) explicit consent to process such data must be obtained from the Data Subject.

Responsibilities

Overall responsibility for the efficient administration of the DPA lies with London Youth and is exercised by the Data Protection Officer, who is the Director of Finance and Resources at the date of this policy. Day-to-day responsibility for administration and compliance with the DPA is delegated to this Data Protection Officer, for compliance with the DPA's provisions within their respective areas of authority.

All employees and trustees of London Youth have a duty to observe the principles of the DPA and the procedures referred to in this document and to comply fully with this policy and the principles of the DPA.

Disciplinary action may be taken against any employee who breaches any of the instructions or procedures set out in this policy. Individuals who do not handle data as part of their normal work have a responsibility to ensure that any personal data they see or hear remains strictly confidential and is not disclosed to any third party. This includes personal data and information extracted from such data. For example, un-authorized disclosure of data might occur by passing information over the telephone, communicating information contained on a computer print-out or even inadvertently by reading a computer.

Trustees could be regarded as data controllers if they process personal data either manually or by computer, whether on their own equipment or on equipment provided to them by London Youth. Just as any other individual holding and processing personal information about others, Trustees need to comply with the DPA, and need to notify the Data Protection Officer of all purposes for which they hold and process personal data.

Data relating to our members and young people

In addition to the procedures listed above, to ensure compliance with the principles of the DPA and the procedures referred to in this document, London Youth ensure the following measures are in place and adhered to:

- ✓ data protection statements are used on all registration forms and information for individuals (include photo consent form where appropriate);

- ✓ membership re-affiliation forms include a data protection statement;
- ✓ membership details will not be given out to third parties unless compliant with this Data Protection Policy;
- ✓ all consent forms will be retained by an appropriate member of staff and filed appropriately; and
- ✓ a statement on what information we hold, why, and on the right to view information has been added to induction packs and membership materials.

Disclosure of Personal Data

Personal data may only be disclosed outside of London Youth to a third party with the written consent of the Data Subject, or in circumstances where young people are considered to be at immediate risk. London Youth will occasionally share anonymised information with our funders (for reporting purposes) and with other agencies that we consider might benefit young people or our members. The data protection statement on our forms requests people to declare if they do not wish to have this information shared.

Child protection in relation to this data protection policy

Confidential information and retaining records

As outlined in our [Child Protection Policy](#), all children and young people, and their families, are entitled to respect for their privacy. However, where there are concerns about the safety or welfare of a child or young person, those concerns and the necessary personal information has to be shared with those who can make decisions about action to safeguard the child/young person.

There is nothing in any legislation that prohibits the sharing of confidential and personal information where there are concerns about the safety or welfare of a child/young person, or where a criminal act may be, or may have been committed.

As a general rule, all staff should:

- ✓ explain to children, young people and families at the outset, openly and honestly, what and how information will, or could be shared and why, and seek their agreement. The exception to this is where to do so would put that child, young person or others at increased risk of significant harm or an adult at risk of serious harm, or if it would undermine the prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with any potential investigation;
- ✓ always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration;
- ✓ where possible, respect the wishes of children, young people or families who do not consent to share confidential information. Information may still be shared, if in our judgement on the facts of the case, there is sufficient need to override that lack of consent (see bullet point above);
- ✓ seek advice where there is doubt, especially where the doubt relates to a concern about possible significant harm to a child or serious harm to others;
- ✓ ensure that the information shared is accurate and up-to-date, necessary for the purpose for which it is being shared, shared only with those people who need to see it, and shared securely; and
- ✓ always record the reasons for a decision – whether it is to share information or not.

Information sharing: Working together to safeguard children

All recordings related to concerns about a child's or young person's safety or welfare will be held securely. Any records held on computer will comply with the DPA.

These detailed records should be kept until London Youth is confident that the information is held accurately with the agency responsible for taking further action to safeguard the child i.e. partner agencies, social care children's services or the police. A chronology of decisions made and actions taken can then be kept on file, once the detailed records are deleted or destroyed. This record should not be held for longer than six years.