



## **Privacy Policy**

Andrew Perry t/a Space Between Walls is committed to a policy of protecting the rights and privacy of individuals. I need to collect and use certain types of Data to carry on my work of managing Space Between Walls. This personal information must be collected and handled securely.

The Data Protection Act 1998 (DPA) and General Data Protection Regulations (GDPR) govern the use of information about people (personal data). Personal data can be held on computers, laptops, and mobile devices, or in a manual file, and includes email, minutes of meetings, and photographs.

Andrew Perry t/a Space Between Walls will remain the data controller for the information held. As a Data Processor also I am responsible for processing and using personal information in accordance with the Data Protection Act and GDPR.

### **Purpose**

The purpose of this policy is to set out Space Between Walls commitment and procedures for protecting personal data. I regard the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom I deal with. I recognise the risks to individuals of identity theft and financial loss if personal data is lost or stolen.

The following are definitions of the terms used:

**Data Controller** – Andrew Perry t/a Space Between Walls who decides what personal information I will hold and how it will be held or used.

**Act** means the Data Protection Act 1998 and General Data Protection Regulations - the legislation that requires responsible behaviour by those using personal information.

**Data Protection Officer** – the person responsible for ensuring that Space Between Walls follows its data protection policy and complies with the Act. [Space Between Walls is not required to appoint a DPO].

**Data Subject** – the individual whose personal information is being held or processed by Space Between Walls, for example, a client.

**'Explicit' consent** – is a freely given, specific agreement by a Data Subject to the processing of personal information about her/him.

Explicit consent is needed for processing “sensitive data”, which includes:

- (a) Racial or ethnic origin of the data subject
- (b) Political opinions
- (c) Religious beliefs or other beliefs of a similar nature
- (d) Trade union membership
- (e) Physical or mental health or condition
- (f) Sexual orientation
- (g) Criminal record
- (h) Proceedings for any offence committed or alleged to have been committed

Information Commissioner’s Office (ICO) - the ICO is responsible for implementing and overseeing the Data Protection Act 1998.

Processing – means collecting, amending, handling, storing, or disclosing personal information.

Personal Information – information about living individuals that enables them to be identified e.g. names, addresses, telephone numbers and email addresses. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers.

### **The Data Protection Act**

This contains 8 principles for processing personal data with which Space Between Walls must comply.

Personal data:

1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,
2. Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes,
3. Shall be adequate, relevant, and not excessive in relation to those purpose(s).
4. Shall be accurate and, where necessary, kept up to date,
5. Shall not be kept for longer than is necessary,
6. Shall be processed in accordance with the rights of data subjects under the Act,
7. Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information,

8. Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal information. Applying the Data Protection Act within the charity

I will let people know why I am collecting their data, which is for the purpose of managing Space Between Walls. It is my responsibility to ensure the data is only used for this purpose.

### **Correcting data**

Individuals have a right to make a Subject Access Request (SAR) to find out whether Space Between Walls holds their personal data, where, what it is used for and to have data corrected if it is wrong, to prevent use which is causing them damage or distress, or to stop marketing information being sent to them. Any SAR must be dealt with within 30 days.

Steps must first be taken to confirm the identity of the individual before providing information, requiring both photo identification e.g. passport and confirmation of address e.g. recent utility bill, bank, or credit card statement.

### **Responsibilities**

Andrew Perry is the Data Controller under the Act, and is legally responsible for complying with Act, which means that I determine what purposes personal information held will be used for.

I will, on behalf of Space Between Walls, consider legal requirements and ensure that it is properly implemented through strict application of criteria and controls:

- a) Collection and use information fairly.
- b) Specify the purposes for which information is used.
- c) Collect and process appropriate information, and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements.
- d) Ensure the quality of information used.
- e) Ensure the rights of people about whom information is held, can be exercised under the Act.

These include:

- i) The right to be informed that processing is undertaken.
  - ii) The right of access to one's personal information.
  - iii) The right to prevent processing in certain circumstances, and
  - iv) the right to correct, rectify, block or erase information which is regarded as wrong information.
- f) Take appropriate technical and organisational security measures to safeguard personal information,
- g) Ensure that personal information is not transferred abroad without suitable safeguards,

h) Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation, or ethnicity when dealing with requests for information,

i) Set out clear procedures for responding to requests for information.

This policy will be updated as necessary to reflect best practice in data management, security, and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

In case of any queries or questions in relation to this policy please contact Andrew Perry at [ap-spacebetweenwalls@outlook.com](mailto:ap-spacebetweenwalls@outlook.com)

### **Procedures for Handling Data & Data Security**

Andrew Perry t/a Space Between Walls has a duty to ensure that appropriate technical and organisational measures are taken to prevent:

- Unauthorised or unlawful processing of personal data
- Unauthorised disclosure of personal data
- Accidental loss of personal data

This applies whether or not the information is held on paper, in a computer or recorded by some other means e.g., tablet or mobile phone.

Personal data relates to data of living individuals who can be identified from that data and use of that data could cause an individual damage or distress. This does not mean that mentioning someone's name in a document comprises personal data; however, combining various data elements such as a person's name and salary or religious beliefs etc. would be classed as personal data, and falls within the scope of the DPA.

### **Emails:**

Andrew Perry, on behalf of Space Between Walls, will consider whether an email (both incoming and outgoing) will need to be kept as an official record. If the email needs to be retained, it will be saved into the appropriate folder or printed and stored securely.

Remember, emails that contain personal information no longer required for operational use, should be deleted from the personal mailbox and any "deleted items" box.

### **Phone Calls:**

Phone calls can lead to unauthorised use or disclosure of personal information and the following precautions will be taken:

- Personal information will not be given out over the telephone unless I have no doubts as to the caller's identity and the information requested is innocuous.
- If I have any doubts, I will ask the caller to put their enquiry in writing.
- If I receive a phone call asking for personal information to be checked or confirmed I will be aware that the call may come from someone impersonating someone with a right of access.

**Data Storage:**

Personal data will be stored securely and will only be accessible to Andrew Perry and my Virtual Assistant, Claire Perry.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately. For financial records this will be up to 7 years. For employee records (should this becomes applicable) see below. Archival material such as minutes and legal documents will be stored indefinitely. Other correspondence and emails will be disposed of when no longer required.

**Data Subject Access Requests:**

Space Between Walls may occasionally need to share data with other agencies. The circumstances where the law allows Space Between Walls to disclose data (including sensitive data) without the data subject's consent are:

- a) Carrying out a legal duty or as authorised by the Secretary of State Protecting vital interests of a Data Subject or other person e.g., child protection
- b) The Data Subject has already made the information public
- c) Conducting any legal proceedings, obtaining legal advice, or defending any legal rights
- d) Monitoring for equal opportunities purposes – i.e., race, disability, or religion

Andrew Perry t/a Space Between Walls regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom I deal.

I intend to ensure that personal information is treated lawfully and correctly.

**Risk Management:**

The consequences of breaching Data Protection can cause harm or distress to service users if their information is released to inappropriate people, or they could be denied a service to which they are entitled. This policy is designed to minimise the risks and to ensure that the reputation of Space Between Walls is not damaged through inappropriate or unauthorised access and sharing.

Date Created: 24<sup>th</sup> January 2021.