

## **Cartwheel Arts (CWA) Data protection Policy**

Updated Review Date: October 2014 Review due: August 2017

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### **Introduction**

- CWA needs to process information about employees, organisations and individuals who use our services.
- When we process information, we need to keep to the terms of the Data Protection Act 1998. In particular, we need to make sure that we process information in line with eight principles of data protection described in the Act. (The eight principles are listed at the bottom of page 2.)
- The Data Protection Act sets limits on the way we collect, store, use and erase information. The Act controls how:
  - We file information
  - how we access information
  - how we pass information on to other organisations and individuals; and
  - how and when we destroy information we are storing.
- The Act says that people have a right to access any information that we hold about them. This includes employees, CWA members and people who use our services. The Act says that we have to respond to requests for access to information within 40 calendar days.
- The Act says that organisations that process information need to register with the Information Commissioner's Office. There are exceptions to this rule for some not-for-profit organisations. Under these exceptions, CWA does not have to register with the Information Commissioner
- The CWA marketing manager, project managers and Director will deal with day-to-day data protection issues. The CWA Board of Trustees has overall responsibility for ensuring that CWA works in line with the Data Protection Act. A Data Protection Task Group has been set that includes a mix of Board members and staff.
- The CWA Board of Trustees, CWA staff and temporary workers as well as any others who process personal information on behalf of CWA must comply with the principles of the Act.

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### **CWA's responsibilities**

- To protect the right of individuals to privacy
- To respect the privacy of individuals when processing personal information
- To take appropriate measures to make sure that the data we hold is stored securely
- To take appropriate measures to make sure that the data we hold is accurate
- To take appropriate measures to make sure that the data we hold is needed for the purpose of CWA's work
- CWA Board of Trustees has overall responsibility for making sure that CWA meets the terms of the Data Protection Act
- CWA management staff have a responsibility to make sure that staff processes information in line with the terms of the Act and the Company's Policies, Procedures and Protocols
- To make sure that staff receives the necessary training to know what is expected from them in line with the DP policy.

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### **Staff responsibilities**

- Staff are responsible for the security of the information they process
- Staff must not pass on information to anyone who is not entitled to it
- Staff should make sure that any information they give to CWA about their employment is accurate and up to date.
- Staff need to attend corresponding training.

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### **Right of access**

- CWA's employees, members, and people who use our services have the right to access personal information CWA holds about them, whether in electronic or paper form
- People who want to access information held about them should contact the CWA Data Protection leader or CWA director.
- More information about individuals' right of access is available in Appendix 2

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### **The eight principles of data protection**

The Data Protection Act states that anyone who processes personal information must comply with eight principles. These state that information must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary (usually no more than 7 years)
- Processed in line with individuals' rights
- Secure
- Not transferred to other countries without adequate protection

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## Appendix 1

### **Being open about how we will use information that individuals/organisations give us**

The Data Protection Act says that we need to explain to people how we will use the personal information they give us. CWA also desires to be clear about how we will use organisational information which is supplied.

The following statement is a general explanation of how CWA will use information. This statement should be included on all forms, surveys, questionnaires and other documents where we ask for personal information whether digitally or analogue, online or offline.

If we are collecting information for a purpose that isn't included in this statement, we should amend the statement to make our full purpose clear.

How we use the information you give us

Information you give CWA will be used by us and our workers to tell you about CWA services, activities and future projects. CWA will communicate with you by telephone, letter, email, social networks or in any other reasonable way. You can ask for a copy of the information we hold about you and your organisation, and if the information is not accurate, you can ask us to correct it. If you do not want to receive letters, emails and telephone calls or SMS from us in the future, please tell us in writing either by email or post.

Your organisation's name and the contact details you give us will be added to our Database which is password protected. This database is not accessible to the public, or to other voluntary organisations.

CWA may ask organisations to pass on details of your organisation's postal address to other voluntary and community organisations, or to local statutory organisations. We will never pass your contact details on to salespeople, or to private organisations. If you do not want us to pass on your organisation's postal address, please let us know in writing.

CWA will never pass any personal contact details of any individual to other organisations, voluntary groups or any other local statutory organisation unless we strongly believe there's a risk for the person or people around him/her.

If you have any questions about how CWA will use information about your organisation, please phone.

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## Appendix 2

### Dealing with disclosure

The Data Protection Act gives people rights to access personal information that organisations hold about them. This guidance explains what rights people have, and what are responsibilities are.

People have the right to know if we process (collect, store and use) their personal information.

People can ask us to tell them:

- What kinds of personal information we process
- How we use personal information
- Who we pass personal information on to, and in what circumstances

People can also ask for a copy of the information records we hold about them, and for us to explain where we got our information from.

If people want to get a copy of the information records we hold about them, they need to ask us in writing. We have to respond to written requests within 40 days.

An individual only has the right to see personal information we hold about them personally – no one can ask to see another person's information. If someone asks for a copy of their information record we need to check that they are the person the record is about.

In some situations, by giving out information about one person, we may also give out information that makes other people personally identifiable. For example, our training records might show the names of everyone who attended a training course on a particular date. The Data Protection Act (Section 7, sub-sections 4-7) has special rules to say what should happen in these situations and we need to work in line with these rules.

People can also ask in writing to be removed from our records, or to say how and when we can use the information we hold about them. For example, someone might choose not to receive emails from us, but might still want to receive the CWA's newsletter. We need to deal with requests like this within 21 days.

In general, all requests relating to the use, storing or deleting of records should be made in writing to the CWA Data Protection leader or CWA's Director.

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## Appendix 3

### Passing on information

The CWA statement how we will use the information you give us explains that CWA will, in some circumstances, pass on contact information for organisations and individuals:

Information you give CWA will be used by us and our workers to tell you about CWA services, activities and future projects. CWA will communicate with you by telephone, letter, email, social networks or in any other reasonable way. You can ask for a copy of the information we hold about you and your organisation, and if the information is not accurate, you can ask us to correct it. If you do not want to receive letters, emails and telephone calls or SMS from us in the future, please tell us in writing either by email or post.

Your organisation's name and the contact details you give us will be added to our Database which is password protected. This database is not accessible to the public, or to other voluntary organisations.

CWA may ask organisations to pass on details of your organisation's postal address to other voluntary and community organisations, or to local statutory organisations. We will never pass your contact details on to salespeople, or to private organisations. If you do not want us to pass on your organisation's postal address, please let us know in writing.

CWA will never pass any personal contact details of any individual to other organisations, voluntary groups or any other local statutory organisation unless we strongly believe there's a risk for the person or people around him/her.

If you have any questions about how CWA will use information about your organisation, please phone.

General guidelines:

CWA may pass contact information on to workers employed by CWA to carry out a particular task (for example, asking volunteers to contact people on our database by telephone)

Information listed on the online directory is already considered to be in the public domain. Contact details listed on the online directory may be passed on individually, but not collectively

CWA may pass contact information for organisations, individually or collectively, to members of the public, to public sector organisations, and to voluntary sector organisations

CWA may not pass on contact information for organisations, individually or collectively, to private sector organisations wishing to sell services or goods

CWA may not pass on information about an individuals' use of CWA services, without permission from that individual unless we strongly believe that person is a risk to him/herself or others around him/her

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## Appendix 4

### Security

Personal information relating to the involvement of individuals and organisations with CWA is stored centrally on the CWA database. This data is limited to contact information, details of individuals' use of CWA services, and details of individuals' mailing subscriptions. Data stored on the CWA database is not considered sensitive.

- Access to the database must be limited to current CWA staff and temporary workers
- Sensitive personal data must not be stored on the database (sensitive data includes information about an individuals' ethnicity, religion, sexuality or health, for example)
- The database is backed-up manually on a weekly basis. Automatic back-ups are run daily.
- Personal information relating to the recruitment and employment of CWA staff is stored securely in a locked personnel cabinet. This information is considered sensitive.
- Access to the personnel cabinet is limited to management staff
- The key for the personnel cabinet is stored in a locked drawer
- Before disposal, sensitive personnel documents are shredded