



# Genesis Data Policy

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## Genesis Data Policy

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### 1. Introduction

- a. Genesis Trust Bath (Genesis) collects, stores and processes data collected from data subjects who will fall into one or more of the following categories. staff, volunteers, clients, donors and supporters.
- b. Genesis will comply with the Data Protection Act 1998 and its subsequent amendments in 2002 the Privacy and Electronic Communications regulations.

### 2. Definitions

- a. Data is information which is stored electronically or in certain paper-based filing systems.
- b. The Data Controller is the senior person responsible for ensuring compliance with the Data policy and the legal requirements inherent to it. In the case of Genesis this will be the Chief Executive.
- c. Data Processors include any person or organisation that is not a data user that processes data on Genesis' behalf and on Genesis' instructions. Employees are excluded from this definition but could include suppliers who handle data on behalf of Genesis.
- d. Data Subject is a person about whom Genesis holds data.
- e. Data Subjects can be categorised into the following types:
  - i. Client: a data subject who utilises the services of Genesis
  - ii. Donor/Supporter: a data subject who provides financial support to the charity
  - iii. Fundraiser: a data subject who raises funds on behalf Genesis but does not contribute their own funds e.g. a sponsored marathon runner
  - iv. Supporter: a data subject who is interested in being kept aware of the charity's activities
  - v. Volunteer: a data subject who undertakes unpaid work on behalf of the charity
  - vi. Employee: a data subject who works for Genesis.
- f. The Information Commissioner (ICO) is the body responsible for monitoring the processes and practices of the charity in relation to its management of data.
- g. Data Users are those employees and volunteers whose work involves the processing of personal data. Users must protect the data they handle in accordance with this policy and any applicable security procedures at all times.
- h. Personal Data is any data which allows the data subject to be identified.
- i. Sensitive Personal Data includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, and information about any court proceedings.
- j. Processing is any activity that involves the use of data. It includes obtaining, recording or holding data. It also includes carrying out any operation on the data including organising, amending, retrieving, using, disclosing, erasing or destroying data and transferring data to external data users.
- k. Nationally supported projects are:
  - i. Foodbank
  - ii. Home for Good
  - iii. Street Pastors.



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### 3. Fair & Lawful Processing

- a. All processing of personal and sensitive data must comply with the eight enforceable principles of good practice:
  - i. Processed lawfully and fairly
  - ii. Processed for limited purpose only and in an appropriate way
  - iii. It must be adequate, relevant and not excessive for the purpose
  - iv. Data collected must be accurate
  - v. It should not be kept longer than required for the purpose
  - vi. Processed in line with individual rights
  - vii. Kept securely
  - viii. It must not be transferred to territories without adequate protection.
- b. If Genesis has been supplied by a Data Subject with their personal data we can assume they are interested in us and unless they have withdrawn our right to contact them we can contact them by post. If the Data Subject is a client and has supplied us with sensitive personal data they have given their consent to us to use and process such data. In the case of employee's data must be collected to meet employment legal requirements. Thus, the lawful basis for processing Data Subjects' data is threefold:
  - i. Personal consent: clients, supporters (consent can be both written or verbal)
  - ii. Legitimate interest: donors, fundraiser, volunteers
  - iii. Compliance with legal obligations: employees.
- c. For the nationally supported projects, a data subject can indicate that they are interested only in a specific project and so will be excluded from contact about the wider Genesis activity.
- d. If we have email and telephone numbers for Data Subjects we can only use these communication channels if the Data Subject has given us permission. However, to confirm details of a specific transaction between the Data Subject and ourselves, we reserve the right to utilise the most cost effect channel which may be email or telephone.
- e. Sensitive Personal Data will be processed under strict conditions including the express permission of the Data Subject.
- f. Where necessary we will process data to meet our legal obligations e.g. passing employment details to HMRC.
- g. Historic data (prior to 31/3/17) was cleansed and verified before loading to the new systems run by Genesis. Therefore 1/4/17 will act as the start date of history for deletion purposes.

### 4. Processing for Limited Purposes

- a. We will collect Personal Data supplied by donors and supporters to keep the Data Subjects informed about Genesis' activities and to seek their continued support.
- b. We will retain details of financial transactions to meet our accounting responsibilities and to allow Gift Aid claims to be made where appropriate.



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- c. We will collect Personal & Sensitive Personal Data from employees necessary for Genesis to meet its legal obligations and for management purposes.
- d. We will collect Personal and Sensitive Personal Data from clients in order to base-line their needs, provide them with the services they require, to monitor their progress and ensure that staff and volunteers are fully aware of any special requirements.
- e. We collect Personal Data from volunteers so that we can direct their efforts in an appropriate manner and keep them informed about Genesis' activities.
- f. Data Subjects will be informed at the point of data capture the purpose for collecting the data and the potential uses we will make of the data.

### 5. Notification of Data Subjects

- a. On collection of data from Data Subjects, we will:
  - i. Explain the purposes for which we intend to process their data;
  - ii. The means by which the data subject can limit the use or disclosure of their Personal Data.
- b. We will inform Data Subjects who the Data Controller and Data Compliance Managers are for Genesis.
- c. Privacy Notices will be available on the website and the Data Policy is available on request from the Data Controller.

### 6. Data Processing

- a. We will only collect the data that is necessary to meet the purpose outlined in section 4.
- b. We will export data sets to third parties who are contracted to us for campaign purposes e.g. email mailing providers.
- c. We will use Personal Data records to produce aggregated non-personalised reports.
- d. We will use cookies to monitor website and newsletter performance but any reporting of performance will be aggregated and non-personalised.
- e. Any third party engaged to assist in data processing will have signed a non-disclosure arrangement.

### 7. Data Accuracy

- a. We will compare from time to time Personal Data held by Genesis with external sources to ensure the data is accurate and in a complete format e.g. Deceased Records, Postal Address File (PAF).
- b. In some instances, we may carry out research using data supplied to us by the Data Subject and add to it from publicly available information e.g. public records or social media, to help us tailor our communications.
- c. We will endeavour to ensure that Personal Data held by Genesis is as accurate and up to date as possible. We will therefore check from time to time with the Data Subjects the accuracy and completeness of our records.



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### 8. Data Retention

- a. We will not keep Personal Data for longer than is necessary for the purposes for which it was collected. This means we will take reasonable steps to destroy and erase all data from its systems which is no longer required.
- b. Data will be deleted if requested by the Data Subject.
- c. Data will be retained for 6 years after the last activity recorded. Activity is defined as
  - i. Making a donation
  - ii. Undertaking work as a volunteer
  - iii. Utilising the services of Genesis
  - iv. Requesting information
  - v. Registering for an event
  - vi. Completing an enquiry form.
- d. A donor who has made a legacy bequest will remain on the database for life and 6 years thereafter unless they notify Genesis of a change of their intentions. Following a change of intentions then normal data rules will apply.

### 9. Rights of Data Subjects

- a. Data Subjects can request a copy of the data which is held about them at any time. From receipt of the request the Genesis will respond within 20 working days.
- b. Data Subjects can insist that any data inaccuracies held by Genesis are corrected. Such updates must be actioned within 10 working days of receipt.
- c. Data Subjects can withdraw their permission for Genesis to contact them. Genesis must act on such requests within 10 working days of receipt.
- d. Data Subjects have the right to be forgotten which will require Genesis to delete their data from all databases, both paper and electronic.

### 10. Data Security

- a. Electronic Records
  - i. Personal Data will be stored on password protected devices.
  - ii. Personal Data will not be stored on portable devices.
  - iii. Only authorised staff or authorised volunteers can access Personal Data.
  - iv. All databases used to store and process Personal Data must be authorised by the Data Controller as fit for purpose.
- b. Paper Records
  - i. All paper records of Personal Data will be kept in locked filing cabinets.
  - ii. Only authorised staff and authorised volunteers will have access to the files.
  - iii. If removed temporarily from the filing cabinet(s) records will not be left unattended.
  - iv. When paper records are no longer required, e.g. they have been transferred to an electronic medium, the paper record will be securely destroyed.

### 11. Transferring of Data

- a. We do not buy, sell or trade personal information held by Genesis with any external third-party agencies.



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### 12. Disclosure and Sharing

- a. We will only share data with caring agencies when necessary to deliver service for our clients.
- b. We reserve the right to co-operate with the police to support a criminal investigation.

### 13. Subject Access Request (SAR)

- a. A Data Subject can make an SAR at any time.
- b. The SAR must normally be made in writing (email or letter).
- c. Verbal requests are acceptable if the member of staff receiving the request is satisfied as to the identity of the requester.
- d. We will respond to an SAR within 20 days of receipt.
- e. We will supply to the Data Subject or their authorised agent (e.g. solicitor) all the data Genesis holds on the Data Subject, apart from data which relates to another Data Subject.

### 14. Data Breach Process

- a. If staff or volunteers are made aware of a Data Breach (the loss or theft of Personal Data) they must report immediately to the Data Controller.
- b. The Data Controller will assess the seriousness of the breach and will if necessary inform the ICO if the breach is deemed to be serious such that is likely to result in a risk to the rights and freedoms of the Data Subject.
- c. If a report is deemed to be necessary, the ICO must be informed within 72 hours of the Data Controller being informed of the data breach.
- d. The report to the ICO must contain:
  - i. The nature of the Personal Data breach
  - ii. The approximate number of Data Subjects affected
  - iii. Any communications made to the individuals.
- e. Data Subjects must be informed of the breach if it has been reported to the ICO and they should be informed of:
  - i. The nature of the breach
  - ii. Who to contact at Genesis should they require further information
  - iii. The likely consequences of the breach
  - iv. Measures taken to mitigate the impact of the breach.

### 15. Staff & Volunteer Obligations

- a. All staff and volunteers who are users of Personal Data must read this Data Protection Policy and sign the appropriate compliance agreement.
- b. Staff and volunteers must not:
  - i. Access Personal Data not needed for their work
  - ii. Use data for purposes other than for which it was collected
  - iii. Process Personal Data unless they are certain they have permission to use it
  - iv. Disclose data to anyone or any organisation outside Genesis



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- v. Leave Personal Data unattended.
- c. Staff and volunteers must
  - i. Obtain consent for holding Personal Sensitive Data
  - ii. Ensure people are offered the opportunity to opt out of mailing or marketing if they wish
  - iii. Ensure they comply with the data security requirements
  - iv. Regularly review the data they hold and delete data no longer required. It is not appropriate to store data just in case it might be needed again.
- d. Staff must inform Genesis of any changes in their Personal Data which is held on their personnel records and must supply any missing data as soon as practicable.
- e. If a member of staff or volunteer receives a Subject Access Request (SAR) they must inform the Data Controller within one working day.

### 16. Change Log

	Version Name & No	Author	Approved By Trustees	Date
	Draft Version 1.0	P Setterfield		
	Draft Version 1.1	P Setterfield		18/4/18
	Draft version 1.3	P setterfield		4/5/18



## Genesis Data Policy

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### Appendix 1

#### 1a Staff Data Compliance Agreement

### Staff Data Compliance Agreement



Name.....

I have read and understood the Genesis Trust Bath Data Protection Policy Version No.1.0.

I understand my obligations as described in the policy to look after Personal and Sensitive Personal Data that Genesis Trust Bath holds on behalf of clients, donors, supporters, staff and volunteers. I also understand that should I breach these obligations I will be subject to the disciplinary procedures as outlined in the employee handbook.

Signed.....

Date.....



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### 1b Volunteer Data Compliance Agreement

#### **Volunteer Data Compliance Agreement**



Name..... Project.....

I have read and understood the Genesis Trust Bath Data Protection Policy Version No.1.0.

I understand my obligations as described in the policy to look after Personal and Sensitive Personal Data that Genesis Trust Bath holds on behalf of clients, donors, supporters, staff and volunteers.

Signed.....

Date.....



## Genesis Data Policy

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### Appendix 2 - Privacy Notices



#### **Privacy Notice- Donors, Supporters and Volunteers**

Hunger, homelessness and poverty are a reality for many in Bath. Our volunteers and staff work with people in extremely difficult situations to find hope for a better future. Genesis Trust Bath offers practical and emotional support for people in crisis and provide opportunities for them to turn their lives around.

Without the support of you, our volunteers, donors, supporters and friends, we would not be able to help hundreds of people every year facing homelessness, hunger, debt, mental and physical health problems locally.

In order for you to help us achieve our charitable aims, we need to collect and store a limited amount of Personal Data about our donors, volunteers and supporters who have requested information from us, for example, your name, address and email. For certain volunteer roles we may need to request additional information e.g. to support a DBS check. We take great care to keep the information you provide securely, and you can request at any time for your information to be changed or removed from our system. Your data will be kept for six years after our last contact if you do not request it to be deleted. We are registered with the Information Commissioners Office.

We will not sell, trade or give your data to anyone except in three specific circumstances: with HMRC in relation to Gift Aided donations, with government agencies to meet mandatory legal requirements, and to organisations contracted by us to assist with the dispatch of communications. These organisations are required to protect your personal information to the same degree that we do and must only use it for our purposes as outlined here.

We will wish to contact you from time to time to keep you informed about our projects and how we fund them and seek your continued support. You can choose whether or not you want to receive information from us and how you want to hear from us: via email, post or both. If you do not provide us with your preferences we will communicate with you via post. You can withdraw your consent for us to contact you at any time.

In order to ensure the details we keep are accurate and the information we provide to you is relevant, we may analyse your data. In some instances, we may carry out research of the personal information that you have provided to us and add publicly available information (such as public records or social media) to help us tailor our communications to you. This information could include things like your interests, preferences and the level of any potential donations. We do this to improve our service and to manage our contact with you in an appropriate and cost-effective way. You can request to have this information removed or changed at any time.

If you have any questions or wish to complain about how we have looked after your data, please contact the Data Controller on [office@genesistrust.org.uk](mailto:office@genesistrust.org.uk) or call 01225 463549. Alternatively, you can lodge a complaint with the Information Commissioners Office directly.



# Genesis Data Policy

## Appendix 2b - Client Privacy Notice



### Client Privacy Notice

Genesis Trust Bath is a registered charity set up to assist the homeless and disadvantaged people of Bath and the surrounding area. Our aim is to help all in Bath to share in new beginnings and better futures. Our Data Controller is the Chief Executive.

In order to assist you, we will need to collect some Personal Data about you so that we can assess your needs and offer you the best help possible. You can choose not to provide all or some of the information we require but this may impact on the service we can provide.

Any Personal Data you provide will be kept securely. Only authorised staff or authorised volunteers will have access to it. You will, of course, always be able to enquire what data we hold on you. You can withdraw your permission for us to use your data at any time. You can do this either verbally or in writing.

We will not sell, trade or give your data to any third party. However, we may need to share some or all of the data we hold on you with other agencies but this will not be done without your prior consent. If we are required to meet statutory obligations this permission will not be sought. Genesis Trust Bath reserves the right to assist the police in the event of criminal investigations.

We will wish to contact you from time to time and we will use your preferred contact method. If this method fails then we will select another method to contact you. You can withdraw your consent for us to contact you at any time.

Occasionally, we will use your anonymised data as part of the performance analysis of the charity which will help us improve our service to you and our other clients.

If you wish to complain about how we have looked after your data please contact the Data Controller at [office@genesistrust.org](mailto:office@genesistrust.org).uk or call 01225 463549. You can also make a complaint directly to the Information Commissioner’s Office if you prefer.

### Consent

I have read the Privacy Notice and I am happy for the Genesis Trust Bath to use my Personal Data in the manner described. Please tick the boxes below to tell us how we may contact you:

- Email
- Phone
- Letter

Signed.....

Date...../...../.....

Name (please print).....



# Genesis Data Policy

## Appendix 2c – Volunteers



### Privacy Statement- Staff

Genesis Trust Bath (Genesis) is a registered charity set up to assist the homeless and disadvantaged people of Bath. Our aim is to help all in Bath to share in new beginnings and better futures. Our Data Controller is the Chief Executive.

So that we ensure we can effectively direct your efforts to match our clients’ needs, keep you informed of the activities of Genesis and meet our obligations as an employer, we will need to collect a limited amount of Personal Data. We will only collect data which is necessary to support your employment.

Any Personal Data you provide will be kept securely. Only authorised staff and authorised volunteers will have access to it. You will, of course, always be able to enquire what data we hold on you and instruct us to correct any errors. You can withdraw our right to use your data at any time. You can do this either verbally or in writing. Your data will be kept for six years if do not request it to be deleted.

We will not sell trade or give your data to any third party, except to those who are contracted to us to assist with the despatch of various communications to you and HMRC in relation to Gift Aided donations. In order to ensure we maintain accurate details we will from time to time compare your data to nationally available databases such as the Postal Address File (PAF).

We will wish to contact you from time to time and we will use Genesis’ preferred contact method. Occasionally, we will use your anonymised data as part of the performance analysis of the charity which will help us improve our service to you and ensure our activities are being directed in the most effective manner.

If you wish to complain about how we have looked after your data please contact the Data Controller on [office@genesistrust.org.uk](mailto:office@genesistrust.org.uk) or call 01225 463549. You may lodge a complaint with the Information Commissioners Office directly.

**Consent**

Please tick the boxes below to tell us how we may contact you

Email

Phone

Letter

Signature: \_\_\_\_\_

**Personal Details**

Name .....

Address .....

.....

Post Code.....

Email .....

Telephone.....