

Release International

Data Protection Policy

Introduction

Release International is a Christian organisation and this is expressed in our Ethos Statement and Statement of Faith. The values, attitudes, motivation and relationships of staff and the way the work is achieved is as important as the work itself. We are committed to high standards and we aim to treat everyone in accordance with the Christian values at the heart of our ministry.

As an essential part of Release's work and as an employer, it is necessary to process personal data and/or special categories of personal data (previously referred to as sensitive data). Regulations concerning data protection are in the process of being changed and this policy demonstrates our commitment to comply with regulations concerning the treatment of people's data, whatever their connection with Release. Release is therefore committed to complying with the new Data Protection Act (DPA) 2018 and the European Union General Data Protection Regulation (GDPR) 2018, both of which came into effect from 25th May 2018.

Part of this compliance with the Data Protection Act 2018 is the 'Notification' (Registration) of the purposes for which we process data with the Information Commissioner's Office (ICO). The Notification is available on the ICA website, www.ico.org.uk, registration number Z5869621. Release's Data Controller lead is the Director of Engagement UK and Ireland, but everyone has a responsibility for safeguarding data and upholding this Data Protection Policy.

The GDPR applies to 'controllers' and 'processors'. A controller determines the purposes and means of processing personal data. A processor is responsible for processing personal data on behalf of a controller. Release acts as a **controller** of data and for the purposes of its work and may engage **processors** to process data on our behalf, for example, sending out the magazine to supporters. It is Release's obligation, as a controller of data, to comply with the GDPR and to ensure that any processors used by Release also comply with the GDPR.

This policy should be read in conjunction with the other policies and documents mentioned within this policy.

This policy applies to all staff, whether full-time, part-time, temporary or permanent and to any consultants working on our behalf. The policy also applies to Trustees and Volunteers in the course of their work in connection with Release. The term staff is used throughout this policy to apply to all of the above.

Aims

- To explain key Data Protection principles
- To identify the Data Controller and Data Controller lead at Release
- To explain use of Data Processors
- To explain processing data

- To establish the lawful bases for processing data
- To explain individuals' rights
- To establish Release's Privacy Statement
- To explain retention of records and data
- To explain Data Protection Impact Assessments
- To explain Data Security and action against breaches of security
- To explain international transfers of data
- To explain how this policy relates to children
- To explain the use of Data Protection disclaimers
- To establish a procedure for receiving complaints about data protection
- To establish a process for how staff are trained in relation to this policy
- To establish a procedure for handling any breach in policy
- To establish a procedure for handling complaints regarding the implementation of this policy
- To establish a process to implement, monitor, evaluate and review this policy
- To provide useful contact details.

Data Protection Principles

The key data protection principles relate to processing, collection, adequacy, accuracy, retention and protection. Article 5 of the GDPR requires that personal data shall be treated according to these principles:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Data Controller and Data Protection Officer

Release International is the Data Controller for all personal data held and as defined in law, by Release International. Full contact details for Release can be found at the end of this policy.

Release does not meet the criteria to be obliged to appoint a Data Protection Officer. The Data Controller lead at Release is the Director of Engagement UK and Ireland.

Data Processors

Much of the personal data processed is done so by Release, for the purposes and by the means described below. However, Release may also engage processors to process data on our behalf, for example, sending out the magazine to supporters. It is Release's obligation, as a controller of data, to comply with the GDPR and to ensure that any processors used by Release also comply with the GDPR. This is done by way of a written contract or letter of agreement with the data processor so that both parties understand their responsibilities and liabilities.

Release will only use a data processor when it is necessary to do so and one who can provide sufficient guarantees that the requirements of the GDPR will be met and the rights of data subjects protected. Processors must only act on the documented instructions of Release as the data controller.

Processing Data

Processing data is a necessary part of Release's work to fulfil our Christian mission and charitable objectives, and as an employer. Personal data is data that relates to an identified or identifiable individual and is:

- processed electronically;
- kept in a filing system;
- part of an accessible record;
- held by a public authority.

This includes data that does not name an individual but could potentially identify them.

The DPA 2018 and the GDPR 2018 refer to 'special categories of personal data' (previous law referred to 'sensitive personal data'). The special categories of personal data specifically include genetic data, and biometric data (such as fingerprint recognition) where processed uniquely to identify an individual. Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing.

Release is committed to ensuring that all communication about processing of data is concise, transparent, in clear and plain language, intelligible, accessible and free of charge.

Individuals are provided with information about Release's purposes for processing personal data; our retention periods for that personal data, and who the data will be shared with in Release's [Privacy Statement](#).

Lawful basis for processing data

There are six lawful bases for processing data. They are:

- consent
- contract
- legal obligation
- vital interest
- public task
- legitimate interests.

The appropriate lawful basis for processing has to be identified before personal data and special category data is processed, and people need to be informed of the lawful basis for processing their data. For special category data a specific condition for processing is also required and this needs to be determined and documented before the special data is processed.

Criminal Offence Data is another type of personal data and to process personal data about criminal convictions or offences there must be a lawful basis to do so and either legal authority or official authority for the processing.

Individuals are informed of the lawful bases for processing their data through Release's [Privacy Statement](#) which explains the lawful bases for processing data at Release and the purposes of the processing.

Individual Rights

The GDPR provides the following eight rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

Details about each of these rights are within Release's [Privacy Statement](#).

Privacy Statement

Release's [Privacy Statement](#) is a public document which explains why we process personal data, the lawful bases for doing so, retention periods of the data, individuals' rights, how to request personal data held, how to make a complaint and issues relating to data security and breach notification. It also includes full contact details.

Release's [Privacy Statement](#) is available on the Release International website.

Retention of Data

We retain personal data for as long as we are legally obliged to do so. Where we have no legal obligation to retain personal data, we will delete personal data after seven years.

Data Protection Impact Assessments

It is important that privacy and data protection are a key consideration in the early stages of any project, new initiative, development of IT systems or anything else that could have privacy or data implications. Therefore, Release is adopting a 'privacy by design' approach to designing any projects, processes, products or systems which will keep privacy in mind from the outset. To do this a [Data Protection Impact Assessment](#) will be carried out to identify and minimise the data protection risks of a project. There is an obligation to do this if processing data is likely to result in high risk to individuals' interests. Data Protection is identified as a risk in Release's [Risk Register](#).

Data Security

Data Security is extremely important and Release has developed an [Information Security Policy](#) which explains how Release manages data security.

Personal Data Breaches

Release has a duty to report certain types of personal data breach to the relevant supervisory authority within 72 hours of becoming aware of the breach, where feasible. Full details relating to this are in the [Information Security Policy](#).

International Transfers

The GDPR imposes restrictions on the transfer of personal data outside the EU, to third countries or international organisations to ensure that the level of protection of individuals is not undermined. We will not transfer personal data outside of the UK without your express written consent.

Children

Children need particular protection when their personal data is collected and processed as they may be less aware of the risks involved. Fairness should be a central principle in processing children's data. Only children aged 13 or over are able to provide their own consent. For children under this age consent needs to be obtained from whoever has parental responsibility for the child.

Disclaimer

Please use the following disclaimer on all Release International fundraising, marketing and communications materials which are published in the public domain.

DATA PROTECTION ACT (DPA) 2018 AND EU GENERAL DATA PROTECTION REGULATION (GDPR) 2018

All personal data/special categories of personal data are processed in accordance with the DPA 2018 and the GDPR 2018. Please read our Privacy Statement published on the Release International website for full details. www.releaseinternational.org

Complaints about Data Processing

Release has a formal Supporters' Complaints Procedure which is available publicly on Release's website. This includes the right to make a complaint to UK regulatory authorities if necessary or if Release has been unable to resolve the issue to the complainant's satisfaction. This Procedure should be used as needed by supporters, prospective supporters, volunteers, prospective volunteers, suppliers, prospective employees, or our International partners. Staff who have a complaint about data processing should raise it through the Staff Grievance procedure – see section below.

Any complaints which are received that relate to compliance, including Data Protection, are reported to the Board of Trustees through the UK Engagement Committee at quarterly Board meetings.

Training

All staff receive Induction relevant to their role and Data Protection is included within this. Further training on Data Protection will be provided as required and relevant to specific roles.

Breach of Policy

If a member of staff is considered to have breached this policy it will be dealt with in accordance with Release's [Disciplinary Policy](#).

Complaints

Any complaints about the handling of matters relating to this policy are to be made in line with Release's [Grievance Policy](#).

Implementation, Monitoring, Evaluation and Review

It will be implemented by The Director of Engagement UK and Ireland who will monitor, evaluate and review its effectiveness. The policy will be reviewed every two years or sooner as appropriate or if there are legislative changes.

Useful Contact Details

Release International
www.releaseinternational.org

ICO
www.ico.org.uk

The Charity Commission
<https://www.gov.uk/government/organisations/charity-commission>

Office of the Scottish Charity Regulator
www.oscr.org.uk

The Fundraising Regulator
<https://www.fundraisingregulator.org.uk/>

Laura Hayes
Review

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