



Leeds Christian Community Trust

Data Protection Policy

This policy should be read with LCCT policies on Confidentiality, and Retention and deletion of records, and LCCT's Privacy Statement.

General Statements

- LCCT is committed to a policy of protecting the rights and privacy of individuals, including users, employees, volunteers and trustees
- LCCT takes seriously its obligations under the The Data Protection Act 1998 and General Data Protection Regulations 2018, and we are registered with the Information Commissioner's Office (ICO). Our registration, which is renewed annually, allows us to process certain personal information following very strict guidelines, which define the data subjects, the classes of data, which may be held, and the data recipients
- The Data Protection Act (1998) defines a legal basis for the handling in the UK of information relating to living people
- The General Data Protection Regulation, in force in the UK from 25 May 2018, updates the Data Protection Act enhancing the protection of personal data by demanding higher accountability in how organisations collect, process, store, retain and use personal data. It also accords new and stronger rights for individuals to understand and control that use
- LCCT commits to ensuring that any personal information about individuals is collected and used lawfully, fairly, and with transparency, used only for the purposes for which it was collected, stored safely and securely, not shared with any third party unlawfully, and disposed of when it is no longer needed.

Purpose of the policy

This policy sets out LCCT's commitment to ensuring that any personal data, including special category personal data, which LCCT holds or processes, is carried out in compliance with data protection law.

Scope

- This policy applies to all personal data processed by LCCT and is part of our approach to compliance with data protection law

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- All LCCT staff are expected to comply with this policy and failure to comply may lead to disciplinary action for misconduct
- The policy will be reviewed annually by trustees.

Personal Data we hold and process

Personal data is defined as information about a living individual who is identifiable by that information, or who could be identified by the information combined with other data.

In the course of our work, LCCT and its member projects may collect and process information (personal data) about many different people (data subjects). This includes data we receive straight from the person it is about, for example, where they complete forms or contact us. We may also receive information about data subjects from other sources including, for example, previous employers.

We process personal data in both electronic and paper form.

The **main purposes** for which we collect, hold and process data are the following:

1. Employment related processes – payroll, employee contracts and records, recruitment, staff management, expenses payments
2. Charity Commission and Companies House reporting – trustee details, officer details
3. Donation processing – collecting donations, claiming gift aid
4. Grant processing – funder details, project key contact details
5. Contract related processes – contract details, invoices, payments
6. Insurance policy – addresses where equipment stored, key contact details
7. Supporter communications – mailing lists for supporters of specific areas of work
8. Community activities – participants' details for running of activities, informing interested people of activities planned
9. Children and young people's activities - participants' details for running of activities, health and safety, emergency contacts, safeguarding
10. Volunteer management – volunteer contact details, payment of expenses
11. DBS checks – all details required for checks on relevant individuals
12. Monitoring of demographics of participants – to aggregate and report to funders and donors, monitor effectiveness of services
13. Promote our organisation or activities within our aims.

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Special categories of data

'Special categories' of data (as referred to in the GDPR) includes information about a person's: racial or ethnic origin; political opinions; religious or similar (e.g. philosophical) beliefs; trade union membership; health (including physical and mental health, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation.

LCCT rarely holds this type of data, but in the case of needing to collect or hold this type of data, LCCT will only do so within the strict conditions listed in Article 9 in the GDPR.

We will not hold information relating to criminal proceedings or offences or allegations of offences unless there is a clear lawful basis to process this data such as where it fulfils one of the substantial public interest conditions in relation to the safeguarding of children and of individuals at risk or one of the additional conditions relating to criminal convictions set out in either Part 2 or Part 3 of Schedule 1 of the Data Protection Act 2018.

Details of Commitments and Processes

In order to comply with its obligations, LCCT undertakes to adhere to the seven principles of Data Protection as listed in the GDPR with the following commitments and systems:

1. Lawfulness, fairness and transparency

- a. To ensure its processing of data is lawful, fair and transparent, we shall draw up and maintain Data Inventories of the data it collects both centrally and in its projects
- b. All data processed by LCCT must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#))
- c. The Data Inventories will give details of the types of data collected, the purpose for the collection of each type of data and the lawful basis for collecting that data ([see template at Appendix 1](#))
- d. The Data Inventories shall be reviewed and updated regularly
- e. Individuals will be informed at the point of collecting the data about how the data would be used and stored, so that they can make an informed decision about entering into the relationship
- f. Where consent is relied upon as a lawful basis for processing data, the individual will be asked to signify their agreement, and evidence of opt-in consent shall be kept

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- g. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent will be clearly available and systems will be in place to ensure such revocation is reflected accurately in our systems

2. Purpose Limitation

- a. The appropriate purpose(s) for collecting or keeping data will be identified and noted in the relevant Data Inventory
- b. The Privacy information given to individuals will detail the purposes
- c. If we want to use personal data for a new purpose, we will check that this is compatible with our original purpose or we will get specific consent for the new purpose

3. Data Minimisation

- a. We shall ensure that personal data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- b. As the specific purposes of collecting or holding the data are identified and noted in the Data Inventory, the relevant data needed will be clear to employees and volunteers, avoiding the collection of more data than necessary

4. Accuracy

- a. We shall take reasonable steps to ensure personal data is accurate
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date
- c. We will comply with the individual's right to rectification when data is found to be inaccurate

5. Storage Limitation

- a. We will put in place systems to ensure personal data is not kept for any longer than it is needed for our purposes, regularly reviewing and deleting or anonymising data we no longer need
- b. Details of retention periods for different types of information will be documented in line with documentation obligations
- c. We will put in place processes to comply with the individuals' requests for erasure under the 'right to be forgotten'

6. Integrity and Confidentiality (Security)

- a. We will ensure that personal data is stored securely using modern software that is kept up to date, and secure manual storage

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- b. Access to personal data is limited to personnel who need access and appropriate security is in place to avoid unauthorised sharing of information
- c. When personal data is deleted this will be done safely such that the data is irrecoverable
- d. Appropriate back-up and disaster recovery solutions are in place
- e. We have written assurances from any Data Processors that we use, that they also implement appropriate technical and organisational measures to keep our data secure

7. Accountability

LCCT recognises that GDPR places a responsibility on organisations to be compliant with the other six principles and to be able to demonstrate this; to this end we are doing the following:

- a. We keep evidence of the steps we are taking to comply with GDPR, such as the Data Inventories we complete and other measures such as policies, training and reviews
- b. This Data Protection Policy has been completely rewritten in line with GDPR and approved by the trustees
- c. We have a written contract in place with data processors (e.g. Voluntary Action Leeds, our payroll provider)
- d. We will record and where necessary report personal data breaches
- e. We will review security measures regularly

Responsibilities

1. LCCT is the '**data controller**' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data; LCCT is registered with the Information Commissioner's Office, our registration number is **ZB020569**
2. LCCT has deemed it appropriate **not** to appoint a Data Protection Officer, as we are a small charity and are not required to do so under GDPR (i.e. we are not a public authority or body, and our core activities do not require large scale, regular and systematic monitoring of individuals)
3. The **Trustees** have responsibility for oversight of Data Protection policy and ensuring resources are available and personnel are delegated responsibilities for implementing policies and measures
4. The **LCCT Manager and Administrator** are responsible for day to day data protection matters, and are responsible for ensuring that all members of staff and relevant individuals are aware of and abide by this policy, and for developing and encouraging good information handling within the organisation

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5. **Project leaders/managers** are responsible for making sure that any procedures that involve personal data, that you are responsible for in your area, follow the rules set out in this Data Protection Policy
6. **All employees, volunteers and trustees** have a personal responsibility to comply with legislation and therefore with this policy in the context of LCCT; all involved are responsible for attending any training given, making sure they understand the principles and procedures, and adhering to them whilst collecting or handling personal data; if any person thinks they have accidentally breached the policy it is important that they contact the LCCT Manager or Administrator immediately so that swift action can be taken to try and limit the impact of the breach. Anyone who breaches the Data Protection Policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit they may also be liable to prosecution or to regulatory action.
7. **Appointed data processors:** Companies who are appointed by us as a data processor are required to comply with this policy under the contract with us. Any breach of the policy will be taken seriously and could lead to us taking contract enforcement action against the company or terminating the contract. Data processors have direct obligations under the GDPR, primarily to only process data on instructions from the controller (us) and to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk involved.

Training and guidance

The LCCT Manager and Administrator will ensure general training and guidance is provided at least annually for all leaders to raise awareness of their obligations and LCCT's responsibilities, as well as to outline the law.

Managers/leaders need to set aside time with their team to cascade training and guidance and look together at the implications for their work.

Security procedures

All members of staff and volunteers are responsible for ensuring that any personal data which they handle is kept securely and not disclosed to any unauthorised third parties.

As an employee or volunteer you will need to ensure that:

- All hard copies of personal data are kept in lockable filing cabinets/cupboards with controlled access, and are put back in the cabinet after use
- All personal data held electronically is password protected, you ensure the screen is not visible to people passing by whilst displaying personal data, screens have a

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password protected screen-saver when left unattended, and you log out after using the computer

- You are particularly aware of these measures when working in a public place or at home
- You check regularly with your manager as to which data should be kept and then shred, delete or anonymise data which is no longer needed

Data Protection Breaches

1. If staff or volunteers (or contractors working for LCCT) think that data might have been lost or breached, they will report this immediately to the LCCT Administrator or LCCT Manager
2. The Administrator /LCCT Manager will promptly assess whether the breach of security has led to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, and then assess the risk to people's rights and freedoms
3. If the data breach is likely to result in a risk to any person, LCCT will report the breach to the ICO within 72 hours of being made aware of the breach
4. In situations where a personal data breach causes a high risk to any person, we will (as well as reporting the breach to the ICO), inform data subjects whose information is affected, without undue delay
5. Records of personal data breaches will be kept, even if they are not reported to the ICO.

Data subjects' rights

We will process personal data in line with data subjects' rights, including their right to:

- a. request access to any of their personal data held by us (known as a Subject Access Request);
- b. ask to have inaccurate personal data changed;
- c. restrict processing, in certain circumstances;
- d. object to processing, in certain circumstances, including preventing the use of their data for direct marketing;
- e. data portability, which means to receive their data, or some of their data, in a format that can be easily used by another person (including the data subject themselves) or organisation;
- f. not be subject to automated decisions, in certain circumstances; and
- g. withdraw consent when we are relying on consent to process their data.

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If a colleague receives any request from a data subject that relates or could relate to their data protection rights, this will be forwarded to the LCCT Manager or Administrator immediately.

We will act on all valid requests as soon as possible, and at the latest within one calendar month, unless we have reason to, and can lawfully extend the timescale. This can be extended by up to two months in some circumstances.

All data subjects' rights are provided free of charge.

Any information provided to data subjects will be concise and transparent, using clear and plain language.

Sharing of Data

LCCT undertakes to only share personal data in a way that is fair, transparent and in line with the rights and expectations of the people whose information we are sharing, as provided for in, and not in breach of, the DPA and GDPR.

By 'data sharing' we mean the disclosure of data from one or more organisations to a third party organisation or organisations, or the sharing of data between different parts of an organisation.

We will only share personal data with other organisations or people when we have a legal basis to do so and if we have informed the data subject about the possibility of the data being shared (usually in a privacy notice), unless legal exemptions apply to informing data subjects about the sharing, such as for the purposes of:

- a. the prevention or detection of crime;
- b. the apprehension or prosecution of offenders; or
- c. the assessment or collection of tax or duty.

We will only appoint data processors on the basis of a written contract that will require the processor to comply with all relevant legal requirements. We will continue to monitor the data processing, and compliance with the contract, throughout the duration of the contract.

For more information see the [ICO Data Sharing Code of Practice](#) and any replacement code that is produced.

Direct marketing

Direct marketing means the communication (by any means) of any advertising or marketing material which is directed, or addressed, to individuals. "Marketing" does not

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need to be selling anything or be advertising a commercial product. It includes contact made by organisations to individuals for the purposes of promoting the organisation's aims.

We will comply with the rules set out in the GDPR, the Privacy and Electronic Communications Regulations (PECR) and any laws which may amend or replace the regulations around **direct marketing**. This includes, but is not limited to, when we make contact with data subjects by email, text message, social media messaging, telephone (both live and recorded calls) and fax.

Any direct marketing material that we send will identify LCCT and/or the member project as the sender and will describe how people can object to receiving similar communications in the future. We have adopted an opt-in consent to received marketing. If a data subject exercises their right to object to direct marketing, we will stop the direct marketing as soon as possible.

Further information on Data Protection, the Data Protection Act and the GDPR, is available from www.ico.gov.uk

DATE OF LAST REVIEW: OCTOBER 2021

DATE OF NEXT REVIEW: OCTOBER 2022

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Appendix 1: LCCT Data Inventory Form Template

Description (e.g. gift aid declarations)	What types of data? (Name, address, tel no. etc)	Purpose of holding data (‘specified, explicit and legitimate’)	Basis for processing data (e.g. consent, legitimate interest)	Who holds the data & who can access it?	Security Controls	How long is data kept for?	Action required	Person Responsible

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