

Data Protection Policy

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1. PURPOSE OF THIS POLICY AND WHAT IT COVERS

This Policy sets out 5th Potters Bar Scout Group's approach to protecting personal data and explains your rights in relation to how we may process personal data.

If you have any queries about anything set out in this Policy or about your own rights, please write to our Data Protection Lead at james@5pbscouts.co.uk.

We may update this Policy from time to time in minor respects. We will post an appropriate notice on our website in the case of substantial amendments.

2. DEFINITIONS

'We', 'Us' or 'The Group' means the 5th Potters Bar Scout Group, a unit of TSA.

'TSA' means The Scout Association

'Scout Council' or 'District' means the Potters Bar & District Scout Council (Charity no. 302557)

'ICO' is the Information Commissioner's Office, the body responsible for enforcing data protection legislation within the UK and the regulatory authority for the purposes of the GDPR

'Processing' means all aspects of handling personal data, for example collecting, recording, keeping, storing, sharing, archiving, deleting and destroying it.

'Data Controller' means anyone (a person, people, public authority, agency or any other body) which, on its own or with others, decides the purposes and methods of processing personal data. We are a data controller insofar as we process personal data in the ways described in this Policy.

'Data processor' means anyone who processes personal data under the data controller's instructions, for example a service provider. We act as a data processor in certain circumstances.

'Subject Access Request' is a request for personal data that an organisation may hold about an individual. This request can be extended to include the deletion, rectification and restriction of processing.

'Compass' Compass is The Scout Association's web-based membership system. Compass is a web-based membership system owned by TSA for processing Adult membership data. We are bound to use Compass according to TSA's Data Protection Policy and the Policy, Organisation and Rules of TSA. We are Data Controllers in common with TSA and the Scout Council in respect of the information held on Compass.

'Online Scout Manager' or 'OSM'. This is a web-based membership system which is used by The Group for the processing of Young Person and, in some cases, Adult data.

'Young People' or 'Young Members' are individuals under the age of 14 and registered with (or attending any activities pre-registration that are organised by) the Beaver, Cub and Scout sections at The Group. .

'Parents' means the mother or father, or both of the Young Person, or a person with parental responsibility for the Young Person as defined by relevant legislation.

'Data Subject' – is a natural person whose personal data is processed by a controller or processor.

'GDPR' means EU regulation number 2016/679 on data protection and privacy for all individuals within the European Union, which came into force in the UK on 25 May 2018.

3. WHAT IS PERSONAL DATA?

'Personal data' means any information about an identified or identifiable person. For example, an individual's home address, personal (home and mobile) phone numbers and email addresses, occupation, and so on can all be defined as personal data.

Some categories of personal data are recognised as being particularly sensitive (“special category data”). These include data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic and biometric information, and data concerning a person’s sex life or sexual orientation.

4. HOW DOES DATA PROTECTION APPLY TO THE GROUP?

Data protection legislation applies to all data controllers regardless of whether they are charities or small organisations. It applies to local Scouting in the same way as it does to other organisations. Scout units are created and run as independent charities and insofar as they collect and store personal data about members and Young People, for example, they are data controllers and must adhere to the law.

Scouting provides a programme of adventure (physical, social and spiritual) through several age ranges. As such, it is necessary for The Group to capture, hold, process and transfer personal identifiable information (PII). Given the nature of running a Scouting unit, it is also necessary to capture, hold, process and transfer Sensitive Personal Data (SPD) to ensure the wellbeing of adult volunteers and the Young People in our care.

The 5th Potters Bar Scout Group adheres to the Policy set out herein.

5. WHAT TYPE OF PERSONAL DATA DO WE COLLECT AND WHY?

5.1. Initial membership enquiries, general enquiries

We collect basic information when an enquiry about joining is directed to Us and pass the same onto the relevant leaders in The Group.

This information is obviously required to deal appropriately with your enquiry and the information concerned will usually consist of the following, being all that we require to deal with an initial enquiry:

- Name
- Names and contact details of Parents if the enquiry relates to Young People (email, postal addresses and telephone numbers)
- Date of Birth
- Gender
- Detail of enquiry

Making a general enquiry on our website also only requires an e-mail address, first name and last name.

5.2. Adult leaders and volunteers

Personal data including sensitive personal data for adult leaders and volunteers is stored on Compass. The Scout Council deals with the entry of all Group Adult leader and volunteer data onto Compass (click here to view the Scout Council's Data Protection Policy). TSA, the Scout Council and The Group are Data Controllers in common in respect of the Personal data on Compass, which includes the following:

- Name and contact details
- Length and periods of service (and absence from service)
- Details of training you receive
- Details of your experience, qualifications, occupation, skills and any awards you have received (if provided by the leader/volunteer)
- Date of birth
- Details of any disabilities (if provided by the leader/volunteer)
- Details of Scout disclosure checks
- Race or ethnic background

The information The Group may additionally hold includes:

- Details of any personal expenses you have incurred on our behalf and subsequently claimed reimbursement for
- Details of your bank account (or suchlike) for the purposes of reimbursement of expenses only
- Details of emergency contact(s), from whom we will always assume you have express permission to share their contact information with Us
- Information We are obliged to hold pursuant to a requirement under The Policy, Organisation and Rules of TSA (e.g. Nights Away Notification Forms)
- Details of Scouting events and activities you have taken part in
- Details of next of kin (if provided by the leader/volunteer)
- Any complaints we have received about the leader/volunteer
- Details of any health conditions (if provided by the leader/volunteer)

The Group, Scout Council and TSA need this information to communicate with adult leaders and volunteers and to carry out any legal or regulatory responsibilities. We also have a responsibility to keep information about adults during membership to aid in the day to day running of The Group and to comply with the Policy, Organisation and Rules of TSA. TSA is obliged to keep this information afterwards due to

safeguarding responsibilities and to help if the leaver wishes to re-join. We refer you to TSA's Data Protection Policy available on www.scouts.org.uk.

Additionally, we may use OSM and online spreadsheets to hold similar **non-sensitive** information for Adult leaders and volunteers as listed in section 5.3, below.

When a leader or volunteer attends an initial appointment with the District Secretary, the above Personal data is provided verbally and input directly into Compass. We strongly recommend reading the Data protection information provided by TSA available [here](#).

5.3. Young People

All Young People have personal and sensitive data stored within OSM and/or in spreadsheets and/or in paper form. Sensitive data is required at this level for safeguarding and safety purposes. This data includes the following:

- Name of Young Person
- Names and contact details of Parents (email and postal addresses and telephone numbers)
- Young Person's Personal Mobile Number
- Details of emergency contact(s), from whom we will always assume you have express permission to share their contact information with Us.
- Information regarding family circumstances – i.e. marital status of Parents.
- Whether anyone has parental responsibility for the Young Person, as defined by the Children's Act 1989
- Details of period within the Group
- Details of badges that a Young Person has received or is working towards
- Details of scouting events and activities that a Young Person has attended
- Age/date of birth
- Details of any health conditions including disabilities/allergies (and details of medications)
- Details of any dietary requirements
- NHS Number and Doctor's details
- Tetanus status
- Race or ethnic background and native languages
- Religion
- Nationality

We need this information to run activities in a safe manner, to manage the sections and to make appropriate adjustments based on the specific needs of individual Young People.

This information will either be (1) requested using our paper New Member Information Form and then entered onto OSM; or (2) be inputted directly into OSM by the Parent once a leader has arranged access to OSM. Parents are able to update the information at any point using OSM, and this is very much encouraged. The above information is also required to meet obligations under the Policy, Organisation and Rules of TSA (such as the completion of the Annual Census) and/or to carry out any legal or regulatory responsibilities.

Payments by Direct Debit on OSM or by Card (for example, subs payments) are handled by GoCardless and Stripe, respectively. We are a Data Controller in common in respect of the information held on the GoCardless and Stripe systems. However, our access to and ability to deal with the information on these systems is very limited. This Information is not transferred to any other system, save for our accounting records which only include the payor's name and the payment sum and date (see Section 10(H) for retention details).

5.3.1. Attendance of Young People from the Group at activities organised by the Scout Council

The Scout Council may request a selection of **non-sensitive** information (as detailed in section 5.3) from the Group where Young People are attending an activity organised by the Scout Council in order to administer and run the activity safely and effectively.

Alternatively, the Scout Council may issue forms (e.g. health forms) for completion by Parents of Young People at the Group. These forms will request some (or all) of the information detailed in section 5.3 and will also contain information about the Scout Council's data protection practices.

5.4. Trustees and members of the governance structure

For the members of 5th Potters Bar Scout Group's Executive Committee we may hold the type of information as set out at 5.3.1 above and also including the following:

- CVs
- Related party information

5.5. Suppliers and Donors

From time-to-time we benefit from working with or receiving donations from people outside the Group and TSA. We hold personal data about these suppliers and donors so that we can process payments and donations.

6. CONDITIONS FOR COLLECTING PERSONAL DATA

6.1. Keeping to the law

We must keep to the law when processing personal data. To achieve this, we have to meet at least one of the following conditions:

- you have to give (or have given) your permission for us to use your information for one or more specific purposes
- we need to process the information to meet the terms of any contract you have entered into
- processing the information is necessary to keep to our legal obligations as data controller
- processing the information is necessary to protect your vital interests
- processing the information is necessary for tasks in the public interest or for us as the data controller to carry out our responsibilities
- processing the information is necessary for our legitimate interests

Also, information must be:

- processed fairly and lawfully
- collected for specified, clear and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- processed securely

6.2. Information sharing

We may have to share the Data Subject's personal data with other units of TSA such as the Scout Council and County and National entities. Examples of those instances are provided in this Policy. We do not share personal data with companies, organisations and people outside of TSA, unless:

- we have permission from the Data Subject to do so;
- the sharing concerns the safeguarding young people; or

- where obligations under the Policy, Organisation and Rules of The Scout Association or legal or regulatory responsibilities require otherwise (including disputes between you and the Scout Council).

7. SYSTEMS USED

The Scout Council uses a combination of systems through which we capture, store, process and destroy personal data. These include:

System and Summary
<p>OSM (third party) Only available on-line. It is accessed via a two-stage login and password. Access to personal data is managed by a nominated “owner” who limits access to named Leaders and Executive Members. OSM has an email capability that allows emails to be sent to Young People and/or Parents as required without sharing personal email addresses with other recipients.</p> <p>The Parent Portal in OSM allows a Parent, via an individual login, to amend or update the personal data relating to the particular Young Person.</p>
<p>Compass (TSA) Only available on-line. It is login and password protected. Access to personal data is restricted by a “top-down” hierarchy of need directly associated with an adult’s role requirement.</p>
<p>Google Suite - Drive/Email/Spreadsheets/Online Forms etc. (third party) A secure and world-renowned online system used to store shared documents, create spreadsheets, e-mail and to collect information using online form functionality. The system is administered by a member of the Executive Committee and is linked to our website domain. We use this system to prevent personal accounts being used for online storage/emails etc.</p>
<p>Atlantic Data (TSA) This system is online and accessed by a restricted number of named and recorded personnel within the Scout Council. The system is used to check all adult volunteers and leaders for disclosures for safeguarding purposes (DBS). All adults without DBS clearance are prevented from access to personal data on all the other systems.</p>
<p>Paper (Group) Paper documents will be produced from time-to-time in order to practically run activities without relying on IT systems and hardware. The key paper documents used by the Group are the New Member Information Form and the Permission to Camp and Health Information Form.</p> <p>Paper forms may also be issued in connection with any activity under section 5.3.1.</p>
<p>Website (Group) Our website is provided over a secure connection using 256-bit encryption. We use various email forms on our website to collect general enquiries etc. – in each case, the form submissions go to @5pbscouts.co.uk email accounts monitored and operated under the supervision of the Executive Committee.</p>
<p>GoCardless (third party) Only available online. Links to OSM in order to manage online payments for activities. Access is via password-protected log-in which is only accessible by the Leaders and the Treasurer.</p>
<p>Stripe (third party) Only available online. Secure payment processor for card payments made on our website. Access is via password-protected log-in which is only accessible by the Leaders and the Treasurer.</p>

8. KEEPING PERSONAL DATA SECURE

The Group has internal guidelines concerning the security of personal data to protect against unlawful or unauthorised processing and accidental loss or damage. We take appropriate steps to make sure we keep all personal data secure, and we make all our volunteers aware of these steps.

9. RESPONSIBILITIES

We expect our volunteers and members to keep to this Policy **and our internal guidelines concerning the security of personal data** when they are using or processing personal data and other confidential or sensitive information.

Executive Committee

Our Executive Committee monitors compliance with data protection legislation and is ultimately responsible for all data capture and processing activities within the Scout Council.

Leaders and Adult Volunteers

Despite the Executive Committee having ultimate responsibility for these matters, all Leaders and Adult Volunteers have a responsibility to keep to the requirements of this Policy and our related procedures and processes.

The Beaver, Cub and Scout Leaders are responsible for making sure that all adults volunteering within their sections are aware of and keep to this Policy. If anyone becomes aware of a data protection issue you must report it immediately to the Data Protection Lead so that we can comply with our regulatory notification obligations.

All Leaders and Adult Helpers must complete the mandatory GDPR e-learning module (or any such training which may replace it) and have this validated according to the TSA's current requirements.

If you do not keep to this Policy and any associated policies and procedures, we may take action to exclude you from your role within the Group.

10. DATA RETENTION AND LAWFUL BASIS FOR PROCESSING

	DATA DESCRIPTION/SOURCE/PURPOSE	RETENTION PERIOD	EXCEPTIONS/NOTES	LAWFUL BASIS
A.	Membership and General Enquiries (via our website)	Destroyed after two months	See Footnote (i)	LEGITIMATE INTERESTS
B.	Information provided by Parents in the New Member Information Form and information added to OSM by parents	Destroyed six months' after the Young Person leaves the Group	See Footnote (i) and (ii)	CONSENT
C.	Information provided in the Permission to Camp and Medical Information Form	Destroyed within one month after the Event	See Footnote (i)	CONSENT
D.	Gift Aid declarations made on OSM or in another form.	6 years after the end of the year or accounting period that includes the last subscription payment	In order to deal with HMRC or Charity Commission enquiries/audit etc. See Footnote (i)	CONSENT
E.	Leader/volunteer expenses claims, <i>excluding the data in F, below.</i>	6 years after the end of the year or accounting period that includes the last reimbursement.	In order to deal with HMRC or Charity Commission enquiries/audit etc. See Footnote (i)	LEGITIMATE INTERESTS
F.	Bank account (or similar) information held by the Treasurer to facilitate reimbursement of leader/volunteer expenses claims or to provide a refund in connection with an activity run by The Group	6 years from receipt, or when the Treasurer is notified that the person concerned has left The Group, whichever occurs sooner.	See Footnote (i)	LEGITIMATE INTERESTS
G.	Personal information of Adult leaders/volunteers provided during the appointment process.	This information is entered onto Compass during an appointment with the District Secretary. Where this information is <u>held by Us outside of</u>	You are referred to TSA's Data Retention Policy available on www.scouts.org.uk regarding the information entered onto Compass.	LEGITIMATE INTERESTS (however, TSA seeks your consent re. information held in Compass)

		<u>Compass, the majority of it</u> will ordinarily be destroyed 6 months after the leader/volunteer has left The Group.	See Footnote (i) and (iii)	
H.	Payment information submitted to GoCardless (Direct Debit) or Stripe (Cards) by Parents, Adult leaders/volunteers or Network members.	GoCardless and Stripe retention policies apply Both payors and the The Group are subject to GoCardless' and Stripe's retention policies.	See https://gocardless.com/privacy/details/ and https://stripe.com/gb/privacy and Footnote (i)	LEGITIMATE INTERESTS

Footnotes

- (i) Save where obligations under the Policy, Organisation and Rules of The Scout Association or legal or regulatory responsibilities require otherwise (including disputes between you and The Group and/or Scout Council and/or TSA). In which case the information will be destroyed shortly after the obligation/dispute has come to an end.
- (ii) We only keep details of the young person's and parent(s)' name and e-mail address for an indefinite period in order to facilitate Group reunions/major events. (subject to (i), above and the various retention periods outlined above where the same or similar data may be retained/processed by Us for a different purpose – e.g. expenses claims)
- (iii) Insofar as the information kept by Us outside of Compass is concerned, only the full names and e-mail addresses of all Adult leaders/volunteers will be retained indefinitely for the purposes of organising reunions, obtaining information which only the person concerned was privy to during their tenure at The Group, and the like (subject to (i), above and the various retention periods outlined above where the same or similar data may be retained/processed by Us for a different purpose – e.g. expenses claims)

11. YOUR DATA PROTECTION RIGHTS

A statement of your data protection rights can be found on the Information Commissioner's Website, www.ico.org.uk.

12. SUBJECT ACCESS REQUESTS

You are entitled to ask us, in writing, for a copy of the personal data we hold about you. This is known as a subject access request (SAR). In line with legislation, we will not charge a fee for this information and will respond to your request within one

month. This is unless this is not possible or deemed excessive, in which case we will contact you within the month of making the SAR.

Subject access requests for data held by 5th Potters Bar Scout Group must be to the Data Protection Lead – please see the details below.

13. FURTHER INFORMATION AND CONTACTS

Data Protection Lead contact details

james@5pbscouts.co.uk