



TGP Cymru Data Protection and Privacy Policy

TGP CYMRU | Cardiff University Social Science Research Park (SPARK), Maindy Road, Cardiff, CF24 4HQ

Version control			
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V1	June 2018	RBW	Original Version
V1.1	15.5.19	RBW	Changed 'My Donate' to 'Virgin Money Giving'
V1.2	June 2020	SD	Added: DP principles, reference to Confidentiality Policy, staff training & responsibilities, TUPE, SAR, requests for personal information Improved sections on: retention periods, legal basis, service user files.
V1.2	27 July 2020	Trustees	Circulated to Trustees for their comment/approval.
V2	17 August 2020	Trustees	FHR&P Sub Group recommended this policy for ratification with no amendments.
V2.1	15 th July 2022	MC	Updated footer with new address Amended address throughout Corrected review dates Added EE and Dizions to service providers Tidied up format

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1. Introduction

TGP Cymru is the working name of Tros Gynnal Plant. Registered Charity No. 1099878. Registered as a company limited by guarantee No. 04422485 (England & Wales). Registered Office: Cardiff University Social Science Research Park (SPARK), Maindy Road, Cardiff, CF24 4HQ

TGP Cymru is a Wales based charity working with children, young people and families with projects and services throughout Wales including independent and confidential support to children, young people and their families through advocacy, participation and family work.

TGP Cymru is committed to protecting your personal information and being transparent about what we do with it. We are committed to using your personal information in accordance with all applicable laws concerning the protection of personal information.

2. Purpose

This Privacy Policy explains:

- how TGP Cymru may obtain your personal information
- what information we collect
- how we will use that information
- who we share your information with
- your choices and rights regarding your information we hold
- and how we use cookies to provide services to you or to improve your use of our websites.

This policy is written in accordance with the General Data Protection Regulation and Data Protection Act 2018. TGP Cymru is registered under the Act as a Data Controller under number Z7589814.

If you have any questions about this Privacy Policy, please contact our Director of Support Services at:

TGP Cymru, Cardiff University Social Science Research Park (SPARK), Maindy Road, Cardiff, CF24 4HQ

3. Scope

3.1 This Policy relates to all personal and sensitive data held by TGP Cymru regardless of format.

3.2 This Policy applies to all staff (including temporary, casual or agency staff and contractors, consultants, suppliers and data processors working for, or on behalf of the organisation), volunteers, service users and visitors to our website.

4. Staff training and responsibilities

4.1 In the course of your work, you may come into contact with and use confidential personal information about children, young people and families. This policy will help you ensure that you do not breach the Data Protection Act and General Data Protection Regulation 2018, which provides strict rules in this area. If you are in any doubt about what you may or may not do, seek advice from your line manager or if he/she is not available speak to one of the Senior Management Team. If you cannot get in touch with either, then do not disclose the information concerned.

4.2 TGP Cymru provides training and support to staff regarding Data Protection and the GDPR in the following ways:

- Information regarding Data Protection and privacy for employees is contained in the staff handbook. This is a brief summary of the full policy.
- All staff that have access to any kind of personal data will have their responsibilities outlined during their induction procedures
- Staff will only have access to personal and/or sensitive information where needed in order to carry out their role.
- Data protection will be discussed briefly during Head Office induction training and covered in more depth by the individual's line manager upon commencement of work
- TGP will provide opportunities for staff to explore data protection issues through training, team meetings, and supervisions.

5. Confidentiality

5.1 This policy should be read in conjunction with TGP Cymru's confidentiality policy.

5.2 Staff, volunteers and casual workers will be required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities. Please see Appendix A.

5.3 Where anyone within TGP Cymru feels that it would be appropriate to disclose information in a way contrary to the Confidentiality Policy, or where an official disclosure request is received, this will only be done with the authorisation of the Data Protection Officer (Director of Support Services) or a member of the senior management team in their absence. All such disclosures will be documented.

6. Data Protection Principles

When processing personal data, TGP Cymru comply with the seven key principles which lie at the heart of the GDPR:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

7. How we obtain your personal data

We collect information in the following ways:

- When you visit our website
- When you interact with our website
- When you contact us via social media
- When you contact us directly
- When you apply to work/ volunteer for us
- When you begin working / volunteering for us.
- When you give permission to other parties to share it with us

When we collect your personal information we use strict procedures and security features to prevent unauthorised access. However, no data transmission over the Internet is 100% secure. As a result, while we try to protect your personal information, TGP Cymru cannot guarantee the security of any information you transmit to us and you do so at your own risk.

8. Lawful bases for processing your data

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply whenever TGP Cymru processes personal data and is specified in relation to each form of information under The Information we collect section below.

(a) *Consent*: the individual has given clear consent for TGP Cymru to process their personal data for a specific purpose.

(b) *Contract*: the processing is necessary for a contract TGP Cymru has with the individual, or because they have asked TGP Cymru to take specific steps before entering into a contract.

(c) *Legal obligation*: the processing is necessary for TGP Cymru to comply with the law (not including contractual obligations).

(d) *Vital interests*: the processing is necessary to protect someone's life.

(e) *Public task*: the processing is necessary for TGP Cymru to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

(f) *Legitimate interests*: the processing is necessary for TGP Cymru's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

9. The Information we collect

TGP Cymru collects personal data that is:

- adequate – sufficient to properly fulfil our stated purpose
- relevant – has a rational link to that purpose
- limited to what is necessary – we do not hold more than we need for that purpose.

9.1 When you visit our website

We use third parties – Fasthosts - to host and United Graphic Design to maintain our website . Our website server automatically logs the IP address you use to access our website as well as other information about your visit such as pages accessed, information requested, the date and time of the request, the source of your access to our website (e.g. the website or URL (link) which referred you to our website) and your browser version and operating system. Our server is located in the United Kingdom.

Our IT Service Provider - AmitecIT stores server logs to ensure network and IT security and to ensure that the server and website remain uncompromised. This includes analysing log files to help identify and prevent unauthorised access to our network, the distribution of malicious code, denial of services attacks and other cyber-attacks, by detecting unusual or suspicious activity.

Unless we are investigating suspicious or potential criminal activity, we do not make, nor do we allow our website server or IT service providers to make any attempt to identify you from the information collected via server logs.

Legal basis for processing: Article 6(1)(c) of the GDPR – compliance with a legal obligation to which we are subject.

Legal obligation: we have a legal obligation to implement appropriate and technical and organisational measures to ensure a level of security appropriate to the risk of our processing of information about individuals. Recording access to our website using server log files is such a measure.

Legal basis for processing: Article 6(1)(f) of the GDPR – our legitimate interests.

Legitimate interests: we have a legitimate interest in using your information for the purposes of ensuring network and information security.

9.1.1 Cookie Policy

TGP Cymru uses Cookies. To learn more and for a detailed cookie notice please consult the Cookie Policy at www.tgpcymru.org.uk

9.1.2 When you interact with our website

If you make a donation to TGP Cymru or take part in a fundraising activity we will collect any given data for possible future correspondence such as newsletters or fundraising appeals. We will always give an opportunity to 'opt out' at this stage if you would prefer not to receive any further communications from us.

For donations we use Virgin Money Giving , a copy of their Privacy Policy can be found at:

<https://uk.virginmoneygiving.com/giving/terms/privacy-policy.jsp>

9.2 When you contact us via social media

When you contact us via social media you will consent to the sharing of your data outlined in the social media platform's privacy notice and terms and conditions. How we process your data is then covered by this policy.

9.3 When you contact us directly

You may give us your information when you:

- contact us to ask about our services
- access one of our services
- apply for a position with us
- make a donation to us
- fundraise on our behalf
- otherwise give us personal information.

Sometimes when you support us, your information is collected or processed by an organisation working for us (eg a professional fundraising agency or a data processing company). Where they are doing it purely on behalf of TGP Cymru they will have their own Privacy Policy and once your information is shared with us we will be responsible for your information and will process it in line with our Privacy Policy.

We collect the following information when you contact us directly:

9.3.1 Email

When you send an email to any of our offices / staff, we collect your email address and any other information you provide in that email (such as your name, telephone number, further details relating to your email and the information contained in any email signature block).

Legal basis for processing: Article 6(1)(f) of the GDPR – our legitimate interests.

Legitimate interests: responding to enquiries and messages we receive and keeping records of correspondence.

Transfer and storage of your information

Email correspondence is stored in the UK

9.3.2 Contact form

When you contact us via our contact form, we collect the following information from you: your name, email address and any information you include in the message field.

If you do not provide the mandatory information required by your contact form, you will not be able to submit the contact form and your enquiry will not be received.

Legal basis for processing: Article 6(1)(f) of the GDPR – our legitimate interests.

Legitimate interests: responding to enquiries and messages we receive and keeping records of correspondence.

Transfer and storage of your information

Messages you send to us via our contact form will be stored in the UK.

9.3.3 Phone

When you contact us by phone, we collect your phone number, the date and time of your call and any information you provide to us during that call. We do not record telephone calls.

Legal basis for processing: Article 6(1)(f) of the GDPR – our legitimate interests.

Legitimate interests: responding to enquiries and messages we receive and keeping records of correspondence.

Transfer and storage of your information

Information about your call, such as your phone number and the date and time of your call is processed by our third party telephone service provider and stored in the United Kingdom.

9.3.4 Post

If you contact us by post, we will collect any information you provide to us in any postal communications you send us.

Legal basis for processing: Article 6(1)(f) of the GDPR – our legitimate interests.

Legitimate interests: responding to enquiries and messages we receive and keeping records of correspondence.

Transfer and storage of your information

Information you send us by post is stored in the United Kingdom.

9.3.5 Referral form

When you complete a referral form in order to access a TGP Cymru service, either online, by hand or over the phone, we collect the following information from you: your name, date of birth, address, email address, telephone number, ethnicity, any health and additional information you include on the form.

Legal basis for processing: consent (Article 6(1)(a) of the GDPR).

Consent: where you fill in an online referral form yourself we will process your information on the basis of your consent, which you give us by completing the form.

Legal basis for processing: necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the GDPR).

Reason why necessary to perform a contract: where you request a service by filling in a referral form, in order for us to provide a service to you, we will process your information in order to take steps at your request to enter into a contract and deliver services with you.

The General Data Protection Regulation recognises that certain categories of personal information are more sensitive. This is known as sensitive personal information and covers health information, racial or ethnic origin, religious beliefs or other beliefs or a similar nature, political opinion and trade union membership. We only collect sensitive personal information where there is a clear need to do so. Before collecting any sensitive personal information about you we will make it clear to you what information we are collecting and the purposes for collecting such. This explanation is included on our consent forms.

9.4 When you apply to work/ volunteer for us

When you complete an application form, either online, by hand or over the phone, we collect the following information from you: your name, date of birth, address, email address, telephone number, ethnicity, any health and additional information you include on the form.

Legal basis for processing: necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the GDPR).

Reason why necessary to perform a contract: where you express an interest in working/ volunteering for us, by filling in an application form, we will process your information in order to take steps at your request to enter into a contract.

Legal basis for processing: consent (Article 6(1)(a) of the GDPR.

Consent: where you fill in an online application form yourself we will process your information on the basis of your consent, which you give us by completing the form.

The General Data Protection Regulation recognises that certain categories of personal information are more sensitive. This is known as sensitive personal information and covers health information, racial or ethnic origin, religious beliefs or other beliefs or a similar nature, political opinion and trade union membership. We only collect sensitive personal information where there is a clear need to do so. Before collecting any sensitive personal information about you we will make it clear to you what information we are collecting and the purposes for collecting such. This explanation is included on our application forms.

9.5 When you begin working / volunteering for us.

When you begin working/ volunteering for us we collect the following information from you: your name, date of birth, address, email address, telephone number, ethnicity, gender, nationality, NI Number, bank details, next of kin details, previous P45 and any health and additional information you include on the form.

Legal basis for processing: necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the GDPR).

Reason why necessary to perform a contract: where you decide to work/ volunteer for us and provide us with the necessary information required for HR and PAYROLL purposes, we will process your information in order to take steps at your request to enter into a contract and deliver services with you.

Legal basis for processing: consent (Article 6(1)(a) of the GDPR.

Consent: where you provide personal information for HR reasons, we will process your information on the basis of your consent, which you give us by completing the form.

The General Data Protection Regulation recognises that certain categories of personal information are more sensitive. This is known as sensitive personal information and covers health information, racial or ethnic origin, religious beliefs or other beliefs or a similar nature, political opinion and trade union membership. We only collect sensitive personal information where there is a clear need to do so. Before collecting any sensitive personal information about you we will make it clear to you what information we are collecting and the purposes for collecting such. This explanation is included on our consent forms.

9.6 When you give permission to other parties to share it with us

Your information may be shared with us by other organisations such as referrers (these could be social service departments or schools for example) or fundraising sites like My Donate. These independent third parties will only do so when you have indicated that you wish to contact or support TGP Cymru,

with your consent.

You should check their Privacy Policy when you provide your information to understand fully how they will process your information.

We may also obtain information about you from a family member or a friend who contacts us on your behalf or if a fundraiser passes on your details to us.

The information we collect when you have given permission to a third party to share it with us may include your name, email address, contact details, personal details and any additional information about you which they provide to us.

Legal basis for processing: necessary to perform a contract or to take steps at your request to enter into a contract (Article 6(1)(b) of the GDPR).

Reason why necessary to perform a contract: where a third party has passed on information about you to us, in order for us to provide services to you, we will process your information in order to take steps at your request to enter into a contract and perform a contract with you.

Legal basis for processing: consent (Article 6(1)(a) of the GDPR).

Consent: where you have asked a third party to share information about you with us and for the purpose of sharing that information is not related to the performance of a contract or services by us to you, we will process your information on the basis of your consent, which you give us by asking the third party in question to pass your information on to us.

10. How TGP Cymru uses your information

How we use your information largely depends on why you are providing it. We may use your information in the ways set out below:

- We use your personal information to give you the information, support, services, or products you ask for.
- We use your information to gain a full understanding of your situation so we can develop and offer you the best possible personalised services.
- We use your information to keep a record of your relationship with us and for internal administrative purposes (such as our accounting and records), and to let you know about changes to our services or policies. We use your personal information to look into, and respond to, complaints, legal claims or other issues.
- We use your information to claim Gift Aid on your donations.
- We use data to carry out statistical analysis and research in order to help us to understand how we are performing and how we can improve our services and meet the needs of people that require our help.
- We may also use your personal information for other purposes which we specifically notify you about and, where appropriate, obtain your consent.
- We may use your information to send you communications about our work and how you can help us, for example, information about our campaigns, volunteering and fundraising activities and how you can donate to us. Occasionally, we may include information from partner

organisations or organisations who support us in these communications.

11. How TGP Cymru shares your information

This section sets out how we will disclose information about you to third parties.

We will not share your details with anyone without your consent unless any of the following apply:

- We have reason to believe that you or someone you refer to when sharing information with us is at risk of harm in which case we will submit a multi-agency safeguarding referral and may inform the emergency services.

Legal basis for processing: compliance with a legal obligation (Article 6(1)(c) of the GDPR)

Legal obligation: legal obligations to disclose information which are part of the laws of England and Wales.

- We suspect criminal or potential criminal conduct in which case we will need to contact the appropriate authority, such as the police.

Legal basis for processing: compliance with a legal obligation (Article 6(1)(c) of the GDPR)

Legal obligation: legal obligations to disclose information which are part of the laws of England and Wales.

- We are involved in a legal or potential legal dispute or proceedings in which case we may need to use your information to resolve the issue.

Legal basis for processing: our legitimate interests (Article 6(1)(f) of the GDPR)

Legitimate interests: resolving disputes and potential disputes.

- We are asked to share your information in order to comply with legal requirements. For example we may need to disclose your information pursuant to a court order.

Legal basis for processing: compliance with a legal obligation (Article 6(1)(c) of the GDPR)

Legal obligation: legal obligations to disclose information which are part of the laws of England and Wales.

- We use a number of trusted third parties to provide us with services, which are necessary to run TGP Cymru. These include:

- Telephone providers (UK) – BT / Talk Talk/EE
- Email provider (UK) – Office 365
- IT service providers (UK) – Amitech IT
- Web developers (UK) – United Graphic Designs
- Hosting provider (UK) - Fasthosts

- Case management system provider (UK) - Building Block Computer Services Ltd / Dizions Ltd

We may share your information with third parties, which are either related to or associated with the running of our business, where it is necessary for us to do so. These third parties include accountants and auditors, advisors, consultants, business partners, independent contractors and insurers. Further information on each of these third parties is explained below.

Legal basis for processing: our legitimate interest (Article 6(1)(f) of the GDPR.

Legitimate interest: running and managing our organisation effectively.

- There are occasions when we need to report on our work both internally and to external funders / commissioners and to do this we use data collected but ensure that it is anonymised so that you cannot be identified in any way.

Legal basis for processing: our legitimate interest (Article 6(1)(f) of the GDPR.

Legitimate interest: Providing evidence and learning from the service/s delivered both internally and to external funders to demonstrate effective use of resources and to develop and deliver effective future services.

Accountants and auditors

We share information with our accountants and auditors for auditing purposes. For example, we share invoices we issue and receive and contracts we enter into with our accountants for completing end of year accounts. Our accountants are located in the United Kingdom.

Advisors and consultants

We may obtain advice from advisors such as accountants, lawyers, HR and other specialists. We will only share your information with these third parties to enable them to provide us with the relevant advice. Our advisors and consultants are based in the United Kingdom.

Business Partners

Business partners are organisations we work with which provide services which are complementary to our own or which we could not provide on our own. We share information with our business partner where you have requested services which they provide whether independently or in connection with our own services. Our business partners are based in the United Kingdom.

Independent contractors

Occasionally we use independent contractors. Your information will only be shared with independent contractors where it is necessary for them to perform the function we have hired them to perform in relation to our business. Our independent contractors are based in the United Kingdom.

Insurers

We will share your information with our insurers where it is necessary to do so, for example in relation to a claim or potential claim we receive or make or under our general disclosure obligations under our insurance contract with them. Our insurers are based in the United Kingdom.

TUPE

We will transfer personal data to new employers in situations involving the transfer of staff from the organisation as defined by the Transfer of Undertaking Protection of Employment Act 1981 (TUPE). This information will be disclosed to new employers following the ratification of the transfer agreement by TGP Cymru and all relevant parties

12. How long TGP Cymru retains your information

We retain your information in line with specific retention periods where possible but to comply with various regulatory frameworks we may need to keep information for longer.

Complaints

TGP Cymru will keep complaints from service users for fifteen years from the date of the complaint.

Complaints received from non-service users will be kept for two years.

Correspondence and enquiries

When you make an enquiry or contact us via email or contact form, we will keep your details for as long as it takes for us to respond to/ resolve your enquiry and then for 12 months, after which point we will delete your information.

Fundraising

In relation to Fundraising Records, TGP Cymru will follow the schedule below:

Name and Address details	6 years
Bank and Credit Card details	Until stop request received
TPS suppression request	indefinitely
Email address	3 years
Email opt in request for campaigns	Until campaign end date
Gift aid declarations	6 years after the end of the accounting period they relate to

HR

In relation to the retention of HR records, TGP Cymru follows the retention periods recommended by the Information Commissioner in its Employment Practices Data Protection Code.

You should therefore treat the following as guidelines for retention times in the absence of a specific business case supporting a longer period.

Application form	Duration of employment
Payroll and tax information	6 years
Sickness records	3 years
Annual leave records	2 years
Unpaid leave/special leave records	3 years
Records relating to training or disciplinary matters	1 year from end of employment
References Received	5 years / to end of employment
References given	1 year
Summary of record of service, e.g. name, position held, dates of employment	10 years from end of employment
Records relating to accident or injury at work	12 years

Receipt of service

TGP Cymru will keep advocacy service user records for fifteen years from the last date of entry.

TGP Cymru will keep family services service user records for a period of four years from the end of the financial year in which the Service user record was closed. Exceptions to the 4 year period will be:

- Where a different retention period is specified in a Service Level Agreement
- Where a record needs to be retained because the information in them is relevant to legal action that has been started
- Where it is required to be kept longer by law
- Where the record has been archived for historical purposes (e.g. where TGP Cymru was party to legal proceedings or involved in proceedings brought by a local authority). Where there are legal proceedings TGP Cymru will seek legal advice about the retention period of the record.

Receipt of training

TGP Cymru will keep details of attendees for three years from the end of the financial year in which the training took place.

13. How TGP Cymru keeps your information secure

TGP Cymru takes appropriate organisational and technical measures to secure your information and to protect it against unauthorised or unlawful use and accidental loss or destruction, including:

- only sharing and providing access to your information to the minimum extent necessary, subject to confidentiality restrictions where appropriate and on an anonymised basis wherever possible
- using secure servers to store your information
- using secure cloud based services to store your information
- using encrypted devices and password protected SMART phones
- using secure email encryption
- verifying the identify of any individual who requests access to information prior to granting them access
- using Secure Sockets Layer (SSL) software or other similar encryption technologies to encrypt any donation transactions you make on or via our website
- ensuring paper filing systems, lockable desks and cupboards containing confidential information are kept locked at all times and that paper documents are shredded when they are no longer required
- ensuring computer/ laptop monitors are logged off when staff leave their desks unoccupied for any period
- archived records are stored electronically on secure servers and/ or archived records are stored securely off site.

14. Links

The TGP Cymru website may include links to other sites, not owned or managed by us. We cannot be held responsible for the privacy of information collected by websites not managed by us.

15. If you're 16 or under

TGP Cymru provides confidential services to children and young people and where it is felt a child or young person is mature enough to consent to a service, including understanding information processing and sharing, consent will be sought directly from the young person. Where it is felt a child or young person is not mature enough to fully understand and consent to a service, where it is still appropriate for a service to be delivered, parental consent will be sought or consent from the child or young person's carer / responsible professional as appropriate. The legal bases for processing the various form of data we collect, as detailed above, will then apply.

16. Your rights in relation to your information

Subject to certain limitations on certain rights, you have the following rights in relation to your information. You can exercise these rights by writing to TGP Cymru, 12 North Road, Cardiff, CF10 3DY or by emailing admin@tgpcymru.org.uk

- the right to access your information
 - You have the right to ask TGP Cymru whether we are processing your information

- You have the right to see the personal information TGP Cymru hold about you. There is no charge for this and when requested we will provide you with a copy of your personal information.
- the right to rectification of any inaccuracies in your personal information
 - You have the right to ask TGP Cymru to rectify your personal information if it is inaccurate or incomplete
- the right to be forgotten
 - You have the right to have your personal information erased in specific circumstances

TGP Cymru no longer need the personal information in relation to the purpose/s for which it was obtained or

Our legal ground for processing your personal information was consent and you withdraw that consent

- the right to data portability
 - In certain circumstances, you may have the right to ask TGP Cymru to provide an electronic copy of your personal information either for your own use or so that you can share it with a service provider. Where this right applies you can ask us to send your personal information direct to the service provider.
- the right to object
 - You have the right to object to TGP Cymru processing your personal information where:

The basis for our processing your personal information is that we have a legitimate interest to do so, but you are adversely affected by us doing so, or

We are using your information for the purposes of direct marketing

- the right to restriction of processing
 - You have the right to 'block' processing of your personal information. If TGP Cymru are required to restrict our processing of your information, we will be able to store it, but not use it. We can only retain enough information about you to ensure that the restriction is respected in the future.
- the right to withdraw consent
 - Where our use of your personal information is based on your consent, you have the right to withdraw consent.

You can withdraw your consent in the following ways:

By Email – admin@tgpcymru.org.uk

By Post – TGP Cymru, Cardiff University Social Science Research Park (SPARK), Maindy Road, Cardiff, CF24 4HQ

By Phone – 029 2039 6974

Once TGP Cymru have received notification that you wish to withdraw your consent, we will no longer process your information for the purposes that you originally agreed to, unless we are able to base our processing on a different legal ground

The above is only a summary of your rights. For further information regarding your rights please visit the following page of the ICO's website:

<https://ico.org.uk/your-data-matters/>

Please note, where you request access to your information, we are required by law to use all reasonable measure to identify your identity before doing so. These measures are designed to protect your information and to reduce risk of identity fraud, identity theft or general unauthorised access to your information.

17. Sensitive Personal Information

The General Data Protection Regulation recognises that certain categories of personal information are more sensitive. This is known as sensitive personal information and covers health information, racial or ethnic origin, religious beliefs or other beliefs or a similar nature, political opinion and trade union membership. We only collect sensitive personal information where there is a clear need to do so. Before collecting any sensitive personal information about you we will make it clear to you what information we are collecting and the purposes for collecting such. This explanation is included on our consent forms.

18. Subject Access Requests

18.1 All individuals have the right to access the information kept about him/her by TGP. This is known as a Subject Access Request (SAR). Subject Access Requests can be received in a variety of formats, including via email, in writing or verbally. Any member of staff who receives a written Subject Access Request or who believes they may have received a verbal Subject Access Request should contact the Data Protection Officer immediately.

18.2 TGP Cymru responds to Subject Access Requests as soon as possible and always within has one month from the date of request/ confirmation of ID. This may be extended by up to a further two months if the request is complex or if a number of requests are received from the individual. If this is the case, TGP Cymru will inform the individual before the end of the initial month.

18.3 TGP Cymru will not, in most cases, charge a fee to comply with a subject Access request. However, we may charge a reasonable administrative fee for the administrative costs of complying with the request if the request is manifestly unfounded or excessive or if an individual requests further copies of their data following a request. TGP Cymru will inform the individual as soon as possible if this is likely to be the case.

18.4 In line with legislation, TGP Cymru may refuse to comply with a Subject Access Request if it is manifestly unfounded or excessive.

18.5 TGP Cymru will provide information in relation to a Subject Access request in the same format in which it was requested.

19. Access to Files - Service Users

19.1 TGP Cymru has an open records policy regarding service users and ex-service users. Open records encourage user empowerment, can assist users in the review of progress with staff, and can help users make sense of past events and present circumstances.

In line with the GDPR, Service users can:

- See the information we hold
- Change any information we hold which they feel is wrong
- Ask us to get rid of any information we hold
- Say what we can do with the information we hold
- Ask us to send the information we hold to someone else
- Tell us you're not happy about the information we hold or what we want to do with it
- Tell us what information you think we should hold and what we should do with it

19.2 All requests from service users or ex-service users (Subject Access Requests – SARs) must be recorded by the person taking the request, with a copy kept on the in the particular project and a copy sent to the Data Protection Officer to be kept in the SAR Log.

19.3 TGP will consider on a case by case basis the support needed by service users or ex-service users when they request access to their records

20. Requests for Personal Information

20.1 When receiving telephone enquiries, employees should be careful about disclosing any personal information held on TGP Cymru's systems. In particular they should:

- Check the caller's identity to make sure that information is only given to a person who is entitled to it;
- Suggest that the caller put their request in writing where the employee is not sure about the caller's identity and where their identity cannot be checked;
- Refer to their line manager or the Data Protection Compliance Officer for assistance in difficult situations. Employees should not feel bullied into disclosing personal information.

21. Changes to this policy

TGP Cymru may amend this policy and will review it regularly. Our processing of your information will be governed by the practices set out in the new version of the Privacy Policy from 30 days following notice given on a banner on our website www.tgpcymru.org.uk.



Confidentiality and Security statement for ALL Employees, Trustees, Casual Workers and Volunteers

When working for TGP Cymru, you will often need to have access to confidential information which may include, for example:

- Personal information about individuals who are supporters or otherwise involved in the activities organised by TGP Cymru.
- Information about the internal business of TGP Cymru.
- Personal information about colleagues working for TGP Cymru. Personal information about service users of TGP Cymru.

TGP Cymru is committed to keeping this information confidential, in order to protect people and TGP Cymru itself. 'Confidential' means that all access to information must be on a need to know and properly authorised basis. You must use only the information you have been authorised to use, and for purposes that have been authorised. You should also be aware that under the Data Protection Act 2018 and associated General Data Protection Regulation, 2018, unauthorised access to data about individuals is a criminal offence.

You must assume that information is confidential unless you know that it is intended by TGP Cymru to be made public. Passing information between projects in TGP Cymru and TGP Cymru's Head Office, or between TGP Cymru and a mailing house, or *vice versa* does not count as making it public, but passing information to another organisation does count.

You must also be particularly careful not to disclose confidential information to unauthorised people or cause a breach of security. In particular you must:

- not compromise or seek to evade security measures (including computer passwords);

- be particularly careful when sending information between TGP Cymru’s Head Office and its projects;
- not gossip about confidential information, either with colleagues or people outside of TGP Cymru;
- not disclose information — especially over the telephone — unless you are sure that you know who you are disclosing it to, and that they are authorised to have it.

As previously stated, if you are in doubt about whether to disclose information or not, do not guess. Withhold the information while you check with an appropriate person whether the disclosure is appropriate.

Your confidentiality obligations continue to apply indefinitely after you have stopped working for TGP.

Security

In line with TGP Cymru’s Data Protection and Privacy Policy and Confidentiality Policy your attention is drawn to your responsibilities regarding protecting confidential information.

It is TGP Cymru’s policy that confidential information in digital form is protected using encryption where it is taken or sent out of a physically secure TGP Cymru location.

Egress Switch software is provided and supports a range of encryption solutions that will meet the majority of current requirements.

In TGP Cymru offices basic physical security of offices and the information stored therein is determined by the staff who work in those offices. Staff are therefore expected to take reasonable steps to physically secure confidential information held within offices.

Information that must be protected

Personal data as defined by the General Data Protection Regulation must be protected from unauthorised access by the operation of password controls, these should be changed regularly.

Furthermore, data must also be encrypted utilising Egress Switch if:

- It is stored on portable media (CD, DVD, USB drive etc.) which may be exposed to a significant risk of being lost or stolen. (Any such device when outside a secure TGP location is considered to be at significant risk, including laptops.)
- Where it is to be transmitted via a computer network i.e. email
- Where the data is being sent using a postal service such that the data media could be lost, stolen or intercepted and read whilst in transit.

Equipment and Software

When using a personal computer or laptop (eg working from home) to access TGP Cymru's computer programmes such as the Intranet, Cygnet etc, it is the individual's responsibility to ensure that the anti-virus software on their equipment is up to date.

I have read and understand the above statement. I accept my responsibilities regarding confidentiality, security, equipment and software information.

Signed: **Date:**

Print Name: