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## **Policy on data protection**

### **Introduction**

All organisations that hold personal data are required to work within the Data Protection Act 1998 which regulates the way they collect, store and process information about individuals. The legislation covers records held both manually and on computer.

As a voluntary organisation which is also a charity, provided the JCA only holds data within the principles of the Act, and only undertakes permitted processing, it is not required to register with the Information Commissioner.

The legislation and guidance are complex, but provided the Trustees understand and accept the basic principles and policy, it is acceptable to nominate an individual to be responsible for data protection on behalf of the JCA.

### **Declaration of principles**

The JCA will comply with the following eight data protection principles:

*1. Personal data will be processed lawfully and fairly.*

This is primarily about individuals knowing why data has been collected and recorded. If data is collected from a third person, then it is expected that the individual will be told about this. These issues only become a problem if data is being passed on to other people.

The JCA's policy is never to disclose information to any third party apart from that directly relevant in respect of employment or volunteers.

*2. Personal data will only be obtained for one or more specified and lawful purposes, and will not be further processed in any way incompatible with that or those purposes.*

The JCA will collect data for specified purposes from the individual, and will not disclose it to anyone else.

*3. Personal data will only be collected that is adequate for the purpose and not excessive or irrelevant.*

*4. Data will be accurate and kept up to date.*

The JCA must take all reasonable steps to ensure data is accurate.

*5. Data will not be kept longer than necessary.*

Data on people who are no longer members or involved with the JCA will be destroyed.

*6. Data will only be processed in accordance with the rights of the individual.*

All members of groups and activities have a right to know what personal information has been recorded about them, and have a right to see such information. They also have a right to check the accuracy of such data.

*7. Data will be kept safe and secure against loss or damage or destruction.*

All records will be kept securely in the administrator's office. The Office will be locked when not being used by staff or members of the Management Committee.

*8. Data will not be transferred to other countries, outside the UK*

*9. Mailings from JCA will ordinarily be blind copied*

### **Data collected by the JCA**

*Employment data for staff and volunteers.*

The JCA will hold and process data for employment purposes, and to keep a register or volunteers, and to undertake CRB checks, take up references, etc. as required. Regarding references, the JCA does not have to give employees a copy of a confidential reference that it provides to another organisation. However, references received from another organisation about an employee are subject to the right of the individual of access to their data, though this is not an absolute right.

The JCA does not have to disclose information relevant to negotiations with staff where personal data is concerned.

*Registers for activities.*

It is lawful to collect information from individual members of different groups and activities of the JCA. The data should be the minimum necessary for the purpose: to keep a register, to be able to contact people and a carer/responsible person, and should not include personal data that is not directly relevant. It is appropriate and in the individual's interest to record information about allergies, medication, etc. but this information should only be made available on a need to know basis.

Additional data about the individual (e.g. ethnicity), should only be collected if there is a clear and publicly available purpose for collecting that data.

For each activity or group, it should be clear what information is required to be held on the membership list.

**Public protection.**

Where there is a need to protect the welfare of an individual, then data can be shared with an appropriate organisation. For example, where there are child protection concerns, information can be shared with the Local Authority Children’s Services Department. Similarly, if there is concern about criminal activity, the protection of the public and individuals takes precedence over the Data Protection Principles and Human Rights legislation.

**Other users**

It is legitimate to keep information about other users of the resources and facilities of the JCA – those who rent offices or who hire rooms, etc.

**Implementation of policy.**

The JCA will identify an individual who is responsible for monitoring compliance with the Data Protection legislation. S/he will check that we comply with the legislation on a regular basis: that records are only kept for specified purposes and are relevant, that accuracy is checked, that records are stored securely, and are updated or destroyed.

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Agreed at the JCA Management Committee

10 November, 2008

Signed

Chair