



Policy and Procedures

Data Protection Policy

Issue	Document Title	Date of 1st Issue	Last Reviewed	Responsibility of
02	Data Protection Policy		Nov 2015	Stephen McCartney/ Catherine Pickles

Policy:

It is NASMA's policy that the requirements of the Data Protection Act are fully adhered to by all staff, board members and members.

Guidance:

The Data Protection Act uses terminology that requires explanation:

Data: any information that is processed either manually or electronically

Personal data: information about an identifiable living person

Sensitive data: personal data about racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical and mental health; gender preference; criminal convictions

Data subject: the person identifiable from the data held

Data controller: the person who holds and processes personal data

Data processor: any person (other than an employee of the data controller) who processes the data on behalf of the data controller

Data processing: relates to anything which is done with or to data, including obtaining data; recording data; holding data; organising data; altering data; retrieving data; disclosing data; disposing of data.

Subject Access Request (SAR) is a written **request** made by, or on behalf of an individual for the information which he or she is entitled to ask for under Section 7 of the Data Protection Act 1998 (DPA).

NASMA, as a corporate body is the 'data controller' under the Data Protection Act and the NASMA Board is responsible for implementation.

NASMA Office Manager, Catherine Pickles, is the Responsible Data Protection

Officer and the person to whom all Data Protection enquiries should be addressed:

Email: office@nasma.org.uk, FAO Catherine Pickles, Data Protection Officer,

Tel: 0113 212 3503.

Introduction:

To fulfil its aims and objectives, good practice and legal obligations, NASMA needs to collect and use personal data about its staff, members and other individuals. This requires the use and processing of data used for:

- Membership information
- Organisation and administration of training events
- NASMA promotional events and activities (eg NSMW)
- Recording of Accreditation & CPD activities
- Financial information (invoices and payments)
- Compliance with statutory obligations
- The provision of services (eg Member Mailbase)
- Partnerships/projects (eg Student Money Matters)
- Recruitment and payment of staff
- Monitoring of health and safety

In collecting and using data NASMA must comply with the Data Protection Act and its requirements regarding the processing of personal data. Under the Act information must be collected and used fairly, stored safely, for no longer than is necessary and not disclosed to any person unlawfully. The act applies to data held in any form provided that it can be related to an individual; it covers computer records, e-mail, manual records and pictorial images. The Act also provides that an individual about whom data is held has a right to request a copy of that data.

The following guidance notes outline the principles underpinning the Act and some of the responsibilities it places on staff and NASMA members. The guidance is not exhaustive. If members have a particular query relating to data protection not

covered in these notes they can seek further advice from NASMA's Responsible Data Protection Officer.

Principles:

The Data Protection Act is based on **eight principles**. Compliance with the principles will ensure information is collected and used fairly, stored safely and not disclosed to any person unlawfully. The principles are that data shall be:

- obtained and processed fairly and lawfully
- obtained for a specified purpose and not processed in any manner incompatible with that purpose
- adequate, relevant and not excessive
- accurate and kept up to date
- not kept for longer than is necessary
- processed with due regard to data subjects' rights
- kept safe from unauthorised access, accidental loss or damage
- not transferred to a country outside the European Union, unless that country has equivalent levels of protection for personal data.

Responsibility of NASMA and Staff towards members

It is likely that NASMA staff will process personal data on a regular basis. To ensure that NASMA is compliant with the Data Protection Act the consent of members to process personal data about them, and to adhere to NASMA's Data Protection Policy, is obtained in principle upon submission of their membership application. The request for sensitive information (as defined in the Data Protection Act) requires express written consent. This will be sought by NASMA as required. By signing this declaration you have given permission for sensitive data to be processed and used accordingly.

NASMA and its staff will ensure that any records or files they keep or process are compliant with the eight data protection principles of the Act. All staff members are

familiar with NASMA's Policy for dealing with data protection issues and have signed a declaration to confirm that they have read and understood the policy. Staff have received training in their duties and responsibilities under the Act and these are put into practice in the office.

Electronic data is kept securely, passwords are changed regularly and computers locked when staff are away from their desks. Files are backed-up onto a hard-drive on a regular basis and the drive is held in a locked drawer in the office. Paper records are stored in locked cabinets and confidential waste is shredded.

Responsibility of Members

It is a requirement of the Data Protection Act that information processed about individuals is accurate. It is essential therefore that members keep NASMA informed of changes to personal details such as address, name etc. NASMA is reliant on accurate personal data for communication with members on many matters.

NASMA's Data Protection Statement can be viewed in the Members' Area of the NASMA website.

Retention of Data:

The Data Protection Act requires that data is not kept for longer than is necessary and it is not in NASMA's interests to retain unnecessary or duplicate information. Personal data will be kept for a maximum of three years for comparative/analysis of trends/training purposes. Personal information that is more than three years old will be destroyed and only consolidated data will be kept (ie statistics). However, for certain types of record there are legislative requirements that oblige a particular retention period (eg: Accounts) and these will be kept in accordance with the National Archives guidelines.

Transfer of Data:

Where it is necessary to transfer personal data, NASMA will ensure that appropriate measures are taken against unauthorised or unlawful processing and accidental

damage or loss. All such parties (eg, Board Members, Regional Chairs) will be required to sign a declaration to confirm their receipt and understanding of the NASMA policy on safeguarding personal information. Electronic data will be sent securely and password protected and any data processor (such as our website hosts) will be required to provide sufficient written guarantees in respect of their technical and organisational security measures in place, along with their written acknowledgement that they have read and understood NASMA's Data Protection Policy. At no point must personal information be stored on a shared drive.

Disclosure of Data:

NASMA will not release any personal information about a member to anyone except that member, unless:

- the member has given his/her explicit consent in writing to the disclosure; or
- it is necessary to contact that person (or persons) to enable the successful processing and administration of your NASMA membership; or
- a request has been received from the police, accompanied by a declaration form under the Data Protection Act confirming that the information sought is necessary for the prevention or detection of crime or the prosecution of offenders.

Unauthorised disclosure of information is not only a breach of the Data Protection Act, for which NASMA would be liable, but also breaches the undertaking of confidentiality to NASMA members and staff.

Access:

Individuals have the right to access any personal data that NASMA keeps about them either on computer or in manual files. They are also entitled to access any recorded 'opinion about, or intentions regarding a person'. Personal information can be requested by making a subject access request in writing to office@nasma.org.uk, marked for the attention of Catherine Pickles, Data Protection Officer. NASMA must respond within a maximum of 40 days, but will aim to respond much sooner.

NASMA reserves the right to charge a fee of up to £10 for each request.

Monitoring and Review:

This policy will be reviewed every two years. Next Review: October 2017.

Note: This policy can be produced in alternative formats upon request