



## **DATA PROTECTION POLICY**

### **THE DATA PROTECTION ACT**

The Data Protection Act 1998 ('the DPA') provides a framework that governs the processing of 'personal data', i.e. information that identifies living individuals. 'Processing' includes holding, obtaining, recording, using and disclosing information. The DPA applies to all forms of media, including paper and images.

Data Protection Act covers information which is held in a Relevant Filing System in such a way that information relating to a living individual may be identified with relative ease.

### **1. DATA PROTECTION PRINCIPLES**

The DPA imposes constraints on the processing of personal information in relation to living individuals. It identifies eight data protection principles that set out standards for information handling. Growing Old Grace-fully will comply with the eight data protection principles, which require that personal data should be:

1. Fairly and lawfully processed
2. Processed for specified purposes
3. Processed in a way that is adequate, relevant and not excessive
4. Accurate and kept up to date
5. Kept no longer than necessary
6. Processed in accordance with people's data protection rights
7. Kept safe and secure
8. Not transferred to countries outside the European Economic Area.

### **2. PRINCIPLE 1 - FAIR AND LAWFUL PROCESSING**

2.1 In practice, this principle means that Growing Old Grace-fully must have legitimate grounds for collecting and using personal data. Growing Old Grace-fully must be clear and open with individuals about how their information will be used, and must tell individuals where their information will go or how it will be shared.

2.2 Growing Old Grace-fully will process personal data lawfully, in accordance with at least one of the 'conditions for processing', as set out in Schedule 2 of the DPA. In practice, the condition that is most likely to be satisfied is that the individual has consented to the processing.

2.3 The DPA places more stringent conditions on the processing of 'sensitive personal data'. Sensitive personal data includes information as to:

- The racial or ethnic origin of an individual.
- The physical or mental health or condition.
- The religious beliefs or other beliefs of a similar nature.

Growing Old Grace-fully will process sensitive personal data in accordance with the DPA. This means that sensitive personal data will only be processed where one of the 'conditions for processing' as set out in Schedule 2 of the DPA is met (see 2.2 above) and where one of the other following conditions is also met:

- The individual has given their explicit consent to the processing.
- The individual has deliberately made the information public.

2.4 Growing Old Grace-fully will not send unsolicited direct marketing communications to anyone who has indicated that they do not want it, and will never pass, share or sell personal data to third parties for any purposes.

### **3. PRINCIPLE 2 - PROCESSED FOR SPECIFIED PURPOSES**

3.1 Growing Old Grace-fully will process personal data only for specified purposes .

### **4. PRINCIPLE 3 - ADEQUATE, RELEVANT AND NOT EXCESSIVE**

4.1 Growing Old Grace-fully will seek to ensure all personal data processed is adequate for the specified purpose. Growing Old Grace-fully should not obtain or hold more information than is needed.

### **5. PRINCIPLE 4 - ACCURATE AND UP TO DATE**

5.1 Growing Old Grace-fully will seek to ensure all personal data processed is accurate initially and updated as necessary.

### **6. PRINCIPLE 5 - KEPT FOR NO LONGER THAN IS NECESSARY**

6.1 Growing Old Grace-fully will seek to ensure that personal data is not kept for longer than is necessary. Personal data should be updated, archived or securely deleted if it goes out of date.

6.2 Growing Old Grace-fully will seek to ensure all personal data processed is stored and filed consistently and logically, and that data is retained only for relevant periods.

### **7. PRINCIPLE 6 - PROCESSED IN ACCORDANCE WITH PEOPLE'S DATA PROTECTION RIGHTS**

7.1 The DPA gives rights to individuals in respect of the personal data that organisations hold about them. Growing Old Grace-fully will ensure that personal data shall be processed in accordance with those rights. Growing Old Grace-fully will cooperate with individuals seeking to exercise their rights as fully as possible.

7.2 An individual is entitled to:

- A right of access to a copy of the information comprised in the personal data
- A right to prevent processing for direct marketing.
- A right to object to decisions being taken by automated means.
- A right to claim compensation for damages caused by a breach of the DPA.

### **8. PRINCIPLE 7 - INFORMATION IS KEPT SECURE AND SAFE**

8.1 Growing Old Grace-fully will take 'appropriate technical and organisational measures' to prevent the unauthorised or unlawful processing or disclosure of personal data. The measures we will take to protect against the loss of personal information will include:

- Technical, e.g.
  - Need-to-know access only to paper and electronic files.
  - Password protection.
  - Back-ups.
  - Mobile device security
  - Organisational measures, e.g. premises are secure, personal data is not left on desk but locked away, computers are turned off when not in use.

Confidential paper records must be shredded.

### **9. SUBJECT ACCESS REQUESTS**

9.1 Individuals are only entitled to access their own personal information. Growing Old Grace-fully should, where necessary, ask the person making the request to provide evidence that they are the individual to whom the personal data relates.