

1. Policy Statement

1.1 We, at BMAD, are fully committed to compliance with the requirements of the Data Protection Act 1998 (The Act). We are required to maintain certain personal data about individuals for the purposes of satisfying our operational and legal obligations. We recognise the importance of correct and lawful treatment of personal data as it helps to maintain confidence in our organisation and to ensure efficient and successful outcomes when using this data.

1.2 During the course of our activities we will collect, store and process personal information about current, past and prospective volunteers, funding applicants, charities, suppliers and other third parties. We recognise the need to treat it in an appropriate and lawful manner.

1.3 Any breach of this policy will be taken seriously and acted upon.

1.4 BMAD are committed to ensuring that its team members and volunteers are aware of data protection policies and legal requirements.

1.5 Breaches of personal or sensitive data shall be notified immediately to the individual(s) concerned and the ICO.



Upholding information rights
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
T. 0303 123 1113 F. 01625 524510
www.ico.org.uk

Certificate of Registration

This is to certify that:

Bmad (Bikers Make A Difference)

is registered with the Information Commissioner's Office under
registration reference:

ZA233798

Registration Start date:

1 March 2017

Registration Expiry date:

28 February 2019

2. About this policy

2.1 The types of information that we may be required to handle include details of current, past and prospective volunteers, traders, charities, funding applicants, donators, supporters, suppliers and other third parties that we communicate with. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in The Act and other regulations. The Act imposes restrictions on how we may use that information.

2.2 This policy sets out our rules on data protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and destruction of personal information.

2.3 If you consider that the policy has not been followed in respect of personal data about yourself or others then please raise the matter with Stephanie Hayden on admin@bmad.co.uk

3. Definition of Data Protection terms

3.1 **Data** is information which is stored electronically, on a computer, or in certain paper-based filing systems.

3.2 **Data subjects** for the purpose of this policy include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal data.

3.3 **Personal data** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).

3.4 **Data controllers** are the people who or organisations which determine the purposes for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with the Act. We are the data controller of all personal data used in our organisation.

3.5 **Data users** include official team members who voluntarily had responsibilities that involve using personal data. Data users have a duty to protect the information they handle by following our data protection and security policies at all times.

3.6 **Data processors** include any person who processes personal data on behalf of a data controller. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on our behalf.

3.7 **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

3.8 **Sensitive personal data** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions and will usually require the express consent of the person concerned.

4. Data Protection principles

Anyone processing personal data must comply with the eight enforceable principles of good practice. These provide that personal data must be:

- (a) Processed fairly and lawfully.
- (b) Processed for limited purposes and in an appropriate way.
- (c) Adequate, relevant and not excessive for the purpose.
- (d) Accurate.
- (e) Not kept longer than necessary for the purpose.
- (f) Processed in line with data subjects' rights.
- (g) Secure.
- (h) Not transferred to people or organisations situated in countries without adequate protection.

5. Fair and lawful processing

5.1 The Act is intended not to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject. The data subject must be told who the data controller is (in this case BMAD Bikers Make A Difference), who the data controller's representative is (in this case, admin will direct you

to the appropriate person depending on query), the purpose for which the data is to be processed, and the identities of anyone to whom the data may be disclosed or transferred.

5.2 For personal data to be processed lawfully, certain conditions have to be met. These may include, among other things, requirements that the data subject has consented to the processing, or that the processing is necessary for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, more than one condition must be met. In most cases the data subject's explicit consent to the processing of such data will be required.

5.3 Data about volunteers may be processed for legal, personnel, administrative and management purposes and to enable the data controller to meet its legal obligations as a voluntary organisation. Examples of when sensitive personal data of volunteers is likely to be processed are set out below:

- (a) information about an volunteers physical or mental health or condition in order to monitor and take decisions regarding volunteers fitness and effectiveness to support the organisation, and whether a more suitable role would be more effective and sustainable by the volunteer;
- (b) the volunteers racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- (c) in order to comply with legal requirements and obligations to third parties.

5.4 Data about funding applicants, suppliers and other third parties may be processed by the following purposes:

- (a) Through email capture (both via direct email and email contact on the website)
- (b) Through electronic capture on our website
- (c) Through electronic banking and credit card systems
- (d) Through paper-based filing systems

6. Processing for limited purposes

Personal data will only be processed for the specific purposes notified to the data subject when the data was first collected or for any other purposes specifically permitted by the Act. This means that personal data will not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the data subject will be informed of the new purpose before any processing occurs.

7. Adequate, relevant and non-excessive processing

Personal data will only be collected to the extent that it is required for the specific purpose notified to the data subject. Any data which is not necessary for that purpose will not be collected in the first place.

8. Accurate data

Personal data will be accurate and kept up to date. Information which is incorrect or misleading is not accurate and steps will therefore be taken to check the accuracy of any personal data at the point of collection and at regular intervals afterwards. Inaccurate or out-of-date data will be destroyed.

9. Personal and Sensitive Data:

All data within BMAD's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO for guidance: <https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

The principles of the Data Protection Act shall be applied to all data processed:

1. Processed fairly and lawfully
2. Obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes
3. Accurate and, where necessary, kept up to date,
4. Adequate, relevant and not excessive in relation to the purposes for which it is processed
5. Not kept for longer than is necessary for those purposes
6. Processed in accordance with the rights of data subjects under the DPA
7. Protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage

8. Not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information

10. Photographs and Video:

10.1 Images of volunteers and those receiving funding may be captured at appropriate times and as part of educational/informative activities and for use by BMAD only.

10.2 Unless prior consent from parents/guardians/volunteers has been given, BMAD shall not utilise such images for publication or communication to external sources.

11. Data retention

Personal data will not be kept longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required. For guidance on how long certain data is likely to be kept before being destroyed, contact the Data Protection Compliance Officer (in this case, admin, who will direct you to the appropriate team member dealing with your query).

12. Data Disposal:

12.1 BMAD recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk.

12.2 All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process which will be recorded in the minutes at the BMAD team meetings.

13. Processing in line with data subjects' rights

Data will be processed in line with data subjects' rights. Data subjects have a right to:

- (a) Request access to any data held about them by a data controller.
- (b) Prevent the processing of their data for direct-marketing purposes.
- (c) Ask to have inaccurate data amended.
- (d) Prevent processing that is likely to cause unwarranted substantial damage or distress to themselves or anyone else.
- (e) Object to any decision that significantly affects them being taken solely by a computer or other automated process.

14. Data security

14.1 We will ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

14.2 The Act requires us to put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. Personal data may only be transferred to a third-party data processor if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.

14.3 Maintaining data security means guaranteeing the confidentiality, integrity and availability of the personal data, defined as follows:

- (a) Confidentiality means that only people who are authorised to use the data can access it.
- (b) Integrity means that personal data should be accurate and suitable for the purpose for which it is processed.
- (c) Availability means that authorised users should be able to access the data if they need it for authorised purposes. As volunteers who work from home, information is to be shared and passed on if appropriate, to our volunteer colleagues if deemed fair and lawful.

14.4 Security procedures include:

- (a) Secure lockable desks and cupboards. Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- (b) Methods of disposal. Paper documents should be shredded. External data storage and CD-ROMs should be physically destroyed when they are no longer required.
- (c) Equipment. Data users should ensure that individual computers are password protected, documents encrypted and external storage sources are also encrypted or password protected.

15. Subject access requests

A formal request from a data subject for information that we hold about them must be made in writing. Any volunteer who receives a written request should forward it to the Data Protection Compliance Officer immediately.

16. Providing information to third parties

Any member of staff dealing with enquiries from third parties should be careful about disclosing any personal information held by us. In particular they should:

- (a) Check the identity of the person making the enquiry and whether they are legally entitled to receive the information they have requested.
- (b) Suggest that the third party put their request in writing so the third party's identity and entitlement to the information may be verified.
- (c) Refer to the Data Protection Compliance Officer for assistance in difficult situations.
- (d) Where providing information to a third party, do so in accordance with the eight data protection principles.

17. Monitoring and review of the policy

This policy is reviewed annually by the Data Protection Compliance Officer to ensure it is achieving its stated objectives.