



## General Data Protection Regulations

To: All volunteers

December 2019

The attached ***Privacy Notice*** tells you how we hold and use personal data about all our volunteers, either manually or on computer.

The attached Notice details how we will use your data and the legal basis for it. It also outlines your rights as a 'data subject'. We are registered with the Office of the Information Commissioner and we will comply with the regulation and the Commissioner's guidance. Our ***Information Security Management Handbook*** is available on request.

**We are kindly requesting that you sign the final page of the attached policy and return it to me.**

**Lynda Ellis**  
**Head of Administration**



## Data Protection Policy and Privacy Notice (for Volunteers)

### 1 Overview

- 1.1 Sight for Surrey is committed to protecting the privacy and security of your personal data/information and complying with our obligations under the **Data Protection Act 2018** (the '2018 Act') and the **EU General Data Protection Regulation** ('GDPR') in respect of data privacy and security. We have a duty to notify you of the information contained in this policy. Sight for Surrey takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you as part of our business and to manage our relationship with you.
- 1.2 This policy applies to current and former employees, workers, Trustees, volunteers, apprentices and consultants. If you fall into one of these categories, then you are a 'data subject' for the purposes of this policy.
- 1.3 Sight for Surrey has separate notices in place in respect of people we support, suppliers and other categories of data subject.
- 1.4 Sight for Surrey has measures in place to protect the security of your data in accordance with our Data Security Policy.
- 1.5 Sight for Surrey will hold data for as long as necessary for the purposes for which we collected it.
- 1.6 Sight for Surrey is a '**data controller**' for the purposes of your personal data. This means that we determine the purpose and means of the processing of your personal data. We will appoint a designated, named Data Protection Officer as a contact.
- 1.7 This policy explains how Sight for Surrey will hold and process your information. It explains your rights as a data subject. It also explains your obligations when obtaining, handling, processing or storing personal data on behalf of Sight for Surrey.
- 1.8 This policy can be amended by Sight for Surrey at any time. It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, Sight for Surrey intends to comply with the 2018 Act and the GDPR.

### 2 Data Protection Principles

- 2.1 Personal data must be processed in accordance with six '**Data Protection Principles**.' It must:
  - be processed fairly, lawfully and transparently;
  - be collected and processed only for specified, explicit and legitimate purposes;
  - be adequate, relevant and limited to what is necessary for the purposes for which it is processed;
  - be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay;

- not be kept for longer than is necessary for the purposes for which it is processed; and
- be processed securely.

We are accountable for these principles and must be able to show that we are compliant.

### 3 How we define personal data

- 3.1 **‘Personal data’** means information which relates to a living person who can be **identified** from that data (a **‘data subject’**) on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.
- 3.2 This policy applies to all personal data whether it is stored electronically, on paper or on other materials.
- 3.3 This personal data might be provided to us by you, or someone else (such as a former employer, your doctor, or a credit reference agency), or it could be created by us. It could be provided or created during the recruitment process or during the course of the contract of employment (or services) or after its termination. It could be created by your manager or other colleagues.
- 3.4 We will collect and use the following types of personal data about you:
- recruitment information such as your application form and CV, references, qualifications and membership of any professional bodies and details of any pre-employment assessments;
  - your contact details and date of birth;
  - the contact details for your emergency contacts;
  - your gender;
  - disabilities or sensory impairments;
  - your marital status and family details;
  - your bank details and information in relation to your tax status including your national insurance number;
  - your identification documents including passport and driving licence and information in relation to your immigration status and right to work for us;
  - information relating to disciplinary or grievance investigations and proceedings involving you (whether or not you were the main subject of those proceedings);
  - information relating to your performance and behaviour at work;
  - training records;
  - electronic information in relation to your use of IT systems/swipe cards/telephone systems;
  - your images (whether captured on CCTV, by photograph or video);
  - any other category of personal data which we may notify you of from time to time.

### 4 How we define special categories of personal data

- 4.1 **‘Special categories of personal data’** are types of personal data consisting of information as to:
- your racial or ethnic origin;
  - your religious or philosophical beliefs;

- your Trade Union membership;
- your health;
- your sex and sexual orientation; and
- any criminal convictions and offences.

Where relevant we may hold and use any of these special categories of your personal data in accordance with the law.

## 5 How we define processing

5.1 **‘Processing’** means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

## 6 How will we process your personal data?

6.1 Sight for Surrey will process your personal data (including special categories of personal data) in accordance with our obligations under the 2018 Act.

6.2 We will use your personal data for:

- performing any contract between us;
- complying with any legal obligation; or
- if it is necessary for our legitimate interests (or for the legitimate interests of someone else). However, we can only do this if your interests and rights do not override ours (or theirs). You have the right to challenge our legitimate interests and request that we stop this processing. See details of your rights in section 12 below.

We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

If you choose not to provide us with certain personal data you should be aware that we may not be able to carry out certain tasks. For example, if you do not provide us with your bank account details we may not be able to pay your expenses. It might also stop us from complying with certain legal obligations and duties which we have such as to pay the right amount of tax to HMRC or to make reasonable adjustments in relation to any disability you may suffer from.

## 7 Examples of when we might process your personal data

7.1 We have to process your personal data in various situations during your recruitment and your work as a volunteer, and following termination of your voluntary work with us.

7.2 For example (and see section 7.5 below for the meaning of the asterisks):

- to decide whether you can volunteer for us;
- to carry out any contract between us including where relevant, its termination;

- training you and reviewing your performance\*;
- to carry out a disciplinary or grievance investigation or procedure in relation to you or someone else;
- to determine whether we need to make reasonable adjustments because of your disability\*;
- to monitor diversity and equal opportunities\*;
- to monitor and protect the security (including network security) of Sight for Surrey, of you, other volunteers, our staff, customers and others;
- to monitor and protect the health and safety of you, other volunteers, our staff, customers and third parties\*;
- to make any relevant payments to you;
- paying tax and national insurance;
- to provide a reference upon request;
- monitoring compliance by you with our policies and our contractual obligations\*;
- to comply with employment law, immigration law, health and safety law, tax law and other laws which affect us\*;
- to answer questions from insurers in respect of any insurance policies which relate to you\*;
- running our business and planning for the future;
- the prevention and detection of fraud or other criminal offences;
- to defend Sight for Surrey in respect of any investigation or litigation and to comply with any court or tribunal orders for disclosure\*;
- for any other reason which we may notify you of from time to time.

7.3 We will only process special categories of your personal data (see above) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we asked for your consent to process a special category of personal data, then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting Lynda Ellis, Head of Administration.

7.4 We do not need your consent to process special categories of your personal data when we are processing it for the following purposes, which we may do:

- where it is necessary for carrying out rights and obligations under employment law;
- where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;
- where you have made the data public;
- where processing is necessary for the establishment, exercise or defence of legal claims; and
- where processing is necessary for the purposes of occupational medicine or for the assessment of your working capacity.

7.5 We might process special categories of your personal data for the purposes in paragraph 7.2 above which have an asterisk beside them. In particular, we will use information in relation to:

- your race, ethnic origin, religion, sexual orientation or gender to monitor equal opportunities;
- To comply with our legal obligations under employment law including to make reasonable adjustments and to look after your health and safety; and

7.6 We do not take automated decisions about you using your personal data or use profiling in relation to you.

## **8 Sharing your personal data**

- 8.1 Sometimes we might share your personal data with those we hold contracts with, i.e. Surrey County Council, or our contractors and agents to carry out our obligations under our contract with you or for our legitimate interests.
- 8.2 We require them to keep your personal data confidential and secure and to protect it in accordance with the law and our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.
- 8.3 We do not send your personal data outside the European Economic Area. If this changes you will be notified of this and the protections which are in place to protect the security of your data will be explained.

## **9 How should you process personal data for Sight for Surrey?**

- 9.1 Everyone who works for, or on behalf of, Sight for Surrey has some responsibility for ensuring data is collected, stored and handled appropriately, in line with this policy and our Information Security Management Handbook.
- 9.2 Sight for Surrey's Data Protection Officer is Lynda Ellis, Head of Administration. She is responsible for reviewing this policy and updating the Trustees on our data protection responsibilities and any risks in relation to the processing of data. You should direct any questions in relation to this policy or data protection to her.
- 9.3 You should only access personal data covered by this policy if you need it for the volunteering work you do on behalf of Sight for Surrey and only if you are authorised to do so. You should only use the data for the specified lawful purpose for which it was obtained.
- 9.4 You should not share personal data informally.
- 9.5 You should keep personal data secure and not share it with unauthorised people.
- 9.6 You should regularly review and update personal data which you have to deal with for work. This includes telling us if your own contact details change.
- 9.7 You should not make unnecessary copies of personal data and should keep and dispose of any copies securely.
- 9.8 If you hold personal data, you should comply with our password policy contained in our Information Security Management Handbook.
- 9.9 When personal data is being transferred electronically to authorised external contacts this should be within or laid down policies contained in our Information Security Management Handbook.
- 9.10 It is prohibited to transmit or exchange data unless prior agreement has been reached. Volunteers may not send confidential data to email addresses outside of Sight for Surrey. Such a situation should be referred to a Senior Manager, and then it is only permitted using Egress unless explicit service user agreement has been obtained.
- 9.11 Consider anonymising data or using separate keys/codes so that the data subject cannot be identified.
- 9.12 Personal data should never be transferred outside the European Economic Area except in compliance with the law and authorisation of the Data Protection Officer, Lynda Ellis.
- 9.13 You should not take personal data away from Sight for Surrey's premises unless it is necessary for your work as a volunteer and in line with our policies set out in our Information Security Management Handbook, and authorised by a Senior Manager or the Data Protection Officer.
- 9.14 Personal data should be shredded and disposed of securely when you have finished with it.

- 9.15 You should ask for help from our Data Protection Officer if you are unsure about data protection or if you notice any areas of data protection or security we can improve upon.
- 9.16 Any deliberate or negligent breach of this policy is inconsistent with volunteering for Sight for Surrey and may lead to you being reported to the Information Commissioner.
- 9.17 It is a criminal offence to conceal or destroy personal data which is part of a subject access request (see below). This conduct would also amount to gross misconduct under our disciplinary procedure, which could result in your dismissal.

## **10 How to deal with data breaches**

- 10.1 We have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur (whether in respect of you or someone else) then you must inform the Data Protection Officer. We will need to take notes and keep evidence of that breach. If the breach is likely to result in a risk to the rights and freedoms of individuals, then the Data Protection Officer will notify the Information Commissioner's Office within 72 hours.
- 10.2 If you are aware of a data breach you must contact the Data Protection Officer immediately and keep any evidence you have in relation to the breach.

## **11 Subject access requests**

- 11.1 Data subjects can make a '**subject access request**' ('SAR') to find out the information we hold about them. This request must be made in writing. If you receive such a request, you should forward it immediately to the Data Protection Officer who will coordinate a response.
- 11.2 If you would like to make a SAR in relation to your own personal data, you should make this in writing to the Data Protection Officer. We must respond within one month unless the request is complex or numerous in which case the period in which we must respond can be extended by a further two months.
- 11.3 There is no fee for making a SAR. However, if your request is manifestly unfounded or excessive we may charge a reasonable administrative fee or refuse to respond to your request.

## **12 Your data subject rights**

- 12.1 You have the right to information about what personal data we process, how and on what basis as set out in this policy.
- 12.2 You have the right to access your own personal data by way of a subject access request (see above).
- 12.3 You can correct any inaccuracies in your personal data. To do so you should contact the Data Protection Officer.
- 12.4 You have the right to request that we erase your personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. To do so you should contact the Data Protection Officer.
- 12.5 While you are requesting that your personal data is corrected or erased or are contesting the lawfulness of our processing, you can apply for its use to be restricted while the application is made. To do so you should contact the Data Protection Officer.
- 12.6 You have the right to object to data processing where we are relying on a legitimate interest to do so and you think that your rights and interests outweigh our own and you wish us to stop.
- 12.7 You have the right to object if we process your personal data for the purposes of direct marketing.

- 12.8 You have the right to receive a copy of your personal data and to transfer your personal data to another data controller. We will not charge for this and will in most cases aim to do this within one month. With some exceptions, you have the right not to be subjected to automated decision making.
- 12.9 You have the right to be notified of a data security breach concerning your personal data.
- 12.10 In most situations we will not rely on your consent as a lawful ground to process your data. If we do however request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Data Protection Officer
- 12.11 You have the right to complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)). This website has further information on your rights and our obligations.

### **13 Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.



14 Declaration

**Data Protection Policy and Privacy Notice  
(for Volunteers)**



Please sign and print out or scan this page.

I acknowledge that I have received a copy of Sight for Surrey's Data Protection Policy and Privacy Notice for Volunteers; and that I have read and understood it.

Signature: .....

Name: .....

Date: .....

**Please return to Sandra Chenery, Deputy Head of Administration.**