

## Data Protection Policy

1. The Charity of Mabel Luke is registered with the Information Commissioner's office as a Data Controller, registration number [to be inserted]
2. A Director will be appointed as Data Protection Officer and will be responsible for:
  - overseeing the Charity's compliance with relevant legislation
  - briefing Directors and Clerk on data protection responsibilities
  - reviewing Data Protection and related policies
  - ensuring that data protection induction and training takes place
  - notification of breaches to the Information Commissioner's office
  - handling subject access requests and ensuring complaints and queries are responded to within 30 days
3. The Charity will comply with the Data Protection Act 2018 and will collect, use and store personal data relating to its residents, applicants, volunteers and contractors in accordance with the seven principles of the General Data Protection Regulation 2016:
  - lawful, fair and transparent
  - specified, explicit and legitimate purpose
  - data minimisation
  - accurate and kept up to date
  - kept no longer than necessary
  - secured appropriately
  - accounted for
4. Sufficient personal data will be collected from applicants for housing at Mabel Luke Place in order to assess and confirm the individual's eligibility for appointment. Applicants to the Charity will be asked to sign a form consenting to the Charity collecting personal data relevant to their application from other organisations and individuals.
5. Personal data relating to Licence holders and the members of their households will be collected, stored and regularly updated in order for the Charity to manage their Licence.
6. The Charity will share personal data with West Berkshire Council, contractors, service providers and other selected third parties when necessary and with the consent of the individual (but see 7.). Prior to disclosing personal data to these parties, the charity will take reasonable steps to ensure that:

# The Charity of Mrs Mabel Luke

Charity Commission Reg. no: 236518      Registered Provider no: 4840

- the disclosure of personal data is appropriate
- the recipient of such information is identified
- where appropriate or required by law, the third party is contractually committed to complying with this policy and/or the charity's instructions concerning the use of personal data as well as implementing appropriate security measures to protect personal data, limiting further use of personal data, and complying with applicable laws.

7. In certain circumstances, the Charity may be required to disclose personal data to third parties without the prior consent of the individual. This would be when required by law, when necessary to protect the Charity's legal rights, or in an emergency situation where the health or security of an individual is endangered. Prior to such disclosures, the Charity will take steps to confirm that the personal data is disclosed only to authorised parties and that the disclosure is in accordance with this policy and applicable law.

8. The Licence to Occupy and letter of appointment will carry a statement about the Charity's use and sharing of personal data. Licence holders will be asked to sign to give their consent.

9. Data collected on paper or electronically will be scanned and saved on a password-protected area of the website, accessible only to Directors of Mabel Luke Trustee Ltd and the Clerk. Personal computers and other devices belonging to the Directors or the Charity's Clerk will be used only for the purposes of transfer or recall of data to/from the secure data service and will be password protected. Paper records will be kept only when necessary and will be stored securely. Documents carrying personal data will be shredded when no longer needed.

10. The Charity will carry a privacy notice on the public area of its website.

11. Any individual who wants to exercise their right to receive a copy of their personal data can do so by making a Subject Access Request. The request must be made in writing and the individual must satisfy the Charity of their identity before receiving access to any information. A SAR will be answered within 30 calendar days of receipt by the Charity.

12. The Charity will reply to queries and complaints from individuals about how the Charity uses their personal data within 30 days.

Individuals are entitled by law (by making a request) to be supplied with a copy of any personal data held about them, including both electronic and paper records. Individuals are also entitled to know the logic involved in decisions made about them.

## The Charity of Mrs Mabel Luke

Charity Commission Reg. no: 236518      Registered Provider no: 4840

An individual also has the right to seek erasure of their data and to request portability of their data i.e. that the Charity provides their data to them in a structured, commonly used and machine-readable format.

Where the Charity receives a request from an individual exercising their legal right to control their personal data, the Charity will respond promptly. If a valid request concerns a change in that individual's personal data, such information will be rectified or updated, if appropriate to do so.

13. Data relating to unsuccessful applicants will be destroyed six months after the property is let. Data relating to Licence holders and their households will be kept for three years beyond the date their Licence to Occupy is terminated and then destroyed. Other personal data held by the Charity, for example, Directors' details will be kept no more than three years after the individual's association with the Charity has come to an end.

14. The Charity's Data Protection policy will be made available on the website and copies provided on request to applicants, residents or other individuals with a legitimate interest.