



DATA PROTECTION POLICY

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1 Introduction

This policy sets out how YMCA Edinburgh complies with GDPR regulations in relation to Data Protection.

Everyone has rights with regard to how their personal data is handled. Personal data is any information that a person can be identified from, such as a name, address, staff number or location. During the course of our activities, YMCA Edinburgh will collect, store and process personal data, and we recognise the need to treat it in an appropriate and lawful manner.

This may include data YMCA Edinburgh receives directly from employees (for example, by completing forms or by corresponding with us by mail, phone or otherwise) and data received from other sources including donors and volunteers. Where the policy refers to employees the same rules and regulations will apply to volunteers and trustees.

Personal data, which may be held in paper or electronic form, is subject to certain legal safeguards specified in the General Data Protection Regulation EU 2016/679, as well as other data protection and privacy laws such as the Privacy and Electronic Communications Regulations 2003, as may be updated or replaced from time to time (the Data Protection Legislation).

This policy aims to fulfill the requirement for fair and lawful processing of personal information in the records which YMCA Edinburgh creates and receives in the course of our activities.

This policy covers:

- The requirements that must be met for the processing of personal information
- Staff responsibilities in relation to data protection
- Trustee's responsibilities in relation to data protection
- Provision for regular review of the data protection policy and its implementation

2 Data Protection Legislation

This policy sets out our rules on data protection and the legal requirements that must be satisfied by YMCA Edinburgh and our trustees, staff and volunteers in relation to the obtaining, handling, use, storage, transfer and destruction and other processing of such personal data. The types of information that YMCA Edinburgh may be required to handle include details of current, past and prospective employees, suppliers, customers and others that YMCA Edinburgh communicate with.

This policy applies to all trustees and employees, which for these purposes includes employees, temporary and agency workers, other contractors, interns and volunteers (**Data Users**). All trustees and employees should familiarise themselves with this policy and comply with its terms when processing personal data on our behalf.

This policy balances the legitimate needs of organisations to collect and use personal information for charitable and other purposes against the right of individuals to respect the privacy of their personal details.

YMCA Edinburgh regards the lawful and correct treatment of personal information as important to successful charitable operations, and to maintaining stakeholder confidence.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

3 Data Protection Officer

The Data Protection Officer is responsible for ensuring compliance with the Data Laws and with this policy.

That post is held by **Mike Kerracher, Chief Executive Officer**. If you have any questions or concerns about the operation of this policy, please refer in the first instance to the Data Protection Officer.

4 Data Protection Principles

Employees and/or Trustees who process personal data under this policy must comply with the principles of the Data Protection Legislation. The principles provide that personal data be:

- Processed in a lawful, fair and transparent manner
- Collected only for specific, explicit and limited purposes
- Adequate, relevant and not excessive
- Accurate and kept up to date where necessary
- Kept for no longer than necessary
- Handled with appropriate security and confidentiality
- Comply with relevant GDPR procedures for international transfer of personal data

In addition, when processing personal data YMCA Edinburgh must bear in mind that employees have certain rights in regard to their personal data (for example, to access it or have it deleted) and that we must not send it to companies and people outside of the UK without following certain procedures.

5 Fair and Lawful Processing

The law on data protection allows YMCA Edinburgh to process your data for certain reasons only. The table below categorises the types of data processing we undertake and the lawful basis we rely on.

Activity requiring your data	Lawful basis
Carrying out checks in relation to your right to work in the UK	Legal obligation
Making reasonable adjustments for disabled employees	Legal obligation
Making recruitment decisions in relation to both initial and subsequent employment e.g., promotion	Our legitimate interests
Making decisions about salary and other benefits	Our legitimate interests
Making decisions about contractual benefits to provide to you	Our legitimate interests
Assessing training need	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests
Preventing fraud	Our legitimate interests

The Organisation must generally only process personal data if one of the lawful bases set out in the Data Protection Legislation applies. This means that YMCA Edinburgh will only process personal data if:

- a) the employee has given their consent (YMCA Edinburgh must ensure that the consent wording and mechanism for obtaining consent meet the requirements of the Data Protection Legislation).
- b) YMCA Edinburgh need to process the personal data in order to perform a contract with the employee, or because they have asked us to take certain steps before entering into a contract (for example, we require contact details so we can deliver goods ordered). Add in Appendix 2 (See Appendix 2-Information Sharing Agreement)

- c) the processing is necessary to comply with other laws or regulations (not including contractual obligations).
- d) the processing is necessary to protect someone's vital interests.
- e) the processing is necessary to perform a task in the public interest or for YMCA Edinburgh's official functions; or
- f) the processing is necessary for our business' legitimate interest or the legitimate interests of a third party unless there is a good reason to protect the employee's personal data which overrides those interests. (See Appendix 1 – Why & How We Collect Your Data)

Personal data may 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 Data Protection Legislation. This means, broadly, that personal data must 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, YMCA Edinburgh will inform the employee of the new purpose before any processing occurs.

YMCA Edinburgh should always record our reasoning for choosing a particular lawful basis, so we can explain ourselves if an employee complains or the data protection regulator (the Information Commissioner's Officer (ICO) asks us.

6 Sensitive Personal Data and PVG's

Some of the information YMCA Edinburgh holds as a business is particularly sensitive and we must be aware that special rules apply to it.

This includes information about an employee's racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, or an employee's genetic data, biometric data (where it uniquely identifies them), or about their health, or sexual orientation (known as sensitive personal data or special categories of personal data).

YMCA Edinburgh will generally not collect and use such data unless the employee has given us explicit consent (for example, confirmed in writing that they agree to us holding it) or we need it in order to fulfil our obligations as an employer.

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits following the Recruiting of People with Convictions Policy. This data will be collected at the recruitment stage and at least every five years thereafter. For Trustees this will be collected when first elected to the Executive Committee and at least every five years thereafter. We use criminal conviction data to determine your suitability, or continued suitability for the role. We rely on the lawful basis of our legitimate interests to process this data.

Where it is necessary to process such information, Data Users should consult the Data Protection Officer to ensure the correct compliance steps are taken.

7 Consent

Sometimes the Organisation will need consent to use someone's personal data, for example if we are sending them marketing emails, or disclosing sensitive (or special category) personal data to a third party. Where we need consent, YMCA Edinburgh will ensure our consent wording and mechanisms for obtaining and recording consents comply with the Data Protection Legislation.

Where YMCA Edinburgh rely on consent for processing sensitive (special category) personal data, we will ensure that it is explicit (expressly confirmed in words rather than by any other positive action).

Whenever YMCA Edinburgh requests consent for processing, it will:

- present the request for consent in a manner which is clearly distinguishable from the other matters, in an intelligible and easily accessible form, using clear and plain language
- not make services conditional on consent to the processing of personal data that is not necessary for the performance of that contract (for example, marketing)
- keep records of consent obtained so we can provide evidence if required
- enable employees to withdraw their consent at any time. Data Users should consult with the Data Protection Officer if they receive a notification that an employee wishes to withdraw his or her consent

8 Notifying Employees (Privacy Notices)

In order to satisfy the transparency requirements under the Data Protection Legislation, when collecting personal data directly from employees, YMCA Edinburgh will ensure that they receive appropriate information about how YMCA Edinburgh will use the data.

YMCA Edinburgh will inform employees of the following:

- the organisation's name and the contact details of the Data Protection Officer
- why YMCA Edinburgh are processing personal data and the lawful basis that applies (for example, consent or legitimate interests)
- if YMCA Edinburgh are processing the personal data on the basis of a third party's legitimate interests, the organisation will explain what those interests are
- anyone with whom we will share the personal data (either their name or a general description of them) – this includes any suppliers to whom we may pass the data
- details of transfers of the data outside the EU and safeguards we have put in place (for example, contractual clauses)
- how long the organisation plan to retain the personal data or the criteria used to determine the retention period bearing in mind our data retention procedures
- the employee's rights (see employee rights below)
- if the employee has given consent, that they have the right to withdraw the consent at any time.
- the employees right to lodge a complaint with a supervisory authority
- whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the data; and
- the existence of any automated decision-making which could have a legal or similar significant effect for the employee, and information about how decisions are made, the significance and the consequences

If YMCA Edinburgh receives personal data about an employee indirectly (for example, via third parties), we must provide the employee with the information as well as details of the categories of personal data we are processing and where we got it from (for example, whether it came from a public source), as soon as possible.

If YMCA Edinburgh later need to use that personal data for a different or new purpose, we will tell the employee beforehand. This information is normally given by way of a 'privacy notice' (See Appendix 1 attached).

There are some limited exceptions to this notice requirement. If in doubt as to whether a notice should be given, Data Users should contact the Data Protection Officer.

9 Accurate Data

YMCA Edinburgh will ensure that personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate and out-of-date data.

10 Minimal Processing and Data Retention

YMCA Edinburgh will not collect excess personal data or retain data for longer than is required. This means we will:

- only collect personal data to the extent that it is required for the specific purpose notified to the employee
- not keep personal data longer than is necessary for the purpose for which it was collected
- take all reasonable steps to destroy, or erase from our systems, all data which is no longer required, in line with data retention procedures

YMCA Edinburgh will implement appropriate technical and organisational measures to ensure that our systems allow us to do this. We will also ensure that personal data is not automatically made accessible to an indefinite number of people and that access is limited appropriately.

All employees should follow the following data retention procedures:

- all financial records should be destroyed and/or deleted after a period of 7 years
- recruitment records (such as job applications) should be destroyed after a period of 6 months; and
- personnel records (including contact details, appraisals and reviews) should be destroyed 6 years after the relevant employee has left the organisation

All personal data should be kept securely (e.g., password protection, locked safe etc.) and once it is no longer required to be kept it should be shredded or deleted.

11 Employee Rights

YMCA Edinburgh will observe and process all personal data in line with employees' rights under the Data Protection Legislation, in particular, the rights to:

- request access to any personal data held about them and other supplementary information (see dealing with subject access requests below)
- have inaccurate or incomplete personal data corrected
- object to us profiling them or sending targeted marketing to them
- withdraw their consent at any time
- have their personal data erased from the organisations systems
- 'block' or suppress our use of their personal data
- not to be subject to automated decisions (i.e. decisions made solely on a computer without human intervention) which that produce legal effects or similarly significantly affect them, unless they have consented, or another exception applies; and
- receive their data in a portable form

Data Users should forward any requests or complaints received from employees in respect of their personal data immediately to the Data Protection Officer so that they can be dealt with within the mandatory legal timescales.

12 Data Protection Procedures

As part of the accountability principle, YMCA Edinburgh are required to:

- keep records of processing carried out, including documenting processing activities, processing purposes, data sharing and retention

- integrate privacy measures and security controls into our processing activities ('data protection by design and default')
- carry out a data protection impact assessment if the use of personal data is likely to result in high risk for the rights and freedoms of employees (for example, where carrying out large-scale systematic monitoring of a publicly accessible, such as by CCTV); and
- ensure systems have appropriate functionality to allow us to fulfil all requests made by employees (for example, for access to their data) including documenting processing activities, processing purposes, data sharing and retention

The Data Protection Officer should be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are followed.

13 Data Security

YMCA Edinburgh will ensure that appropriate measures are taken to keep data secure. Employees may apply to the courts for compensation if they have suffered damage from such a loss and we may incur large fines if we are in breach of the Data Protection Legislation. You can also be liable personally for fines or imprisonment if employees steal or recklessly misuse personal data.

The Data Protection Legislation require YMCA Edinburgh 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.

YMCA Edinburgh will maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:

- **Confidentiality** means that only people who are authorised to use the data can access it.
- **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed
- **Availability** means that authorised users should be able to access the data if they need it for authorised purposes

Security procedures include:

- **Entry controls** - any unfamiliar person seen in entry-controlled areas should be reported
- **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)
- **Methods of disposal** - paper documents should be shredded. Digital storage devices should be physically destroyed or wiped when they are no longer required
- **Equipment** - Data Users must ensure that employee monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended

Generally, to keep personal data secure employees must not disclose personal data - in writing or verbally –to anyone not authorised to receive it, whether internal or external, and whether within or outside the workplace.

14 Data Breaches

YMCA Edinburgh has specific obligations to report any breach of security involving personal data to the Data Protection Regulator, the Information Commissioner's Office.

Data Users should notify the Data Protection Officer immediately of any breaches of security which lead or could lead to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data – for example loss of a laptop or paper file or sending an email to the wrong recipient. This will allow the organisation to:

- investigate the failure and take remedial steps if necessary; and
- make any applicable notifications within the mandatory legal timescales

15 Third Parties

YMCA Edinburgh will only use processors (for example, sub-contractors) who:

- can assure us they meet the standards (including security standards) required by the Data Protection Legislation; and
- agree to comply with relevant procedures and policies or agree to put in place adequate measures themselves

A written contract must be put in place with certain mandatory clauses prescribed by the Data Protection Legislation.

16 Sending Personal Data Overseas

YMCA Edinburgh may need to transfer personal data outside the UK to other service providers, third parties, agents, subcontractors and regulatory authorities in countries where data protection laws may not provide the same level of protection as those in the European Economic Area (EEA).

The Data Protection Legislation imposes restrictions on the transfer of personal data to countries outside the EEA, or international organisations. Where we need to send personal data we hold outside the EEA or make it accessible to people outside the EU, YMCA Edinburgh will need to follow certain procedures as advised by the Information Commissioners Office (ICO)

Data Users should not transfer personal data overseas or to international organisations without first consulting the Data Protection Officer, who can ensure that the correct procedures are in place.

17 Sharing of Personal Data

YMCA Edinburgh may from time to time be asked to share personal data we hold with:

- external providers, such as pension, insurance and occupational health providers
- in order to comply with legal obligations, or in order to enforce or apply a contract with an employee or other agreements; or to protect our rights, property, or safety of our employees, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction

The organisation will only share such information if we have a lawful basis and ensure we comply with any other relevant policies. YMCA Edinburgh may share personal data with processors in accordance with the terms of this policy.

18 Dealing with Subject Access Requests from Individuals

Employees may make a formal request for information we hold about them or other requests (for example, for portable data). Data Users who receive a written request should forward it to the Data Protection Officer immediately.

When receiving telephone enquiries, YMCA Edinburgh will only disclose personal data we held on the organisations systems if we verify the caller's identity to make sure that information is only given to a person who is entitled to it. If YMCA Edinburgh, are not sure about the caller's identity and where their identity cannot be checked, a written request may need to be submitted.

Data Users will refer a request to the Data Protection Officer for assistance in difficult situations. Data Users should not be bullied into disclosing personal information.

Where a request for information is made in electronic form, we will provide the information in electronic form where possible, unless otherwise requested by the employee.

YMCA Edinburgh will deal with requests for information and any other requests without undue delay, within one month (30 calendar days) of a request for information, YMCA Edinburgh will either:

- provide the information to the employee;
- if the complexity or number of requests requires, extend the response period by up to a further two months and inform the employee of such extension; or
- not action the information request and inform the employee of the reason for not taking action and of the possibility for lodging a complaint or seeking a judicial remedy.

If requests are clearly unfounded or excessive (particularly if they are repetitive), we may charge a reasonable administrative fee to carry out the request or refuse to action the request, but we must record our reasoning. Data Users who suspect they have received such requests should refer them to the Data Protection Officer. Otherwise, initial requests will be dealt with free of charge, and we may consider charging a reasonable fee for further requests.

If employees have any questions about responding to data subject access requests, you should contact your line manager.

19 Privacy Rights

All employees have certain privacy rights in respect of their personal data which is held and used by organisations. These are set out in more detail below. If you receive a request from anyone about exercising their rights, or if you as an employee or volunteer with us wish to exercise any of these rights, please contact the Data Protection Officer.

Right to object: You can object to our processing of your personal data where the organisation are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where the organisation is processing your personal data for direct marketing purposes. Please contact us as noted above, providing details of your objection.

Access to your personal data: You can request access to a copy of your personal data that the organisation holds, along with information on what personal data is used and why, who the information is shared with, how long it is kept for, whether it has been used for any automated decision making. Individuals can make a request for access free of charge. All requests for access should be in writing, with evidence of identity.

Consent: Most of the time, the organisation will not require employees consent to use personal data as it will be used only to fulfil obligations and exercise rights as an employer. If you have given the organisation consent to use personal data, employees can withdraw consent at any time.

Rectification: Employees can ask the organisation to change or complete any inaccurate or incomplete personal data held about you.

Erasure: Employees can ask the organisation to delete your personal data where it is no longer necessary for the organisation to use it, you have withdrawn consent, or where the organisation has no lawful basis for keeping it.

Portability: Employees can ask the organisation to provide you or a third party with some of the personal data that they hold about you in a structured, commonly used, electronic form, so it can be easily transferred.

Restriction: Employees can ask the organisation to restrict the personal information used about you where you have asked for it to be erased or where you have objected to the use of it.

No automated-decision making: Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. Employees have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless you have given the organisation consent, it is necessary for a contract between the employee and YMCA Edinburgh or is otherwise permitted by law. Employees also have certain rights to challenge decisions made about you.

YMCA Edinburgh do not currently carry out automated decision-making in the course of you working with us, but we will notify you in advance if this changes.

20 What Kind of Personal Data the Organisation Collects

In the course of the working relationship, YMCA Edinburgh will collect, store, and use the following categories of personal data about its employees:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Start date
- Location of employment or workplace
- Identification information (including a copy of driving licence, passport and utility bills)
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process)
- Employment records (including job titles, work history, working hours, training records and professional memberships)
- Compensation history
- Performance information
- Disciplinary and grievance information
- CCTV footage and other information obtained through electronic means such as swipe card records.
- Information about your use of our information and communications systems.

21 Sensitive Personal Data

Some kinds of personal data are given special protection by the law – these are called 'special category' data. YMCA Edinburgh will sometimes collect, store and use the following types of 'special category' personal data:

- Information about your health, including any medical condition, health and sickness records
- Passport information
- Information about your criminal convictions and offences (for example, DVLA checks, Visa applications)

22 How the Organisation Gathers your Personal Data

YMCA Edinburgh will obtain personal data in different ways:

- directly from employees, for example from applications (such as a declaration of interest form)
- during the application and recruitment process, from an employment agency or background check provider, former employers and credit reference agencies; and
- from monitoring emails, internet and telephone usage and when we use CCTV

23 How YMCA Edinburgh Uses Your Personal Data

To summarise, YMCA Edinburgh processes personal data for the following key purposes:

- primarily, to fulfil contractual obligations and legal obligations to employees (for example, to pay employees and provide benefits) and to exercise legal rights
- to pursue legitimate interests of the organisation or those of third parties, provided employees interests and fundamental rights do not override those interests, or where necessary to protect the interests of employees or others (for example, monitoring misuse of our IT systems or tracking our vehicles)

24 How YMCA Edinburgh Uses Your Sensitive Data

Special protection is given to certain kinds of personal data that is particularly sensitive. This is information about employee's health status, racial or ethnic origin, political views, religious or similar beliefs, sex life or sexual orientation, genetic or biometric identifiers, trade union membership or criminal convictions or offences.

YMCA Edinburgh use this personal data primarily to comply with our legal obligations (including in respect of health and safety), for equal opportunity monitoring, to manage sickness and administer your benefits and where employees drive organisation vehicles, DVLA will need to be supplied to the organisation.

25 If Employees Fail to Provide Personal Data

In some cases, if employees fail to provide information when requested, the organisation may not be able to perform the Contract the organisation entered into with the employee fully (such as paying you or providing benefits), or the organisation may be prevented from complying with our legal obligations (such as to ensure the health and safety of employees).

26 Monitoring

It is necessary for the organisation to monitor staff in various ways in order to ensure safety and security and protect employees. YMCA Edinburgh monitors employees in the following ways:

- monitoring use of internet, i.e. looking at use of email or website visits
- monitoring excessive use of organisation telephones for personal reasons
- DVLA checks

The organisation processes personal data obtained through such monitoring in accordance with our IT & Communications Policy and only carries out these activities to the extent it is necessary and proportionate and it is permitted by law.

Any concerns in relation to monitoring, should be directed to the Data Protection Officer.

27 Right to Complain

Employees can make a complaint to us by contacting us via the Data Protection Officer or to the data protection supervisory authority – in the UK, this is the Information Commissioner's Office, at <https://ico.org.uk/>

28 Failure to Comply with This Policy

All employees must familiarise themselves with this policy and ensure they adhere to its principles when processing data. It is a criminal offence to deliberately or recklessly disclose personal information without YMCA Edinburgh authority.

If you have any questions about this policy or about processing data, please contact the data protection officer.

Any breach of this policy will be taken seriously and may result in disciplinary action.

29 Changes to This Policy

YMCA Edinburgh reserve the right to change this policy at any time. Where appropriate, the organisation will notify employees of those changes.

Responsibility for Policy –

Operational Practice: Mike Kerracher, Chief Executive Officer

Executive Responsibility: YMCA Edinburgh Board

ACCEPTED AS THE DATA PROTECTION POLICY BY YMCA EDINBURGH BOARD

DATE 03/10/2024

SIGNED *Donald Macdonald*
Donald Macdonald (Oct 3, 2024 17:41 GMT+1)

Donald Macdonald, Chair of Board of Trustees.

This policy will be reviewed at 18-month intervals

Appendix 1

PRIVACY STATEMENT – YMCA Edinburgh

General Data Protection Regulation (GDPR) gives you more control over how your personal information is used. And it makes it quicker and easier for you to check and update the information we and other organisations we work with, hold about you.

This statement outlines:

- What data we collect
- How we may use it
- How we keep your data safe

WHO WE ARE

YMCA Edinburgh is a youth work organisation and is affiliated to YMCA Scotland. YMCA Edinburgh is a constituted SCIO and registered charity, Scottish Charity Number SCO48494 and our registered office is 86, Great Junction Street, Edinburgh, EH6 5LL. Our parent charity is YMCA, Scottish Charity Number SC013792.

YMCA Edinburgh is a data controller in respect of personal information that we process in connection with our activities.

We are committed to protecting both your data and your privacy and we want you to feel assured that any information you give us is held securely and safely, whether you are working for us, supporting us through campaigning, donations, volunteering, fundraising or events.

GETTING IN TOUCH

You have the right to ask for a copy of the information we hold about you and to have any inaccuracies in your information corrected. You also have the right to ask us to delete any personal information we hold about you. In some cases, we may be unable to delete data, such as if it is required for tax or Gift Aid purposes. In these cases, we will ensure that you are removed from future communications and processing. You can access your personal data held by us or request to receive your information in part or its entirety in machine readable format.

For all questions or concerns regarding the processing of your personal information, please do get in touch. You can write to:

YMCA Edinburgh
Data Protection Lead
86 Great Junction Street
Edinburgh EH6 5LL

You can email on mike.kerracher@ymcaedinburgh.com or call 07884 032200.

The Information Commissioner's Office is the regulator for such activity and further information can be found at <https://ico.org.uk>

WHY AND HOW WE COLLECT YOUR DATA

When you give it to us directly

The vast majority of personal data we hold is given to us directly by our staff, campaigners, supporters, and volunteers in the course of them interacting with our services, websites or activities.

When we are working with a third party

We may work with other independent parties such as life assurance companies for staff, fundraising sites such as Just Giving or Virgin Money Giving. These independent third parties will only share your data with us when you have given permission for YMCA Edinburgh to contact you.

Under the rules of GDPR a 'third party' data processor is a legal person or organisation which processes personal data on our behalf.

When your information is available publicly

We may combine information that we already have about you with information available publicly or information available from external sources to gain a better understanding of you. This includes the use of profiling and screening techniques to ensure communications are relevant and timely, and to provide an improved experience for our staff and supporters. Profiling also allows us to target our resources effectively, which supporters consistently tell us is a key priority for them. We do this because it allows us to understand the background of the people who support us and helps us to make appropriate requests to supporters who may be able and willing to give more than they already do. Importantly, it enables us to raise monies for the work YMCA undertakes with young people and their communities.

When building a profile of donors and supporters, we may analyse geographic, demographic, and other information relating to you in order to better understand your interests and preferences in order to contact you with the most relevant communications. In doing this, we may use additional information from third party sources when it is available. We also undertake this to help us identify potential donors and supporters.

In some situations, we may update our supporters, clients and volunteers' personal information using external organisations, for example, to check we have a valid and deliverable postal address, or to check if you are registered with the Telephone Preference Service (TPS) or Fundraising Preference Service (FPS).

Depending on your settings or the privacy policies for social media and messaging services like Facebook or Twitter, you might give us permission to access information from those accounts or services.

You can opt out of your data being used in any of the above-mentioned ways at any time by contacting us at mike.kerracher@ymcaedinburgh.com or calling 07884 032200.

WHAT DATA WE COLLECT

Personal information is any data that can be used to identify you. It can include, but is not limited to, any of the data listed below.

Data protection law recognises that there are sensitive categories of personal information, such as health information, racial or ethnic origin, or religious beliefs or other beliefs. We would only collect sensitive personal information where there is a clear need to do so.

Before we collect any sensitive personal information, we will make it clear what information we are collecting and the purpose we are collecting it for.

Information we collect from you directly or from third parties with whom we work may include:

- Full name
- address
- email address
- telephone number
- contact preferences
- bank account or credit card details where required
- in relation to fundraising, employer details for processing a payroll gift and taxpayer status for claiming Gift Aid
- National Insurance number
- marital status

- health history where required
- date of birth, age, and/or gender

We do not use cookies to collect this type of information.

We may also collect and process information about your interactions with us, including details about our contacts with you through email, SMS, post, on the phone or in person. This might include the date, time, and method of contact, details about donations you make to us, events, or activities that you register for or attend or any request for support.

We may also collect and record other relevant information you share with us about yourself, such as your interests or your affiliations with other charities, community, or campaign groups.

HOW WE USE YOUR DATA

Delivering the services, we do is something we cannot do without the help of people who share our passion for working with young people to enable them to truly belong, contribute and thrive. Supporting the work of YMCA Edinburgh such as being employed by us, supporting us in a variety of ways including raising funds, running campaigns, and involving as wide a range of people as we can in our activities is hugely important to us.

We will only use and share your information where it is necessary for us to lawfully carry out our work.

The law allows personal data to be legally collected and used by an organisation if it is necessary for a legitimate business interest of the organisation – as long as its use is fair and balanced and does not unduly impact the rights of the individual concerned.

Where you give us your consent, we will also use your personal data in order to send you marketing and fundraising communications in connection with marketing and fundraising activities and services. This includes supporter newsletters and updates, plus appeals and fundraising activities.

Data sharing with third parties

We will not share your information with anyone outside YMCA Edinburgh except:

- Where we have your permission
- Where we are required by law and by law enforcement agencies, judicial bodies, government entities, tax authorities or regulatory bodies as required.
- To protect YMCA Edinburgh, for example in cases of suspected fraud or defamation
- Where we have legitimate situations with third parties, including fundraising agencies, whom we have contracted to fulfil specific services for us such as direct communication.

In all of these situations we set up a written contractual agreement that will ensure that those organisations can only use the data provided for the specific purposes we direct them to do, and that they have in place strict security requirements in order to protect your personal information and comply with GDPR.

To deliver services or manage our relationship with you, it is sometimes necessary for us to share your Personal Data outside the European Economic Area (EEA), e.g. – when your or our service providers are located outside the EEA; or if you are based outside the EEA.

Many non-EEA countries do not have the same data protection laws as the United Kingdom and EEA. We will, however, take reasonable steps to ensure any such supplier has in place appropriate measures to protect your information and any contract includes appropriate clauses about the use of data e.g. if the organisation is based in the USA, we will confirm whether it is accredited under the EU-US Privacy Shield.

Keeping your personal information safe

We take appropriate physical, electronic and managerial measures to ensure that we keep your information secure, accurate and up to date.

We also have procedures in place to deal with any suspected Data Security Breach. We will notify you and any Professional Regulators or other applicable regulator of a suspected Data Security Breach where we are legally required to do so.

How long will we keep your data?

We remove personal data from our systems in line with our data retention policy. The length of time each category of data will be retained will vary on how long we need to process it, the reason it is collected, and in line with any statutory requirements.

After this point the data will either be deleted or rendered anonymous. In certain specific situations, for example where a supporter has kindly pledged a legacy to us in their Will, we will maintain their details up to the time when we need to carry out the legacy administration and communicate effectively with their family.

Where we believe data might be relevant to a future safeguarding enquiry, we reserve the right to retain data securely for up to 50 years to comply with our insurance and safeguarding guidance.

To find out more about our data retention policy, please contact us using the details above.

COOKIES

‘Cookies’ are small pieces of information sent by a web server to a web browser, which enables the server to collect information from the browser. Essentially it takes the form of a small text file deposited on your computer’s hard drive.

YMCA Edinburgh uses cookies to ensure that you can interact with our web sites more efficiently, to identify you when you visit our web sites and to provide us with basic visitor statistics for analysis and to monitor how our advertising performs. The use of cookies does not give us access to the rest of your computer.

If you want to prevent our cookies being stored on your computer in future, you may do so by referring to your internet browser’s instructions. You can do this by clicking on the “Help” menu. Please note however that if you disable our cookies, you may not be able to access certain services or facilities on our sites and your use of our sites may be restricted.

Cookies used on our website

We use Google Analytics cookies to collect anonymous traffic data, such as page visit information, where the visitors to the site had come from and the browser and operating systems used. This information is stored by Google and subject to their privacy policy.

Facebook/Instagram and Twitter cookies, used on our website, help us to understand the effectiveness of our online advertising on those social platforms. Links to their privacy policies provided below:

- [Facebook & Instagram privacy policy](#)
- [Twitter privacy policy](#)

The site also makes use of session cookies. Those cookies are necessary for site functionality and contain no personally identifiable information. They are deleted when the browser is closed.

Additionally, some of the pages on our website may have embedded content and / or share buttons that enable users to easily share our content with their friends via a number of social networks. Those websites might set their own cookies when you log into their services. We do not control those cookies and suggest you check their websites for information on how to manage them.

Our website also has links to other organisations who will have their own data protection privacy statements.

SOCIAL MEDIA

Depending on your settings or the privacy policies for social media and messaging services like Facebook, WhatsApp, or Twitter, you might give us permission to access information from those services, for example when you publicly tag us in an event photo.

**YMCA Edinburgh
August 2024**

INFORMATION SHARING AGREEMENT TEMPLATE

This individual agreement is made between:

YMCA Edinburgh

and

1.0 Introduction

This agreement has been drawn up to facilitate an agreement between:

YMCA Edinburgh and _____

for the purpose of _____

This agreement enables the sharing of information between the two organisations to support the following:

This agreement will commence on _____ and will remain in place until terminated by either party.

2.0 Key Contacts

The key contacts in this agreement are:

LOCAL YMCA CONTACT DETAILS:

OTHER ORGANISATION DETAILS:

3.0 Information Sharing

3.1 How information will be shared

This agreement has been formulated to facilitate the exchange of _____ between the signatories. It is, however, compulsory for all parties to recognise that any information shared must be justified.

The information will be shared as follows:

Under no circumstances should personal data be processed in any way that is unsecure or left unattended. It is the responsibility of the sender to ensure that the method is secure and that they

have the correct contact details for the receiver.

3.2 Information to be Shared

The type of data information YMCA Edinburgh can provide includes:

3.3 Data Quality

Only relevant information required by YMCA Edinburgh will be transferred. The information will be relevant, accurate and up to date.

3.4 Retention and destruction

YMCA Edinburgh retains information and documents as per current retention requirements. Anything held passed their required time, will see that information confidentially destroyed.

4.0 Consent

It is the responsibility of YMCA Edinburgh to ensure that any consent required is obtained from the relevant person(s).

5.0 Review of the Information Sharing Agreement

This Information Sharing Agreement will be reviewed 12 months after its launch and every 18 months thereafter. The person responsible for initiating this process is Mike Kellacher, Chief Executive Officer.

If any significant changes take place, which means that this agreement becomes an unreliable reference point, then the agreement will be updated as required.

If any of the named persons depart their role, an alternative lead must be nominated as soon as possible.

6.0 Signatures

By signing this agreement, all signatories accept responsibility for its execution and agree to ensure that staff are trained so that requests for information and the process of sharing itself are sufficient to meet the purpose of this agreement.

Signed on behalf of **YMCA Edinburgh**

Name: _____

Position: _____

Date: _____

Signed on behalf of _____

Name: _____

Position: _____

Date: _____

YMCA EDINBURGH

DATA PROTECTION GUIDE TEMPLATE

The following guide sets out the procedures that are to be adhered to for using and storing staff, volunteer, and donor/funding information. The guide should be read in conjunction with the Data Protection Policy.

1.0 **Fundraising Information**

1.1 **Storage**

Any relevant fundraising information should be securely saved. If stored on a memory stick, this should be stored in a locked cabinet, the information contained on the memory stick should be password protected and can only be viewed by those authorised to do so.

1.2 **Queries and Reports**

When printing any queries and reports, do not include the address of funders or donors if unnecessary. If reports do contain donor addresses, then the report must be shredded after use and not recycled. Storage of these reports that are working documents must be stored in a locked cabinet.

1.3 **Gift Aid**

Any working Gift Aid data which contains donors' information giving history and address must be shredded after use. Storage of these reports that are working documents must be stored in a locked cabinet.

1.4 **Data**

File Sending

When sending any data to a third party, ensure this is securely sent by email and with an encrypted password.

2.0 **Financial Details**

2.1 **Personal banking details**

Any held personal banking details must be securely stored electronically, and original forms must be stored in a locked cabinet.

2.2 **Credit/Debit Card Details**

Any held Credit/Debit Card details must be securely stored electronically, and original forms must be stored in a locked cabinet.

2.3 **Salary Information**

- 2.3.1 Any salary information stored electronically must be password protected.
- 2.3.2 Any printed personal bank details and salary information must be kept confidential and working documents must be locked away in a filing cabinet.

3.0 **Website and Social Platforms**

Any data collected by YMCA Edinburgh through their website or social media platforms must always be given the opportunity to unsubscribe themselves from any messaging when they receive a communication.

4.0 **Archiving**

- 4.1 Any financial information and fundraising information must be boxed and archived securely with a date marked for destruction.
- 4.2 Any held Gift Aid forms must be securely stored for life.

5.0 **Management and Review of Data Protection Guide**

- 5.1 The management of the Data Protection Guide will be conducted by the Data Protection Officer who has responsibility for data received and stored within YMCA Edinburgh.
- 5.2 This guide will be reviewed on a yearly basis at the beginning of the new financial year, with systems and procedures checks conducted and recommendations made for changes and updating.
- 5.3 Any suspected breach of security or loss of data must be reported immediately to the Data Protection Officer who will conduct a full investigation.






Data Protection Policy 2024

Final Audit Report

2024-10-03

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