

Data Protection Policy

**AUGUSTINIAN PROVINCE OF
ENGLAND AND SCOTLAND**

December 2018

Forward:

The Augustinian Province of England and Scotland has an ethical responsibility to maintain the highest standards of confidentiality in the safeguarding of information about its members, staff members and those individuals, donors, agencies and others that interact with the Province.

Information collection is essential to us fulfilling our duties. Data Protection legislation seeks to give people control of their own personal information and so it confers certain obligations on the Province in relation to how personal information is collected and used. The legislation was originally introduced to protect individual's personal information from misuse by automated means. This has since been extended to include processing of manual data.

The General Data Protection Regulations (GDPR) 2018, play a significant role in how we process Personal Data. The aim of this policy is to ensure that each member, staff member and others with whom the Province interacts, has an understanding of the concepts of Data Protection and is aware of their own responsibilities in relation to the Order's overall compliance with the Acts.

Robert Marsh OSA

Provincial

Introduction

The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of The Augustinian Province of England and Scotland. This includes obligations in dealing with Personal Data, to ensure that the Province complies with the requirements of relevant General Data Protection Regulations (GDPR) (2018).

Rationale

The Augustinian Province of England and Scotland must comply with the Data Protection principles set out in the relevant legislation. This Policy applies to all Personal Data collected, processed and stored by the Province in relation to its members, staff members, service providers, donors and those individuals, agencies and others with whom they interact in the course of their activities. The Province makes no distinction between the rights of Data Subjects who are employees, and those who are not. All are treated equally under this Policy.

Scope

The policy covers both personal and sensitive Personal Data held in relation to data subjects by the Province. The policy applies equally to personal data held in manual and automated form. All Personal and Sensitive Personal Data will be treated with equal care by the Province. Both categories will be equally referred to as Personal Data in this policy, unless specifically stated otherwise.

The Augustinian Province of England and Scotland as a Data Controller

In the course of its daily organisational activities, the Augustinian Province of England and Scotland acquires, processes and stores Personal Data in relation to:

- Friar members of the Order.
- Employees of the Province
- Third party service providers engaged by The Province
- Donors
- Volunteers

In accordance with the General Data Protection Regulations (GDPR), this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, the Augustinians are committed to ensuring that its staff have sufficient awareness of the legislation in order to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, staff must inform the Provincial Office so that appropriate corrective action can be taken. Due to the nature of the services and activities of The Augustinian Province of England and Scotland, there is regular and active exchange of Personal Data between the Province and its Data Subjects. In addition, the Province exchanges Personal Data with Data Processors on the Data Subjects' behalf. This is consistent with the Provinces obligations under the terms of its contract with its Data Processors. This policy provides the guidelines for this exchange of information, as well as the procedure to follow in the event that an employee of the Province is unsure whether such data can be disclosed. If in doubt, staff should consult with the Provincial Office to seek clarification.

The Data Protection Principles

In its capacity as Data Controller, the Province ensures that all data shall:

1. ... *be obtained and processed fairly and lawfully.*

For data to be obtained fairly, the data subject will, at the time of collection, be made aware of:

- The identity of the Data Controller (Augustinian Province of England and Scotland)
- The purpose(s) for which the data is being collected
- The person(s) to whom the data may be disclosed by the Data Controller
- Any other information that is necessary so that the processing may be fair.

Augustinian Province of England and Scotland will meet this obligation in the following way.

- Where possible, the informed consent of the Data Subject will be sought before their data is processed;
- Where it is not possible to seek consent, Augustinian Province of England and Scotland will ensure that collection of the data is justified under one of the other lawful processing conditions – legal obligation, contractual necessity, etc.;
- Where Augustinian Province of England and Scotland intends to record activity on CCTV or video, a Fair Processing Notice will be posted in full view. The use of CCTV is for security purposes only and will not be used to monitor the work of employees or volunteers.
- Fair Processing Notices of Web Streaming will be posted in full view. Cameras are pointed at the Altar, away from the congregation.
- Processing of personal data will be carried out only as part of Augustinian Province of England and Scotland's lawful activities, and the Province will safeguard the rights and freedoms of the Data Subject;
- The Data Subject's data will not be disclosed to a third party other than to a party contracted to the Augustinian Province of England and Scotland and operating on its behalf.

2. *be obtained only for one or more specified, legitimate purposes.*

The Augustinian Province of England and Scotland will obtain data for purposes which are specific, lawful and clearly stated. A Data Subject will have the right to question the purpose(s) for which the Augustinian Province of England and Scotland holds their data, and the Province will be able to clearly state that purpose or purposes.

3. *not be further processed in a manner incompatible with the specified purpose(s).*

Any use of the data by the Augustinian Province of England and Scotland will be compatible with the purposes for which the data was acquired.

4. *be kept safe and secure.*

The Augustinian Province of England and Scotland will employ high standards of security in order to protect the personal data under its care. Appropriate security measures will be taken to protect against unauthorized access to, or alteration, destruction or disclosure of any personal data either manual or electronic held by The Province in its capacity as Data Controller. Access to and management of personal data is limited to those who have appropriate authorization and password access. Administration staff are asked to keep emails and computer files password protected and with limited access.

5. ... *be kept accurate, complete and up-to-date where necessary.*

The Augustinian Province of England and Scotland will:

- ensure that administrative and IT validation processes are in place to conduct regular assessments of data accuracy;
- conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to-date. The Province conducts a review of sample data annually to ensure accuracy; Staff contact details and details on next-of-kin are reviewed and updated every two years.
- conduct regular assessments in order to establish the need to keep certain Personal Data.

6. ... be adequate, relevant and not excessive in relation to the purpose(s) for which the data were collected and processed.

The Augustinian Province of England and Scotland will ensure that the data it processes in relation to Data Subjects are relevant to the purposes for which those data are collected. Data which are not relevant to such processing will not be acquired or maintained.

7. ... not be kept for longer than is necessary to satisfy the specified purpose(s).

The Augustinian Province of England and Scotland has identified an extensive matrix of data categories, with reference to the appropriate data retention period for each category. The matrix applies to data in both a manual and automated format. Once the respective retention period has elapsed, The Augustinian Province of England and Scotland undertakes to destroy, erase or otherwise put this data beyond use.

8. ... be managed and stored in such a manner that, in the event a Data Subject submits a valid Subject Access Request seeking a copy of their Personal Data, this data can be readily retrieved and provided to them.

The Augustinian Province of England and Scotland has implemented a Subject Access Request procedure to manage requests in an efficient and timely manner, within the timelines stipulated in the legislation. (30 days on receipt of application - GDPR 2018)

Data Subject Access Requests

As part of the day-to-day operation of the organisation, Augustinian Province of England and Scotland's staff engage in active and regular exchanges of information with Data Subjects. Where a formal request is submitted in writing by a Data Subject in relation to the data held by the Province, such a request gives rise to access rights in favour of the Data Subject.

There are specific time-lines within which the Province must respond to the Data Subject, depending on the nature and extent of the request.

The Province's staff will ensure that, where necessary, such requests are processed as quickly and efficiently as possible, but within not more than 30 days from receipt of the request.

Appendix 1 – Data Subject Access Request Form

Appendix 2 – Retention Schedules (Augustinian Province of England and Scotland)

APPENDIX 1

DATA SUBJECT ACCESS REQUEST FORM

Full Name: _____

Address: _____

Telephone: _____

Email: _____

Are you the Data Subject?

If YES; please supply evidence of your identity, i.e., something bearing your signature such as a copy of driving licence or passport.

If NO, and you are acting on behalf of the Data Subject, please provide us with their written authority.

Please provide us with their...

Full Name: _____

Address: _____

Telephone: _____

Email: _____

Please describe your relationship with the data subject that leads you to make this request for information on their behalf Please describe the information you seek together with any other relevant information. This will help to identify the information you require

DECLARATION: To be completed by all applicants. Please note that any attempt to mislead may result in prosecution.

I..... certify that the information given on this application form to the Augustinian Province of Engalnd and Scotland is true. I understand that it is necessary for the Province to confirm my/the data subject's identity and it may be necessary to obtain more detailed information in order to locate the correct Personal Data.

Signature: _____

Date: _____

A response to an Access Request will be supplied to the individual within 30 days of receiving the request. Please return the completed form to...

Provincial Office,
Austin Friars
15 Dorville Crescent
London
W6 0HH

Documents which must accompany this application include...

- Evidence of your identity
- Evidence of the data subject's identity (if different from above)
- Authorisation from the data subject to act on their behalf (if applicable) Please include a stamped addressed envelope for return of proof of identity

Records Retention Guide 2018:

Current Records (in office)

General Administration	1 year approx.. then send to storage
Accounts/Finance	1 year approx.. then send to storage

Non-Current Records (storage)

General Administration	3 years then either dispose, or, if historically interesting, send to archives
Accounts/Finance	7 years then dispose or send to archives
Human Resources	1 year for unsolicited applications 1 year post termination 2 years applications and interviews 3 years hours/annual leave 5 years work permit 7 years pay records (see accounts/finance) 8 years carers leave/parental leave etc.
Police Vetting	4 Years – (Duration of Vetting Process)
Safeguarding	Files relating to Criminal Investigations have no retention schedule and are retained on a permanent basis.