



Lingfield United Trust

Data Protection Policy

Introduction:

The purpose of this policy is to enable the **Lingfield United Trust (LUT)** to comply with the law (The GDPR and DPA 2018) in respect of the data it holds about individuals.

Lingfield United Trust (LUT) will ensure that the information the charity holds about its trustees, residents, beneficiaries, clerk etc. is used in accordance with the law. LUT will only collect and use personal data in compliance with this Policy and the Rules set out below.

LUT will:

- follow good practice
- protect residents, trustees, staff, volunteers and other individuals by respecting their rights
- demonstrate an open and honest approach to personal data and
- protect LUT from the consequences of a breach of its responsibilities.

This policy applies to all the information that we control and process relating to identifiable, living individuals including contact details, test and exam results, bank details, photographs, audio and digital recording.

LUT will comply with General Data Protection Regulations 2018 as follows:

1. **Transparency:** LUT will be open and transparent in the way personal data is used and shared. There may be limited circumstances where LUT does not have to comply with the transparency requirement but in such instances LUT will obtain further advice from the ICO. Individuals will be provided with information about how their personal data is collected and stored.
2. **Collecting and Using Personal Data for Lawful purpose only.** LUT will only collect and use the minimum amount of personal data if relevant for the purpose of the charity and where LUT can rely on a lawful basis (or bases) and where the purposes have been identified in a privacy notice provided to individuals, for example in LUT's application form. When collecting personal data from individuals LUT will ensure that the individuals are aware of the purposes for which the personal data will be used.

In addition, when collecting personal data, LUT will only collect those details which are necessary for the purposes for which that personal data is being obtained. Any use of personal data will be for the identified purposes and any different or new purposes will have a lawful basis. Personal data that is not necessary for any legitimate business purpose will not be collected or accessed.

LUT has identified that the charity has a legitimate interest in keeping personal data about residents as trustees must be satisfied that each resident qualifies as a beneficiary of LUT in accordance with the Governing Document (Memorandum of Association dated 1.10.2012).

LUT considers the processing and storing of such personal data is necessary to comply with the Governing Document. All personal data, including details of residents' next of kin, will be stored securely, data on computer will be password protected, and paper copies of data will be kept securely. Only the trustees & clerk will have access to personal data.

3. **Privacy Impact Assessments and Privacy by Design.** The trustees consider that the use of personal data is unlikely to result in significant risks for the rights and freedoms of individuals and therefore a Privacy Impact assessment is not necessary. LUT will ensure that systems, databases and tools that collect and use personal data are designed to promote privacy protection.
4. **Ensuring data quality.** Processing inaccurate information can be harmful to individuals and LUT. The main way of ensuring that personal data is kept accurate and up to date is by ensuring that the sources the charity uses to obtain personal data are reliable. Individuals will be actively encouraged to inform the charity should their personal data change.

To ensure that personal data is accurate, it will generally be collected directly from individuals. All residents will be actively encouraged to update their contact details by notifying LUT of any changes in their personal data outlined in the residents handbook.

5. **Retaining and disposing of data.** Any personal data must only be kept where there is a business or legal need to do so. When the charity disposes of personal data, this will be undertaken in a secure manner.

Documents (including paper and electronic versions and email) containing personal data will not be kept indefinitely and will always be securely deleted and destroyed once they have become obsolete or when that personal data is no longer required.

The following is an example of good practice: Paper based documents will be shredded on site or disposed of externally as confidential waste. Electronic data will be deleted from all drives and electronic media. Should the clerk or trustees no longer serve LUT, all data will be deleted from their personal devices i.e. phones & Pc's.

Personal data will not be retained simply on the basis that it might come in useful one day without any clear view of when or why.

The charity's data retention policy is:

The Charity will not keep personal data for longer than is necessary. This means that:

- *a resident's file will be completely destroyed after three years of the resident leaving or passing away*
- *records of complaints/investigations concerning residents will be destroyed six years after the resident leaves or passes away*
- *application forms for unsuccessful applicants will be destroyed three years after the date of application.*

- *trustees will destroy and delete all charity documents held within their own records within twelve months after receipt, including all computer data and paper copies*
- *trustee's personal files will be destroyed one year after ceasing to be a trustee*
- *clerk personal files will be destroyed 6 years after honorarium ceases.*

6. **Honouring Individuals' rights.** LUT 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.

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

Where LUT 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.

7. **Taking appropriate security measures.** Personal data will be kept secure. Technical, organisational, physical and administrative security measures (both computer system and non-computer system related steps) are necessary to prevent the unauthorised or unlawful processing or disclosure of personal data, and the accidental loss, destruction of, or damage to personal data.

LUT will monitor the level of security applied to personal data and consider current standards and practices. As a minimum the charity will ensure that:

- Personal files for residents, trustees, and clerk are kept securely at all times with access only by authorised staff.
- Applications for accommodation are kept securely at all times with access only by authorised persons.
- Trustee's details are kept securely with access only by the clerk.
- Electronic files containing personal data are password protected, and passwords will be changed as appropriate.
- Backed up electronic data is held securely on an alternative site or when off-site it is encrypted, password protected and will only be accessed by the clerk.
- If any personal data is taken from the office (e.g. to work at home) the personal data will be held securely at all times whilst in transit and at the location where held.

Any suspicion of any data security breach should be reported immediately to the chairperson(s) or clerk. When LUT becomes aware of a breach, protective measures will be taken to effectively mitigate the consequences of the breach.

8. **Using Subcontractors and Vendors.** Under EU data protection law, where a provider of a service has access to personal data (e.g. as a payroll provider) the charity will impose strict contractual obligations dealing with the purposes and ways personal data

may be used and the data security of that information. These are third parties who act as processors (i.e. only holding the personal data according to the charity's instructions) and this will include telecare companies that provide services to the charity (Housing Benefit and Government offices are not vendors).

9. **Disclosure to Third parties.** At times, LUT may disclose personal data to vendors, contractors, service providers and other selected third parties provided written consent and agreement has been given.

In certain circumstances, LUT may be required to disclose personal data to third parties when required by law, when necessary to protect LUT's legal rights, or in an emergency situation where the health or security of an individual is endangered or with the consent or request of an individual. Prior to such disclosures, LUT 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.

10. **Collecting Children's Data.** Data pertaining to children will only be collected when strictly necessary, for example where LUT appoints families and needs to record ages of children. The charity will only collect a minimum amount of data about children as is necessary for the charity's purpose. Trustees are aware that children's data is considered more sensitive and will be protected accordingly.

11. **Data Storage and processing:**

LUT recognises that data is held about:

- residents
- trustees
- clerk

This information is always stored securely, and access is restricted to those who have a legitimate need to know. We are committed to ensuring that those about whom we store data understand how and why we keep that data and who may have access to it. We do not transfer data to third parties without the express consent of the individual concerned.

Archived records are stored securely, and the charity has clear guidelines for the retention of information as set out in Point 5 above.

12. **Rights of individuals**

All individuals who come into contact with LUT have the following rights under the DPA:

- a right of access to a copy of their personal data
- a right to object to processing that is likely to cause or is causing damage or distress
- a right to prevent processing for direct marketing
- a right to object to decisions being taken by automated means
- a right, in certain circumstances, to have inaccurate personal data rectified, blocked, erased or destroyed and
- a right to claim compensation for damages caused by a breach of the DPA.

The trustees recognise their overall responsibility for ensuring that the charity complies with its legal obligations. The trustees (Data Protection Officers) are responsible as follows:

13. Roles and Responsibilities:

All trustees and the clerk are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their roles.

Significant breaches of these policies will be investigated by 2 allocated LUT trustees.

14. Subject Access Requests

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, ('SAR') to the clerk. The request must be made in writing, and the individual must satisfy the clerk of their identity before receiving access to any information.

A SAR must be answered within 30 calendar days of receipt by the charity.

15. Key Risks to the safety of data control and process.

The Trustees will review LUT's procedures regularly, ensuring that LUT's records remain accurate and consistent.

16. Collecting and using personal data

LUT typically collects and uses personal data in connection with the provision of objects of the charity. The charity collects personal data mainly in the following ways:

- *applicants for accommodation and grants*
- *by asking residents to give the clerk and trustees information verbally*
- *by asking individuals or couples applying for grants to complete paper forms*
- *by asking local organisations applying for grants to complete paper forms*

LUT will:

- not use any of the personal data it collects in ways that have unjustified adverse effects on the individuals concerned
- be transparent about how it intends to use the data and give individuals appropriate privacy notices when collecting their personal data
- handle people's personal data only in ways they would reasonably expect
- not do anything unlawful with the data.

17. Keeping Data Secure

LUT will take all appropriate measures to prevent unauthorised or unlawful processing of personal data and to protect personal data against loss, damage or destruction. This means that:

- *personal files for residents, trustees, clerk and applications for accommodation will be kept securely at all times with access only by the clerk & trustees*

- trustees' details will be kept securely and accessed only by the clerk and Chairperson(s)
- electronic files containing personal data will be password protected, and passwords will be changed as needed

18. More information:

Full information about the Data Protection Act, its principles and definitions can be found at www.ico.org.uk

This Policy has been approved for issue by the board of trustees of Lingfield United Trust and was adapted from the AA TAA/POL/DATAPROT v5 model document of June 2020.

Signature: Gill Williams

Signature: [Signature]

Joint Chair: GILL WILLIAMS

Joint Chair: RICHARD YOUNG

Date: 23rd September 2025

Review date: July 2026