Data Controller documentation

**Individual’s rights**

**The right to be informed including privacy notices (2.1)**

Individuals need to know that their data is being collected, why it is processed and who it is shared with. This will be included in the Privacy Notice.

We must tell people of the existence of our Privacy Notice when we collect their data. We must actively provide privacy information. If it is on the website, we must make people aware of it and give them an easy way to access it.

We tell people about our Privacy Notice on our consent forms and on our membership form. One these forms, we say that a printed version of the Privacy Notice is available on request.

**right of access (2.3)**

Individuals have a right to obtain confirmation that their data is being processed and what data we hold. We have one calendar month to process a request for access to an individual’s data. We must take reasonable steps to identify the person.

From our data model, the data that we hold for members could consist of:-

General data: Name, address, email, phone number, date of birth, pictures
Financial data: gifts, S.O.s

From our data model, the data that we hold for employees could consist of:-

Name, address, date of birth, NI number, payment details, personnel file details

From our data model, the data that we hold for hall lettings could consist of:-

 Contact name, email address

From our data model, the data that we hold for children could consist of:-

 Child’s full name and health/allergy information, guardian’s first name, phone number and email address
 and photos of the child

**ensure that personal data remains accurate and up to date (2.4)**

We must correct any data that we hold and which is erroneous, again within one calendar month. We must verify the identity of the person making the request, using “reasonable means”.

We should regularly review the information we process or store to identify when we need to take action, eg correct inaccurate records. Records management policies, with rules for creating and keeping records (including emails) can help.

Conducting regular data quality reviews of systems and manual records we hold will help to ensure the information continues to be adequate for the purposes we are processing for.

**securely dispose of personal data no longer required or when asked to erase it (2.5)**

Individuals have the right to be forgotten and can request the erasure of their data when:

* it is no longer necessary in relation to the purpose for which it was originally collected/processed;
* the individual withdraws consent;
* the individual objects to the processing and there is no overriding legitimate interest for continuing the processing;
* it was unlawfully processed (ie otherwise in breach of the GDPR);
* it has to be erased in order to comply with a legal obligation; or
* it is processed in relation to the offer of information society services to a child.

We must verify the identity of the person making the request, using “reasonable means”. Again, we must do this within one calendar month.

We may refuse to comply when:

* to exercise the right of freedom of expression and information;
* to comply with a legal obligation for the performance of a public interest task or exercise of official authority;
* for public health purposes in the public interest;
* archiving purposes in the public interest, scientific research historical research or statistical purposes; or
* the exercise or defence of legal claims.

We should have a retention policy to remind us when to dispose of data and a retention schedule. The retention policy should be regularly reviewed.

**restrict the processing of personal data when requested (2.6)**

Individuals have a right to restrict the processing of their data. We must verify the identity of the person making the request, using “reasonable means”.

When processing is restricted, we are permitted to store the personal data, but not further process it. We can retain just enough information about the individual to ensure that the restriction is respected in the future. As a matter of good practice, we should consider restricting the processing of personal data if:

* an individual contests the accuracy of the personal data, we should restrict the processing until we have verified the accuracy of the personal data.
* an individual has objected to the processing (where it was necessary for the performance of a public interest task or purpose of legitimate interests), and we are considering whether our businesses legitimate grounds override those of the individual.
* processing is unlawful and the individual opposes erasure and requests restriction instead.
* we no longer need the personal data but the individual requires the data to be retained to allow them to establish, exercise or defend a legal claim.

We may need to review procedures to ensure we are able to determine if we need to restrict the processing of personal data.

We must inform individuals when we decide to lift a restriction on processing.

**handling an** **objection to the processing of personal data (2.8)**

Individuals have a right to object to the processing of their personal data in certain circumstances. Whether it applies depends on our purposes for processing and our lawful basis for processing. We must inform individuals of their right to object “at the point of first communication” and present it separately from other information on rights clearly laid out in our privacy notice. Individuals can object verbally or in writing.

We must verify the identity of the person making the request, using “reasonable means”. We must respond within one calendar month.

If the right to object does apply, it is not always absolute. Whether it is an absolute right depends on our purposes for processing the data.

Individuals can object, on ‘grounds relating to his or her particular situation’ to processing (including profiling) based on:

* our legitimate interests;
* the performance of a task in the public interest; or
* exercise of official authority.

In these circumstances the right to object is not absolute. We must stop processing the personal data unless:

* we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
* the processing is for the establishment, exercise or defence of legal claims.

If we are processing personal data for the purposes of scientific/historical research purposes or statistical purposes the right to object is more restricted and does not apply if the processing is necessary for the performance of a task carried out for reasons of public interest.