Fair Futures CIC Data Protection Policy and Procedures

Policy Statement

Fair Futures CIC recognises the importance of the correct and lawful treatment of personal data. Personal data is about living individuals that enables them to be identified such as name and address. Sensitive data refers specifically to data about race, ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life or sexual orientation.

This policy explains what data we keep and why, and how we make sure this information is kept safe and is as accurate as possible. It also provides guidelines on individuals' rights to see their data and the circumstances under which we may disclose data to others. This applies to all personal data that we process regardless of the way that information is stored (e.g. on paper, electronically or by other means including email, minutes of meetings and photographs).

Legal Requirements

The use of personal data is governed by the Data Protection Act 2018, the UK legislation that provides a framework for responsible behavior by those using personal information. This is the UK's implementation of the General Data Protection Regulation (GDPR). The Information Commissioner's Office (ICO) is responsible for implementing and overseeing the Data Protection Act 2018.

Fair Futures CIC is required to maintain certain personal data about individuals in order to carry out our work and legal obligations.

Fair Futures CIC is the data controller for the information it collects and holds.

Fair Futures CIC is currently not legally required to have a Data Protection Officer. However, a data protection lead has been identified and the person responsible for ensuring that Fair Futures CIC follows its data protection policy and complies with legislation is: Melanie Griffin

Fair Futures CIC is required to register with the Information Commissioner's Office. The current certificate expires on 14 December 2026. A copy of the certificate can be found here: https://www.fairfuturescic.org/information-and-downloads

Aim and Scope of the Policy

The aim of this policy is to ensure that anyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures.

All those involved in Fair Futures CIC, who have access to personal information, will be expected to read and comply with this policy. Induction training will be provided for relevant staff. Individuals are personally responsible for processing and using personal information in accordance with the current legislation. Processing means collecting, amending, handling, storing or disclosing personal information.

Non-compliance or deliberate unauthorised disclosure of personal data may result in disciplinary action for staff or termination of volunteering agreement for volunteers, personal fines and potentially imprisonment. The directors are accountable for compliance of this policy and could be personally liable for a penalty arising from a breach they made.

This policy will be distributed to all staff and volunteers and will be included in induction packs for all new staff and volunteers and made available to relevant partners and stakeholders.

1. Principles of Data Protection

There are seven key principles of data protection. Compliance with the spirit of these principles is the foundation of good data protection practice. Fair Futures CIC fully endorses and adheres to these principles. Personal data we hold must be:

- Processed **lawfully, fairly** and in a **transparent** manner
- Collected only for legitimate purposes that have been clearly explained and not further processed in a way that is incompatible with these purposes (**purpose limitation**)
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed **(data minimisation**)
- **Accurate** and, where necessary kept up-to-date
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed (**storage limitation)**
- Processed with integrity and confidentiality in a way that ensures appropriate **security** of the personal data
- Accountable, to those we hold data on and our stakeholders.

2. Data Collection

When collecting data, Fair Futures CIC will ensure that the individual:

a. Clearly understands why the information is needed;
b. Understands what it will be used for and what the consequences are should they decide not to accept;
c. Is, as far as reasonably practicable, competent enough to understand what processing would require;
d. Where necessary (for example, for special category data), grants explicit consent, either written or verbal for data to be processed;
e. Has received sufficient information on why their data is needed and how it will be used. Details about the kind of information we collect, how we store it and how long we keep it for can be found in our privacy notice here: https://www.fairfuturescic.org/information-and-downloads

3. Data storage, retention and disposal

Information and records relating to service users, staff and volunteers will be stored securely and will only be accessible to authorised staff and volunteers. Information will be stored for only as long as it is needed or required by law and will be disposed of appropriately.

The retention schedule for data kept by Fair Futures CIC is as follows:

Data type	Location and security	Method of disposal and length of storage	Reason
Emails	Securely in Fair Futures CIC Outlook	deletion after 12 months	business need
Mailing List	Fair Futures CIC secure database	deletion if opted out and data cleansed every 2 years	business need
Online surveys	Database and SurveyMonkey	Deleted after analysis	business need
Accident book	Locked filing cabinet	Shredding at 3 years from date of last entry (or, if involves child/ young adult, until they reach 21 years old)	RIDDOR statutory regulation
Directors' meeting Minutes	Electronically on password protected Fair Futures CIC directors' area	Kept for at least 10 years and deleted only when no longer required.	Legal compliance and business need

	on Microsoft Teams		
Training and Event Registers	secure database or paper sign-in sheets	Deleted from system after 12 months and paper shredded daily	business need
Registration forms and information	secure database or paper forms	Deleted from system after 6 months beyond the end of the related project and paper shredded daily	business need
Service user progress data	secure database	Deleted from system after 6 months beyond the end of the related project	business need
Recruitment and employment information	secure database	Application information deleted from system after 12 months.	Business need

4. Data Accuracy

Fair Futures CIC will take reasonable steps to keep data accurate and up to date, such as:

- Only hold data where necessary to limit errors
- Discourage staff/volunteers from establishing unnecessary additional data sets
- Ask data subjects whether there have been any changes to their information
- Investigate and act upon notifications of inaccuracies
- Correct or delete data shown to be inaccurate
- Review and re-design the database system where necessary to encourage and facilitate the entry of accurate data

5. Data Security

Fair Futures CIC will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The measures taken include:

- Personal Data on paper will be kept in locked filing cabinets with access restricted to those who are authorised
- Password protection on personal information files
- Restricted access to computer files and systems
- Data, including personal data, is backed up daily and information kept off site

- Encrypted attachments for sensitive personal information sent by email

It is Fair Futures CIC's responsibility to ensure all personal data is non-recoverable from a computer system passed on/sold to a third party that was previously used within the organisation. Any physical destruction of data will be undertaken in line with contractual obligations and any relevant British Standard.

Individual Rights

The GDPR provides the following rights for individuals:

- **The right to be informed.** Organisations processing personal information must provide fair information and be transparent over how they use personal data. This can be found in our Privacy Notice https://www.fairfuturescic.org/information-and-downloads .
- **The right of access.** Individuals can request access to data held about them, known as Subject Access. The request can be made verbally or in writing, via any format including social media, to any Fair Futures CIC representative. The words 'subject access' are not needed for the request to be valid. Any such request should be reported to the data protection lead who will log it in the personal data request log. Individuals can only access to their own data (or provide evidence they are legitimately acting on another person's behalf). Fair Futures CIC will respond to requests within one month. Information will be provided for free unless requests are overly excessive or repetitive, in which case an admin fee may be charged.
- **The right to rectification.** Personal data can be corrected if it is inaccurate or incomplete.
- **The right to erasure.** This right allows an individual to be 'forgotten' by requesting the deletion or removal of personal information where there is no compelling reason for its continued processing.
- **The right to restrict processing.** Individuals have a right to block or suppress the processing of personal data, for example if they contest its accuracy and are seeking verification, or where the organisation no longer needs the data, but the individual does, e.g. for a legal claim. The data can still be stored, but must not be used.

  The right to data portability. This gives individuals the right to obtain and reuse their personal data for their own purposes across different services. This only applies to data provided by the individual, based on consent or for performance of a contract and where processing is automated.

  The right to object. Individuals can object to direct marketing and processing. Fair Futures CIC gives service users choices about their marketing preferences and these preferences can be changed at any time.

  Rights in relation to automated decision making and profiling. At present Fair Futures CIC does not engage in this activity.

6. Subject Access Request

Under the Data Protection Act 2018 individuals have the right to access data held about them as well as the right to be 'forgotten' where there is no longer a compelling reason to continue processing.

A subject access request can be considered as any enquiry whether written (including email or webform) or verbal that asks for information you hold about the person

Individuals can only request access to their own data (or must provide evidence that they are legitimately acting on another person's behalf). Fair Futures CIC may request proof of identity to ensure this.

Fair Futures CIC may request further information on or clarification of the request.

Information mentioning other people will be redacted if reasonable to do but may not be shared unless reasonable to do so or unless consent can be obtained for the relevant individual.

Where requests are manifestly unfounded or excessive, in particular because they are repetitive, Fair Futures CIC may charge a fee or refuse to respond. However, individuals will receive a response to this effect and details of an appeals process.

Fair Futures CIC will respond to any formal request within a calendar month. If there is a delay in obtain the information requested, then the request shall still be acknowledged within this period with an explanation for the delay and an expected date of response.

Members of the public may request certain information from statutory bodies under the Freedom of Information Act 2000. The Act does not apply directly to Fair Futures CIC. However, if at any time we undertake the delivery of services under contracts with relevant statutory bodies we may be required to assist them to meet the Freedom of Information Act request where we hold information on their behalf.

In case of any requiring further information on this aspect of the policy please contact the Fair Futures CIC Data Protection Lead.

7. Disclosure and Data Sharing

Fair Futures CIC may need to share data with other agencies such as local authorities, funding bodies and other voluntary agencies as part of its work.

The Data Subject will be made aware in most circumstances how and with whom their information will be shared as part of the Privacy Notice process.

However, there are circumstances where the law allows Fair Futures CIC to disclose data (including sensitive data) without the data subject's knowledge. These include:

1. When required to by law – this may as simple as providing information to HMRC for tax purposes or if required by the police in relation to a crime.
2. Protecting vital interests of a Data Subject or other person – this includes safeguarding concerns where an individual may be at risk or in cases of medical emergencies.
3. The Data Subject has already made the information public.
4. When conducting any legal proceedings, obtaining legal advice or defending any legal rights.

8. Risk Management

The consequences of breaching Data Protection can cause harm or distress to individuals. Fair Futures CIC's data protection policy and procedures are designed to minimise the risks to individuals, and to ensure that the reputation of Fair Futures CIC is not damaged.

We make every effort to avoid data protection incidents, however, it is possible that mistakes will occur on occasions. Examples of how personal data incidents might occur include through loss or theft of data or equipment; ineffective access controls allowing unauthorised use; equipment failure; unauthorised disclosure (e.g. email sent to the incorrect recipient); human error; hacking attack.

In the event of a breach, Fair Futures CIC will promptly assess the risk to individuals concerned and if appropriate report this breach to the ICO. More information on when to report is available via the ICO website. If a report is required, Fair Futures CIC should notify the ICO as soon as possible, and not later than 72 hours after becoming aware of it.

Data Protection is everyone's responsibility. Staff, volunteers and service users are actively encouraged to report any incidents or concerns in order to improve both our data protection and services to users. If you know or suspect that a personal data breach has occurred, then you should immediately contact the Data Protection Lead, Melanie Griffin.

9. Further Information

You can find other relevant policies here: Cyber Security Policy, Acceptable Use Policy

More guidance on data protection for small to medium-sized organisations is available via the ICO web hub: https://ico.org.uk/for-organisations/sme-web-hub/

10. Review Log

Policy: Data Protection Policy and Procedures

Date first adopted: March 2021

Review Dates: March 2022, March 2023, September 2024, October 2025, October 2026

Date of review	Amendments/ Updates made	Reviewed and accepted (tick)	Proposed next review date
March 2022	Job applicants' privacy statement	✓	March 2023
March 2023	Revised Data Protection Policy and Procedures	✓	March 2024
September 2024	Policy updated with new ICO certificate date	✓	September 2025
October 2025	Policy updated with new ICO certificate date	✓	October 2026
October 2026	Policy updated with new ICO certificate date	✓	October 2027