

Data Protection Policy

1 Introduction

- 1.1 The purpose of the Data Protection Act UK (2018) is to protect the rights and privacy of individuals, and to ensure that data about them is not processed without their knowledge and is processed with their consent whenever possible. The Act covers personal data relating to living individuals and defines a category of sensitive personal data which is subject to more stringent conditions on their processing than other personal data.
- 1.2 The provisions of the General Data Protection Regulations (GDPR UK) in May 2018 introduced additional rights for data subjects, and responsibilities for data controllers and data processors. Breaches of the Data Protection Act 2018 can bring significant fines.
- 1.3 North Halifax Partnership (NHP) is registered as a data controller with the Information Commissioner's Office (ICO) under the provisions of the Data Protection Act UK 2018. Details of registration can be viewed at <https://ico.org.uk>.
- 1.4 NHP takes its responsibilities under the Act very seriously and is committed to ensure that service users, volunteers, supporters and staff are confident and comfortable with how we process, store, protect, and use personal information about them.
- 1.5 The following appendices give more specific details about the processes you must follow, and includes forms relevant to this policy.
 - The NHP Privacy Notice at Appendix 1 – Page 6-9
 - Subject Access Request Form Appendix 2 – Page 10-13
 - Subject Access Request Handover Form Appendix 3- Page 14
 - Subject Request to be Forgotten form Appendix 4 – Page 15-16
 - Employees Personnel information Appendix 5- Page 17 -18
 - Consent, Use and Storage of Images Guidance table Appendix 6 – Page 19
 - NHP Photo Consent Form Appendix 7 – Page 21
- 1.6 The forms at Appendix 2-4 are not to be used by staff except under the explicit instruction of the Data Protection Officer.
- 1.7 Only forms in this document should be used. All documents have been updated to meet legal requirements. Any queries should be directed to the Data Protection Officer.

2 Scope of this policy

- 2.1 “Personal data” means any information which can identify a person either directly or indirectly. Those identifiers include name, identification number, location data or online identifier. The Data Protection Act applies to the electronic and paper records held in structured filing systems containing personal data; meaning data which relates to living individuals who can be identified from the data. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

3 Responsibilities for data protection

- 3.1 All staff and volunteers including trustees have responsibility for data protection and must comply with this policy, associated privacy notices and any detailed working practices which are specific to their role. Individuals can be liable for breaches of the Data Protection Act. Failure to comply with this policy will be considered as a breach of the NHP Code of Conduct for staff and volunteers, or if applicable, the NHP Board Code of Conduct for trustees. This could lead to disciplinary action for staff, or in the case of a trustee they may be asked to resign from the NHP Board.
- 3.2 NHP shall ensure that personal data it holds is adequate, relevant and limited to what is necessary in relation to the purposes for which it is being processed.
- 3.3 The NHP designated Data Protection Officer is Diane Coenen, Business Support Manager. The Data Protection Officer’s role is overview and management of data protection across NHP services and liaison with Information Commissioner’s Office (ICO). That includes recording and – where appropriate– reporting of breaches of data protection.
- 3.4 The Chief Executive Officer is responsible for ensuring respectively that all staff and secondees are aware of their responsibilities under this policy.
- 3.5 Line managers and team leaders will support that process by:
- Informing staff of any new services, projects and processes involving the use of personal data, or of significant changes to existing ones.
 - Reporting all losses, thefts, or breaches of security involving the use of personal data to the Designated Data Protection Officer.
 - Participating in data protection audits as required.
- 3.6 NHP will ensure that:

- Personal data is stored securely using appropriate IT and/or physical resources that are maintained regularly.
- Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- When personal data is deleted, this should be done safely such that data is irrecoverable

4 Data Breach

- 4.1 All staff must refer the following to the Data Protection Officer immediately they are aware:
- 4.1.1. Any loss, theft, or breach of security involving the use of personal data
 - 4.1.2. Any Subject Access Request
 - 4.1.3. Any requests to cease processing of personal data
 - 4.1.4. Any request relating to the right to erasure (also known as the right to be forgotten)
 - 4.1.5. Any request relating to the right to correction
- 4.2 A data breach (4.1.1.) is any situation in which personal data **could have been** seen, heard, or read by someone who should not have access to that data; as well as a situation where personal data **has been** seen, heard, or read by someone who should not have access to that data.
- 4.3 In the absence of the Data Protection Officer, staff must refer to the CEO.

5 Keeping data safe and confidential waste

- 5.1 All documents and files which contain personal data are considered as confidential. They should be stored in locked cabinets if hard copy, and on secure electronic data with high levels of security including password protection.
- 5.2 Confidential waste must be disposed of by the most appropriate method, this could be confidential waste white bags or cross shredding which should be placed in the general recycle waste bins. Confidential waste is any paperwork including identifying factors to an individual / company/supplier. This includes membership forms, invoices, referral forms, letters, and job application forms.

6 Subject Access Request

- 6.1 Members of the public and employees have a right of access to personal information held about them. The legislation calls this a Subject Access Request.
- 6.2 The Subject Access Request (SAR) form is in **Appendix 2** Page 7 to 10. All SAR forms must be sent to Diane Coenen NHP Data Protection Officer.
- 6.3.1. The request must be answered in full within 30 days of the request.
- 6.3.2. See detailed ICO guidance for more detail – for example where a fee may be charged for requests which are manifestly unfounded or excessive.

7 Request to cease processing of personal data, right to erasure, and right to correction

- 7.1 The NHP privacy notice explains what these are and sets out how to contact Diane Coenen, NHP Data Protection Officer to exercise these rights (third and fourth page of the Privacy Notice).

8 Data Asset Register

- 8.1 NHP will maintain a data asset register which includes the categories of personal data we hold, how they are obtained, the lawful basis for processing the data and period of record retention. The separate register will also record any breaches of data protection.
- 8.2 In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the organisation shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO .

9 Privacy Notices

- 9.1 NHP will publish a generic NHP privacy notice - a public-facing document explaining how we collect, use process and protect personal data in all our activities, and setting out the rights of individuals. See **Appendix 1** for the generic NHP Privacy Notice.
- 9.2 In accordance with the Data protection act, all written requests for personal data will also include a privacy notice specific to the specific request including the following information:
- Who (NHP) is asking for the information?
 - What the information is for, and the lawful basis for processing it?
 - Whether the information will be shared with another organisation?

- How long the information will be kept for (retention)?
- The data subject's rights including right to complain to NHP's Data Protection Officer?

- 9.3 In addition to this general Privacy Notice, all forms which collect personal data should contain a privacy notice explaining how we will use the information we collect and informing the subject of their rights.
- 9.4 The NHP Privacy Notice for Staff, sets out specific provisions for staff and is issued to all employees when they join NHP.
- 9.5 All application forms for posts with NHP also include a privacy notice setting out how NHP will handle the respective data of successful and unsuccessful applicants.

10 Rights of data subjects

- 10.1 These are set out in full at **Appendix 1** (page 6-7). In accordance with the Data Protection Act:

- We will aim to answer Subject Access Requests (a request for the personal data we hold about an individual) within 30 days. This information will be provided free of charge, unless the request is manifestly unfounded or excessive, in which case we will charge a reasonable fee.
- We will aim to rectify any personal data – including that held by third parties within 30 days
- Unless there is a legal basis for processing, we will delete personal data on request within a month (“right to be forgotten”)
- Where an individual requests we restrict processing because they feel we are acting upon incorrect or inaccurate information, we will suspend personal data processing, investigate, and issue a written decision within 30 days

11 Detailed Working Practices and other policies directly linked to this policy

- 11.1 Records retention working practice
- 11.2 Information sharing working practice
- 11.3 Staff use of ICT policy
- 11.4 Remote working policy

North Halifax Partnership Privacy Notice

This notice explains how we collect and use your personal information.

North Halifax Partnership (NHP) is registered as a 'data controller' with the Information Commissioner's Office under the Data Protection Act. You can find out more about the Data Protection Act, and your legal rights at <https://ico.org.uk>

We collect and process your information in order to provide various services to you. These services range from providing a child with an early education and childcare place, to keeping you up to date with events in your local community by newsletter.

Personal information may be collected on paper or online forms, by phone, email or by a member of NHP staff.

We will only use your personal information for the purpose which we have stated when we collect that information, and we will not collect unnecessary information about you. We will ensure your personal data is held securely and is not seen by anyone who should not see it.

We will not keep your information longer than it is needed. In some cases, the law states how long personal information should be kept. We will dispose of paper records or delete any electronic personal information in a secure and confidential way.

In accordance with your **right to be informed** the forms we use to collect your personal information will include a Privacy Notice explaining:

- What the information is for, and the lawful basis for processing it
- Whether the information will be shared and with whom
- How long the information will be kept for (retention)
- Your rights including the right to complain to NHP's Data Protection Officer

We may not be able to provide you with a product or service unless we have enough information, or your permission to use that information.

We may need to pass your information to other people and organisations that work with us to provide local services. These providers are obliged to keep your details securely and use them only to provide the service to you or in accordance with our instructions. This sharing will always be done with your explicit consent and will be explained to you at the point of requesting our services.

Where we need to share sensitive or confidential information such as children's data, financial data or health information with third parties, we will do so only with your prior explicit consent, or where we are required by law to do so. We will endeavour to ensure

wherever possible that appropriate steps have been taken by the recipient to protect personal information that is shared.

We may share your information including sensitive or confidential information where it is necessary for the prevention or detection of crime or to prevent risk of harm to an individual.

Emails

Please note that unless encrypted, email messages sent via the internet may not be secure and they could be intercepted and read by someone else. Please bear this in mind when deciding whether to include personal or sensitive information in any email messages you intend to send. If you email us we may keep a record of your contact and your email address and the email for our record-keeping of the transaction. Contact the NHP Data Protection Officer if you are unsure about this.

Using our websites

If you are a user with general public access, the North Halifax Partnership website does not store or capture personal information, but merely logs a number called your IP address which is automatically recognised by the system.

The system will record personal information if you:

Subscribe to or apply for services that require personal information

Report a fault and give your details for us to respond

Contact us and leave your details for us to respond

Cookies

Cookies are small text files that 'remember' bits of information from your visit to a website. They make the interaction between you and the website faster and easier. Without cookies the website thinks you are a new visitor every time you move to a new page.

We also use them to collect anonymous statistics about how people use the site, and to help us to make it as easy for you to use as we can.

A cookie is stored on your computer or mobile device by a website's server. Only that server can retrieve or read the contents of that cookie. Each cookie is unique to your web browser. So if we put a cookie on your computer it cannot be read by any other website.

We use cookies to ensure that we give you the best experience on our website. If you continue without changing your cookie settings we assume that you are happy with our use of cookies. However, you can change your cookie settings at any time.

CCTV

We have installed CCTV systems in some of our premises used by members of the public, for the purposes of public and staff safety and crime prevention and detection. In all locations signs are displayed notifying you that CCTV is in operation.

We will only disclose CCTV images to others who intend to use the images for the purposes stated above or where disclosure is legally required or otherwise permitted under the Data Protection Act. CCTV images will not be released to the media for entertainment purposes or placed on the internet.

Images captured by CCTV will not be kept for longer than necessary. However, on occasions there may be a need to keep images for longer – for example where a crime is being investigated.

Rights for individuals under GDPR UK

The Data Protection Regulations includes the following rights:

The right to be informed. Every form for recording your personal data will include a Privacy Notice. The Privacy Notice explains why we need your personal data, where it will be stored, who it will be shared with, and the purpose of collecting it, the Data Protection Officer contact, your rights to object and how long the data will be kept for. Each Privacy Notice is different depending upon the data being collected. There is also a generic NHP Privacy notice (this document)

The right of access. This is your right to request sight of the information that NHP holds about you. Your Subject Access Request (SAR) will be dealt with by the NHP Data Protection Officer free of charge, within 30 days of us receiving your request. If your request is manifestly unfounded or excessive, we may charge a fee for providing it. Please contact info@nhpltd.org.uk or ring 01422 251090

The right to rectification. You have the right to request that we correct any incorrect or inaccurate information held on our systems, such as wrong addresses, incorrect spellings etc. Corrections must be carried out within a month of us being informed, including asking third parties to also amend their systems accordingly. Please contact info@nhpltd.org.uk or ring 01422 251090

The right to be forgotten (or right to erasure). If the purpose for processing the data is not a statutory one, or in other words doesn't have a legal basis, then you can request

that your information is withdrawn by withdrawing your consent for processing. As long as the data is not required for a legal or safeguarding purpose, you have the right for your entry to be deleted from our systems. Obviously an individual cannot be “forgotten” from the our systems to receive payments for services but for systems such as mailing lists, then you have the right to be forgotten and erased from the system.

You have the right to request that NHP stop processing your personal data where that processing is likely to cause substantial and unwarranted damage or distress. However, this may cause delays or prevent us delivering a service to you. Where possible we will seek to comply with your request, however there may be circumstances where this is not possible – for example if we are required to hold or process information to comply with a legal requirement. Please contact info@nhpltd.org.uk or ring 01422 251090

The right to restrict processing. This right applies if you feel that we are acting upon incorrect or inaccurate information. You have the right to request that we restrict processing while we look into the situation. This must be done and a decision made within a month. During this time no action or further processing can take place. Once a written decision is made and any inaccuracies documented and amended the processing can be re-commenced. Please contact info@nhpltd.org.uk or ring 01422 251090

The right to data portability. This only applies to personal data an individual has provided to a controller and where the processing is based on the individual’s consent or for the performance of a contract; and when processing is carried out by automated means.

The right to object. You can complain to the NHP Data Protection Officer if you feel that your data rights have been incorrectly handled or breached. Complaints about data protection should not be sent to the Councils complaints department but should be sent to info@nhpltd.org.uk or ring 01422 251090

The right not to be subject to automated decision-making including profiling. If NHP intends to use your data for profiling purposes or for automatic decision making you must provide explicit consent to process your data in this way. You can withdraw your consent at any time. In addition, you can request that a “human” make the decision and that the “automated” part is not utilised.

Changes to this privacy notice

We will continually review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with the changes in the law.

Further information

Complaints about data protection or enquiries about this Privacy Notice should be sent to:

Diane Coenen
NHP Data Protection Officer
North Halifax Partnership
Kevin Pearce Family Hub
Ovenden Road
Ovenden
Halifax
HX3 5RQ
info@nhpltd.org.uk

Tel 01422 251090

Appendix 2 Data Protection Policy

Data Protection Act 2018

Subject Access Request Form: Application for access to personal information

- All applicants must complete Sections 1, 2 and 7
- If you are applying on behalf of someone else, then they must complete section 4 and you will also need to complete section 3
- If you are under 13 years, then your parent/guardian should complete section 5
- If you are a parent applying for access on behalf of your child please complete section 6

Section 1- Details of the Data Subject (or applicant)			
Name of applicant:			
Address of applicant:			
Previous address if moved in last 3 years:			
Date of Birth:		Telephone Number (Day):	
		Evening:	
Section 2 - Details of the services you have used or received			
What service/s was used or received?:			
When did you use this service ?:			
Please tell us if there is specific information you wish to see:			
Section 3 – please complete this section if you are authorised to act on behalf of the applicant (the Agent)			
Declaration:			

1. *I have been authorised to act on behalf of [insert name of data subject]*
2. *I declare that I will not disclose any information that I am supplied with other than to [insert name of data subject], unless they give me their express permission*

Signed (Agent): Date.....

Section 4 - If an agent is acting on your behalf, then please complete the following

Declaration:
*I,[insert your name as data subject] authorise
 [insert name of the person or agent acting on your behalf] to seek access to personal information held by North Halifax Partnership. I declare that this authorisation is freely given.*
 Signed [data subject] Date

Section 5 - If you are under 13 years, a parent or guardian or social worker must certify that you fully understand the nature of this application and your application will then be considered:

Declaration:
I,.....[insert name of parent/guardian] of.....[insert address] certify that the applicant[insert name of data subject] who is under 18 years of age, understands the nature of this application for access to his/her/their personal information.
 Signed.....(parent/guardian/ social worker) Date:.....

Section 6 : If you are a parent applying for access on behalf of your child please complete the following and tick the relevant box

Please note that you must be able to establish that you are legally able to act on behalf of your child. This generally means that you must have parental responsibility for him or her or them. It should be noted that a parent can only be granted access to their child's records if this is considered to be in the child's interests. A child of 13 and over has the right to request a SAR in their own right, assuming that they have the capacity to understand what they are asking for. A parent cannot request a child's file on their behalf if the child is over 13.

Name of child:		Date of Birth:	
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Child's address:	
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Declaration: I, [insert name of parent] request access to records on behalf of my child, named above and: [tick as appropriate]

- The child is incapable of understanding the request and I am making the request on his/her/ their behalf
- The child has consented to my making this request on his/her/their behalf, and this consent was freely given

Signed (child) where consent is given Date:.....

Signed (parent)
..... Date.....

Section 7 :All applicants must sign and date the following

I wish to request access to personal information held by North Halifax Partnership about
.....[insert name of data subject]

In accordance with the Data Protection Act UK 2018, I understand that to ensure confidentiality it may be necessary for North Halifax Partnership to obtain further information to confirm my identity and to locate the information sought.

Signed: Date:

Please return this form to
The Data Protection Officer
North Halifax Partnership
Kevin Pearce Family Hub
Ovenden Road
Ovenden
Halifax
HX3 5RQ

Tel 01422251090

Email: info@nhpltd.org.uk

The Data Protection Officer may contact you for further information regarding the information required. Once the information has been collated you will be invited to inspect the information and at that time can request a copy.

When disclosing the information we will require proof of identity by production of a passport or photo card driving licence.

OFFICE USE ONLY

Internal Reference No:

Date received: ____ / ____ / ____

Confirmation of Action taken

Signed _____ Date _____

Appendix 3 Data Protection Policy

North Halifax Partnership Ltd, Kevin Pearce Family Hub, Ovenden Road,
Halifax, HX3 5RQ Tel: 01422 251090

Subject Access Request Handover Form

SECTION A To be completed by NHP Staff

Name of person 1 dealing with subject access request

Name of person 2 handing over subject access request

I confirm that I have seen the following identification that contains the name and address of the subject . (this should either be a driving licence or passport, if photo ID is not available then 2 forms of other ID should be seen that contains name and address):

Type of identification seen :.....

Date identification seen.....Date subject access request handed over.....

Signature of person 2

SECTION B : To be completed by the person collecting subject access request

I acknowledge receipt of my personal information as submitted on my subject access request.

Name

Signature

Date

SECTION C: Office Use

Date placed on file

Appendix 4 Data Protection Policy

North Halifax Partnership Ltd,
Kevin Pearce Family Hub,
Ovenden Road, Halifax, HX3 5RQ
Tel: 01422 251090

Right to Erasure (Right to be Forgotten) Request Form

I (insert name) request that any paper based and electronic data held about me and my family are erased under the right to erasure according to Data Protection Act UK 2018

Name of parent/carer

Name of child 1

Name of child 2

Name of child 3

Name of child 4

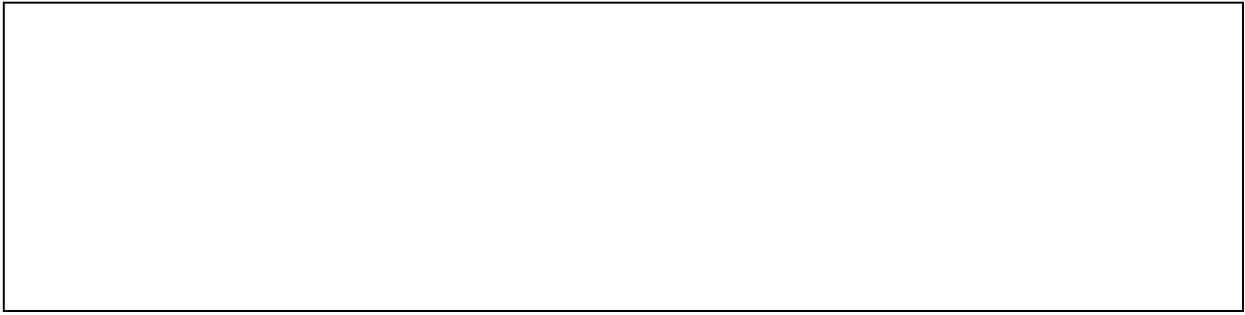
Postcode

Under the Data Protection Act UK 2018 a person can request the 'right to be forgotten', North Halifax Partnership (NHP) will aim to meet the need of these requests with the exception of where personal data is needed for legal or safeguarding purposes. If a person's data is needed for legal or safeguarding purposes we will inform the subject by letter which will also state the retention period the data will be held in line with NHP's retention of records policy.

Signed (parent/carer).....

Date

Please return this form to:



This form to be retained by the Data Protection Officer for future reference

Personal Data held on Staff

Each employee has two files:

1. A personnel file which contains all the information listed below
2. A one to one /supervision file

Information is also held on SafeHR Database

The personnel file should contain:

Emergency contact details	Contact details of at least one person we could get hold of in an emergency. <i>Note that employees are asked to confirm at annual paperwork checklist, that they have the contact's permission for NHP to hold their contact details</i>
Job Description	Job description for current job role. If employee has more than one job role then all job descriptions should be present
Contract	Signed and dated copy of employee's most recent contract and any amendment to contract letters
Sickness	Current financial year self-certification forms and sick notes (where employees are involved in a formal sickness review process then copies of all self-certification forms and sickness notes should also be kept with supervision files) Any letters sent to the employee regarding sickness and all formal sickness review minutes should be here
Letters and memos	Any letters sent to the employee relating to e.g. offer letter, maternity, compassionate leave, unpaid leave etc.
Payroll	Employee's basic details for payroll purposes
DBS	Employee's most recent DBS disclosure Note: this information should be destroyed once an employee leaves, rather than scanned

Application process	Copies of whole application process for employee; application form, health declaration form, interview score sheet any tasks and references (all other applicant information may be destroyed after one year)
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One to One/Supervision files:

All one to one and supervisions are held on SafeHR. Appraisal and annual reviews are held in SafeHR.

If an employee is in an informal or A formal review process notes of all sickness should also be kept within SafeHR files.

Staff will have access to their own supervision, one to one, review and appraisal notes.

Consent, Usage and Storage of Images

Process FAQs	Times and circumstances when images may be taken			
	Children in Nursery	Children/Parents /Carers at Family hubs	Any child or adult at any event, gathering or meeting organised by or with NHP	One off events and publicity /promotional photos and films
How is consent to take and use images gained?	Registration document includes section on photo consent	Register/signing in sheet for the activity includes check for specific consent to take photos	a) Where there is a Register/signing in sheet, it includes check for specific consent to take photos. b) Where there is no sheet, use photo consent form	Specific written permission <i>Photo consent form (for one-off events)</i> see Appx 4
Actions to comply with consent (and non-consent)	Up to date Photo consent list is kept in each nursery. Must be checked each time before any photo taken.	Photo- taker a) Checks register before taking picture. b) Also asks before taking picture and explains how the NHP family hub will use the pictures. Unless they have the written consent of all people in shot, photos will not be taken of large groups of people		Specific written permission <i>Photo consent form (for one-off events)</i> see Appx 4
Storage	<ul style="list-style-type: none"> Photos sub- Folder within the family hub/team's main folder. Use sub folders within the Photos sub folder to organise the images. 			<ul style="list-style-type: none"> Stored on shared drive Specific written permission should

	<ul style="list-style-type: none"> • Always delete images from cameras after downloading; and download as quickly as possible after taking the pictures. • Aim to download no more than 6 images per “photoshoot” and always give each image a descriptive filename eg <i>Boy with tea set KPFH March 2024</i> 	state how long the images will be kept for		
How long are images kept/used for?	6 months	6 months	6 months	Images will be refreshed when PR materials are updated. NHP will aim for a turnaround of images every 3 years



Photo Consent Form

Privacy Notice: How we use your personal data including images

North Halifax Partnership (NHP) is registered with the Information Commissioner's Office under the provisions of the Data Protection Act UK 2018. We take our responsibilities under the act very seriously. If you give consent to photographic images of your family, these will be used by us for the purpose of promoting services provided by North Halifax Partnership. The images may be used in print and digital media and may be shared with other organisations for the same purpose of promoting services provided by North Halifax Partnership.

Photographs and/or videos may be used in print and digital publicity materials, including the organisation's websites and social media channels. Once published, content may remain publicly accessible and cannot always be removed. Images will be stored securely for up to 6 months and may be retained for longer if they continue to support the organisation's promotional aims. All images will be reviewed regularly

For full details about your rights and our practice, please see our full Privacy Notice on our website:

<https://northhalifaxpartnership.org>

By signing the declaration below you give your explicit consent to the use of your personal data, as explained in this privacy notice.

Disclaimer

I the undersigned, consent to my photograph, and photographs of my family being taken by a representative of North Halifax Partnership.

Photographs and/or videos may be used in print and digital publicity materials, including the organisation's websites and social media channels. Once published, content may remain publicly accessible and cannot always be removed. Images will be stored securely for up to 6 months and may be retained for longer if they continue to support the organisation's promotional aims. All images will be reviewed regularly.

I understand that this material may be used by North Halifax Partnership both in print and digital media. Material may also be shared with other organisations for the purpose of promoting North Halifax Partnership, both in digital print and digital media; including the newsletter.

Name (please print clearly)

Childs Name

Please sign here

Date

Intellectual Property

I understand that any intellectual property, including copyright and image rights, which arise in the photograph(s) belongs to North Halifax Partnership.

I consent to this form being kept in a secure file by North Halifax Partnership for administration