

# The Soup Kitchen/Whitefield Charity SK Corporation (SK/WC) Data Protection Policy

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### 1. Notes

1.1 Data protection is related to individuals and personal or private information. It includes personal contact details and case records, advice, CVs, supervisions, referrals, etc.

1.2 The Soup Kitchen/Whitefield Charity SK Corporation will comply with the following Data Protection Principles.

- 1.2.1 Data must be processed fairly and lawfully, in accordance with GDPR.
- 1.2.2 Data must only be used for specified purposes.
- 1.2.3 Data must be adequate, relevant and not excessive.
- 1.2.4 Data must be accurate and up to date.
- 1.2.5 Data must not be kept longer than necessary.
- 1.2.6 Data must only be processed in accordance with the rights of Data Subjects.
- 1.2.7 Data must be held securely.
- 1.2.8 Data must not be transferred outside the European Economic Area without adequate protection.

## 1.2 Employees' Data Protection

1.2.1 The SK/WC is the data processor for the purposes of the *Data Protection Act* and accordingly will ensure that personal data about employees is obtained and retained only for specific and lawful purposes.

1.2.2 Colleagues (i.e., staff and volunteers) have the right to request copies of data that is held about them and to receive a copy of their personnel file excluding confidential references about them given by their previous employer. A charge of up to £10 may be levied by the employer for any request that is manifestly unfounded or excessive.

1.3 Any inaccuracies in data should be remedied as soon as possible.

## 2. General principles

2.1 The SK/WC recognises that colleagues (employees, volunteers and trustees) may gain information about individuals (each other and the project's guests) and organisations during the course of their work or activities. In most cases, such information will not be stated as confidential and colleagues may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance but if in doubt, seek advice from your line manager.

2.2 Colleagues are able to share information with their line manager in order to discuss issues and seek advice.

2.3 Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they come into contact at the Soup Kitchen.

2.4 Colleagues should avoid talking about organisations or individuals in social settings.

2.5 Colleagues will not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation.

2.6 There may be circumstances where colleagues would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem. The organisation's consent must be sought before discussing the situation unless the colleague is convinced beyond doubt that the organisation would not object to this. Alternatively, a discussion may take place with names or identifying information remaining confidential.

2.7 Where there is a legal duty (see point 5 below) on the SK/WC to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

### **3. Why information is held**

3.1 Most information held by the SK/WC relates to guests, volunteers, employees and trustees, or services that support or fund them.

3.2 Information is kept to enable SK/WC colleagues to understand the history and activities of colleagues and organisations in order to deliver the most appropriate services.

3.3 The SK/WC has a role in putting people in touch with voluntary and community organisations and keeps contact details which are passed on to any enquirer, except where the person, group or organisation expressly requests that the details remain confidential.

3.4 Information about volunteers and interns is only disclosed to colleagues in order to use human resources efficiently.

3.5 Information about students may also be given to their college/university's volunteers' department, but to no one else.

3.6 Information about the ethnicity and disability of individuals may be kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders. Information about disability is also required in case there is an emergency.

#### **4. Access to information**

- 4.1 Information is confidential to the SK/WC and may be passed to colleagues, line managers or trustees to ensure the best quality service for guests.
- 4.2 Where information is sensitive, i.e. it involves disputes or legal issues, it will be confidential to the employee dealing with the case and their line manager. Such information should be clearly labelled 'Confidential' and should state the names of the colleagues entitled to access the information and the name of the individual or group who may request access to the information.
- 4.3 Colleagues will not withhold information from their line manager unless it is purely personal.
- 4.4 Individuals may have sight of the SK/WC records held in their name or that of their organisation. The request must be in writing to the Director giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or Executive Officer. Sensitive information as outlined in para 3.2 will only be made available to the person or organisation named on the file.
- 4.5 Employees may have sight of their personnel records by giving 14 days' notice in writing to the Director.
- 4.6 When photocopying or working on confidential documents, colleagues must ensure they are not seen by people in passing. This also applies to information on computer screens.

#### **5. Storing information**

- 5.1 General, non-confidential information about organisations is kept in unlocked filing cabinets with open access to all colleagues.
- 5.2 Information about volunteers, students, guests and other individuals will be kept in locked filing cabinets or on a PC protected by password, by the colleague directly responsible. These colleagues must ensure line managers know how to gain access.

5.3 Employees' personnel information will be kept in locked filing cabinets by line managers and will be accessible to the Director.

5.4 Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'.

5.5 In an emergency situation, the Director may authorise access to files by other people.

5.6 Information is now collected online through deputy.com. The SK/WC collects personal data over the internet, and a 'Privacy Policy' is displayed on the deputy.com website, explaining how data collected is used.

## **6. Duty to disclose information**

6.1 There is a legal duty to disclose some information including:

6.1.1 Child abuse which will be reported to the Social Services Department.

6.1.2 Drug trafficking, money laundering, acts of terrorism or treason which will be disclosed to the police.

6.2 In addition, colleagues believing an illegal act has taken place, or that an individual is at risk of harming themselves or others, must report this to the Director who will report it to the appropriate authorities.

6.3 Individuals should be informed of these disclosures as soon as appropriate.

## **7. Breach of confidentiality**

7.1 Colleagues who are dissatisfied with the conduct or actions of other colleagues should raise this with their line manager using the grievance procedure, if necessary. They should not discuss their dissatisfaction outside the SK/WC.

7.2 Colleagues accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

<b>The Soup Kitchen/Whitefield Charity SK Corporation</b>				
<b>Information collected</b>	<b>Types of information</b>	<b>Purpose</b>	<b>Time to be kept</b>	<b>Consent</b>
<b>Employees</b>	Personnel file	Contact details etc.	7 years after separation	
	CVs	To verify qualifications	7 years after separation	
	References	To verify qualifications	7 years after separation	
	Grievance	In case of similar problems in future	7 years after separation	
	Disciplinary		7 years after separation	
<b>Volunteers</b>	Personnel file	Contact details etc.	7 years after separation	
	CVs	To verify qualifications	7 years after separation	
	References	To verify qualifications	7 years after separation	
	Contact details	To maintain contact	7 years after separation	
<b>Donors</b>	Contact details	To maintain contact	7 years after separation	Yes
	Giving history	To develop relationship	7 years after separation	Yes
	Other relevant info		7 years after separation	Yes
<b>Guests</b>	Contact details	To maintain contact	7 years after separation	Yes
	Case records	To inform future help given	7 years after separation	
<b>Students</b>	Personnel file	Contact details etc.	7 years after separation	
	CVs	To verify qualifications	7 years after separation	

## 8. Contact

For questions, complaints or additional information, please write to the Soup Kitchen Director at 79a Tottenham Court Road, London, W1T 4TD or [info@soupkitchenlondon.org](mailto:info@soupkitchenlondon.org)