

The Camping and Caravanning Club

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Subject: Data Protection Act

To: Region Secretaries, Section Secretaries,
District Association Secretaries, Section Area Secretaries

From: Business Systems and Administration Director

Direct Line No: 02476 475409

Changes are being made to the Data Protection Act to increase the scope of its coverage to include information held manually, for example in a card index or filing system.

The Club's Data Protection registration will automatically cover data held in this way. However in order to comply with the legislation Club units must identify and minute the data held, by whom it is held and for what purposes it is used.

As with data held electronically a copy of the minutes should be forwarded to the Business Systems and Administration Director so that it can be filed with the Club's Data Protection registration.

For clarity the Clubs Data Protection Policy and Procedure is attached.

February 2014

COPIED TO:

To National Councillors

To Region Secretaries

To Section Secretaries

To District Association Secretaries

To Section Area Secretaries



Data Protection Policy & Procedure

Policy Statement

This policy and procedure does not form part of an employee's terms and conditions of employment, and the right is reserved to alter them from time to time.

Data Protection Act 1998

The Data Protection Act (DPA) aims to balance the entitlement of organisations to collect, store and manage various types of personal data, with the privacy rights of the individual about whom the data is held. It covers both manual and computerised records and processing data.

Data protection legislation governs the collection, holding and all uses of information that concerns an individual. This includes information held on computers as well as in paper files. Examples of such information relevant to our business includes (but not limited to):

- Databases and filing systems containing information on employees such as personal identifiers, personal details, current employment, salary details including deductions, pensions, rewards and benefits, termination details.
- Databases and filing systems containing information and statistics on members, business contacts, contractors, consultants and suppliers. Sales and marketing information for the use in mail shots and product development.
- CCTV footage, etc. containing employee and member information.

The Camping and Caravanning Club aims to fulfil its obligations under the DPA to the fullest extent.

Employees are required to follow the rules set out below for the collection, keeping and use of personal data. Failure to comply may lead to disciplinary action being taken. In serious cases this may lead to summary dismissal of employment.

In the event of a disagreement between an employee and the Club regarding personal data, the matter should be taken up under the Club's Grievance Policy (HR-P10).

Employees are directed to the IT Policy (HR-P26) and Social Media Policy (HR-P35) for further information regarding monitoring.

Key Requirements

The key requirements of Data Protection legislation are as follows:

1. **The use of personal information relating to an individual must be limited to the purposes for which that individual has consented.** In many cases, consent can be inferred if the individual was made fully aware of all subsequent uses of their data when it was collected. Therefore, all forms under which personal information is gathered (such as employment application forms; pro forma documents used in engaging contractors, agents or consultants; reply/return brochures; and account opening forms) should contain suitable wording covering the purposes for which the data will be used, even if those purposes appear obvious. Copies of such forms should be retained in all cases. In some cases, and especially in the case of sensitive information such as that relating to health or criminal convictions, explicit written consent is required in order for Club to hold and use the data. Guidance should be sought from HR.
2. **Do not disclose personal information to anybody unless they reasonably require the information for the purpose for which it was collected.** For example, information about an individual should never be disclosed to anyone outside Club unless the individual concerned has specifically consented, or guidance has been sought from HR. Equally, information about employees or customers should not be disclosed to a member of staff if the reason that person requires the information appear unclear, doubtful or suspicious.
3. **All personal information should be kept accurate and up to date.** Requests from members, customers, employees and other individuals to update personal records should be actioned immediately and cross-referenced to any other database or files containing personal information about them. HR will conduct annual audits with employees to check information is up to date.
4. **Personal information should at all times be kept secure from unauthorised access, loss or destruction.** Not only should information held on computer be protected by sufficient IT security measures but manual files containing personal information about any individual should be kept under lock and key with access strictly controlled.
5. **In many cases individuals are entitled to copies of all personal data held about them.** Extreme care should be taken when creating documents for emails about any individual, in particular in relation to complaints. Guidance should be sought from HR when in doubt.
6. **Members & customers have certain rights regarding the logic behind decisions taken which affect them.** Complaints from individuals regarding a decision taken by the Club (for example, in relation to any request for credit) should be referred to the HR without delay.

The HR team should be approached in any situation where you are in doubt regarding any use or disclosure of information concerning any individual. Do not act until you are satisfied that your use or disclosure of data is permitted.

Requests for Data

Individuals i.e. employees, members, customers, suppliers, contractors, etc. have the right to see personal information that is held upon them by the Club by electronic means or within structured filing systems, subject to certain exceptions permitted by law.

Requests from job applicants should be made in writing to HR with regard to subject data requests including requests to review any automated recruitment decision.

When an individual, or their representative, requests to see such information, the following steps must be observed and recorded in writing:

1. Requests should be made in writing to HR, which must then be stored on file.
2. If the request is from a third party, confirm the request is relevant to the enquiry and that the information requested cannot be obtained more appropriately from elsewhere.
3. HR will confirm the identity of the individual/representative making the request.
4. If the request is from a third party establish if the individual to whom the requested data relates has given their consent for the information to be disclosed. It is the responsibility of the third party to obtain and provide evidence of such consent. If the individual has not given their consent, then information should not be provided unless it is reasonable in all the circumstances to do so. It is likely to be reasonable if:
 - It is required to comply with the law; or
 - It is to assist in the prevention or detection of crime; or
 - It is to a statutory organisation, where provision is relevant to and will assist them in carrying out their statutory duties; or
 - It will protect the vital interests of the individual.
5. A discretionary fee of up to £10 may be charged, dependent upon the amount of effort required to service the request, and the circumstances of the individual making the request.
6. HR will consider whether granting access may have an adverse effect upon an individual's mental or physical health or condition. If this is thought possible, consult the appropriate health professional responsible for the individual's clinical care.
7. Consider whether the information includes data relating to or identifying any third party. If it does, information may only be disclosed if:
 - The third party's consent has been obtained; or
 - Data identifying the third party has been removed; or
 - It is reasonable to disclose without the consent of the third party.
8. If the information is the subject matter of legal proceedings, refer to HR.

9. Refer details of the request to the Data Protection Officer (Garry Barr, Business Systems & Administration Director), including a summary of the actions taken in steps 1-9 above.

Subject to the authorisation of the Data Protection Officer (Garry Barr), the information may then be provided to the individual, and this must be done within 40 days of receiving the request.

Please refer to the Data Protection Officer for further guidance on any of the above.

The nature of the request made, and actions taken under the steps above must be recorded on file in writing whether or not any information is disclosed.

Retention Periods

The following list is not exhaustive and queries about specific records should be referred to HR:

Record	Retention Period
Unsuccessful application forms	6 months
Personnel files (after termination)	6 years

Line managers should ensure that the above records are sent to HR by hand or by special delivery/courier for storage within **4 weeks** of the employees' termination date or interview rejection.

Data Breaches

Breaches to data protection should be referred to the Data Protection Officer (Garry Barr) who will then allocate an individual to conduct a full investigation. The 'Investigating Officer' will report their findings to the Data Protection Officer for consideration. Action may include a change in process, systems, or disciplinary action.

Monitoring & Review

The HR Department will be responsible for the monitoring and periodic review of this Policy to ensure legal and business requirements are being met.