



## **YMCA GLENROTHES DATA PROTECTION**

### **Data Protection**

During your employment and for so long a period as is necessary following the termination of your employment, the Organisation will:

- obtain, keep, use and produce records containing information about you for legal, administrative, management, analysis and assessment purposes in connection with your recruitment, employment and remuneration both in personnel files and on the Organisation's computer systems. On occasions, the Organisation may need to disclose information about you to third parties. The Organisation will only use information held about you in ways that are consistent with your employment, the business of the Organisation and the principles of the Data Protection Act 1998 ("the Act")
- obtain, keep, produce and use personal data relating to you to enable the Organisation to safeguard your health and safety at work for administrative purposes and administering sick pay and complying with statutory sick obligations. The Organisation may also use sensitive data in order to comply with Organisation procedures/obligations regarding your health.

You agree to the Organisation carrying out the processing of the above personal data and sensitive data (such terms are defined in the Act) described above.

### **Data protection act 1998**

#### **Introduction**

It is the policy of YMCA Glenrothes to take all practicable actions to ensure compliance with the relevant Key Principles of the Act, which came into force on March 2000, and reached the end of its transitional period on 24th October 2001. This new Act repeals the Data Protection Act 1984.

The Act is intended to protect personal data held about identifiable living individuals whether on computerised or manual form.

#### **Key Principles of the Act**

Data must be processed fairly and lawfully.

Data must be processed only for fair and lawful purposes as specified by the Data Controller (in our case this is the Board of Trustees).

Data must be adequate and neither excessive nor irrelevant to the specified purpose.

Data must be accurate and kept up to date.

Data must not be held for longer than is necessary (this being the time which is assessed as necessary by the Director, and approved by the Board, to provide an effective service to our clients and fulfil our responsibilities and commitments).

Data subjects have rights under the Act. Procedures must be in place to deal with requests for access to data held on them from individuals. They have rights to prevent processing likely to cause distress, and to compensation for damage or distress caused by contravention of the Act.

Adequate security measures must be in place. The level of security required is proportional to the harm that could result if unauthorised access occurs.

Data must not be transferred outside the EEA except where adequate protection exists (this is not relevant to our situation).

Central to the Act is that the Data Controller (the Board) must obtain consent, and in the case of sensitive data explicit consent, from Data Subjects to obtain and hold this minimum amount of information on file about them. Data Subjects include employees.

### **Specific Implication and Actions**

Sensitive information that requires safeguard includes race, sex life, religion, union membership, and health, conviction and court proceedings.

The Board is the appointed Data Controller.

We are also required to appoint a Protection Compliance Officer as point of contact for the Data Protection Commissioner. This will be the Director of YMCA Glenrothes .

It will be necessary to monitor all files for sensitive and irrelevant information, and ensure they are held in such a way that unauthorised people do not have access to them.

All Data Subjects will be told what information is held on them. All forms requesting sensitive information will make it clear that the information will be held on file, and will request authority to do this. A simple statement requesting signed authorisation will suffice.

In addition, Data Subjects will be told of the right of access to their records. YMCA Glenrothes has the right to charge a nominal fee of £10.00, at its discretion, and must provide the information within 40 days.

Should the need arise to use external data processors, Third Party Data Processors of sensitive information will require to be contracted (in writing) to process only on the instructions of the Board, and to provide security at least equivalent to those that YMCA Glenrothes provides.