

# Wanstead and Woodford Migrant Support's Data Protection Policy

## Relationship with other policies/procedures

This document should be read in conjunction with the following:

- Whistleblowing procedure
- Confidentiality policy
- Privacy policy
- Signposting & Referral procedures
- File Retention Policy

## Introduction

1.1 Wanstead and Woodford Migrant Support (WWMS) is committed to processing data in accordance with its responsibilities under the General Data Protection Regulations (GDPR). This policy recognises that WWMS has a duty to protect the personal information of staff, volunteers, and service users it is responsible for.

1.2 WWMS understands that it is the custodian of personal information. WWMS recognises the importance of handling personal data securely and appropriately. Personal data is understood through the definition in Article 5 of the General Data Protection Regulations (GDPR) 2018 act.

1.3 Personal data is defined in the UK GDPR as:

- "Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

1.4 WWMS may be required to process 'Special Categories' of personal data on occasion; these include but are not limited to data revealing:

- Race or ethnicity
- Religious or philosophical beliefs
- A person's health
- A person's sexual orientation

1.5 "Processing" relates to all actions or handling of personal data by manual or automated means, e.g., data collection, erasure and destruction plus everything in between including recording, use, disclosure, sharing and storage.

Much of the information we process includes personal data about, e.g.:

- Service users of Wanstead and Woodford Migrant Support
- Employees, consultants and freelance staff working for Wanstead and Woodford Migrant Support
- Trustees of Wanstead and Woodford Migrant Support
- Funders and suppliers to Wanstead and Woodford Migrant Support
- Partner organisations
- Individuals & organisations Wanstead and Woodford Migrant Support refer or signpost to

## **General Principles**

2.1 WWMS recognises that colleagues (employees, volunteers, trustees, seconders, and students) gain information about individuals 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 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 will avoid exchanging personal information or comments about individuals with whom they have a professional relationship.

2.4 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.

2.5 Where there is a legal duty on WWMS to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.

2.6 Employees are not permitted to disclose any confidential information received in the course of their employment concerning Wanstead and Woodford Migrant Support, its service users or staff, except in the following circumstances:

- When disclosure is allowed under the Wanstead and Woodford Migrant Support's confidential policy
- When disclosure is expressly requested and allowed by WWMS or a more senior member of staff
- When disclosure is required by law
- When disclosure is made to someone who is counselling or advising you and required to enable you to be counselled or advised and confidentiality of the information will be maintained by your counsellor or advisor
- When disclosure is to a person or organisation with responsibility for the regulation or monitoring of WWMS with responsibility for enforcement of any law, and is made to inform that person or organisation of any serious breach of any obligations placed on WWMS and its staff, or when disclosure is made to a tribunal during any

proceedings before the tribunal to enforce any of your employment rights against Wanstead and Woodford Migrant Support

2.7 All disclosures must comply with the Data Protection Act 2018, which is covered in the confidentiality policy.

### **Why information is held**

3.1 The majority of information held by WWMS relates to voluntary and community organisations, volunteers, service users, employees, trustees, or services which support or fund them.

3.2 Information is kept to enable WWMS colleagues to understand the history and activities of individuals or organisations in order to deliver the most appropriate services.

3.3 WWMS 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 group or organisation expressly requests that the details remain confidential.

3.4 Information about service users may be given to an external organisation for the purposes of referral, but only where the individual service user provides clear consent.

3.5 Information about ethnicity and disability of service users is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

### **Access to Information**

4.1 Information is confidential to [Wanstead and Woodford Migrant Support] as an organisation and may be passed to employees, line managers or trustees to ensure the best quality service for service users.

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 Employees will not withhold information from their line manager unless it is purely personal.

4.4 Service users may have sight of Wanstead and Woodford records held in their name or that of their organisation. The request must be in writing to the CEO giving 14 days' notice and be signed by the individual, or in the case of an organisation's records, by the Chair or most senior manager. Sensitive information 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 most senior manager.

4.6 When photocopying or working on confidential documents, colleagues must ensure people passing do not see them. This also applies to information on computer screens.

4.7 Documents containing personal or sensitive information should be stored in lockable cabinets and not be left on desks or anywhere where they could be easily accessed to individuals outside of the organisation.

4.8 Staff computers should be locked when they are away from their desks, and all computers should be turned off if they are away from their desks for prolonged periods or overnight.

### **Storing Information**

5.1 General non-confidential information about organisations is kept in unlocked filing cabinets and in computer files with open access to all WWMS colleagues.

5.2 Personnel information on employees, volunteers, students, and other individuals working within WWMS will be kept in lockable filing cabinets by line managers and will be accessible to the most senior manager.

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

5.4 In an emergency situation, the most senior manager may authorise access to files by other people.

### **Duty to Disclose**

6.1 WWMS has a legal duty to disclose certain information including:

- Suspicions of child abuse which will be reported to the Children's Social Care Team at the relevant local council
- Drug trafficking, money laundering or acts of terrorism which will be disclosed to the police

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

### **Disclosures**

7.1 WWMS complies fully with the CRB Code of practice (E File) regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

7.2 Disclosure information is always kept separately from an applicant's personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

7.3 Documents will be kept for a year and then destroyed by secure means. Photocopies will not be kept. However, WWMS may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

## **Data Protection Act**

8.1 Information WWMS holds about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles. These are that personal data must be:

- Obtained and processed fairly and lawfully
- Held for only specified purposes
- Adequate, relevant, and not excessive
- Accurate and, where necessary, kept up to date
- Kept for no longer than necessary
- Processed securely

8.2 The Data Protection Act 2018 states that people have a right to access any information held about them and how WWMS came into holding such information. We have a duty to respond to any such requests for access to information within 1 month.

8.3 The Data Protection Act 2018 states that requests to remove or limit the data we hold about people must be dealt with without undue delay and at the latest within one month.

8.4 Section 7 – Sub Sections 4-7 of the Data Protection Act 2018 covers the situations where requested information might identify others alongside the person requesting the data.

8.5 WWMS is required to register with the Information Commissioner, and must ensure that their registration is kept up to date.

8.6 Wanstead and Woodford Migrant Support's CEO will deal with day-to-day data protection issues while the Trustee Board will maintain overall responsibility for ensuring the Data Protection Act 2018 is followed at all times.

## **Breach of Confidentiality**

9.1 Employees who are dissatisfied with the conduct or actions of other colleagues or WWMS should raise this with their line manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside Wanstead and Woodford Migrant Support.

9.2 Employees accessing unauthorised files or breaching confidentially may face disciplinary action.

## **Whistleblowing**

10.1 Where an employee has concerns about the use of WWMS funds, they may refer directly to the Chair or Treasurer outside the usual grievance procedure (e.g. Whistleblowing policy and procedures)

10.2 All employees hold the right to inform either their manager or one of the trustees if they believe that WWMS is being brought into disrepute by the actions of another colleague or trustee.

## **Breach**

11.1 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 Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

### Procedures for ensuring compliance

12.1 WWMS has procedures in place to ensure compliance with the principles of Data Protection. These include:

- a) Lawfulness, fairness and transparency
  - Being open and honest when we collect data and ensuring we do not deceive or mislead people about its use. Including links to our privacy and data protection policy on our website and including a declaration section in our online application form to clearly state that the information they provide will be processed in accordance with the Data Protection Act
- b) Purpose limitation
  - We have clearly identified our purpose(s) for processing data and have included appropriate details of these purposes in our privacy information for service users, staff, trustees and volunteers
- c) Data minimisation
  - We only collect personal data we actually need for our specified purposes
  - We periodically review data deleting anything that is no longer needed
- d) Accuracy
  - We complete a full audit of our contact database(s) annually to check the accuracy of the information listed and update as necessary
- e) Storage limitation
  - We regularly review our information and erase or anonymise this data when we no longer need it, or the retention period has ended
- f) Integrity and confidentiality
  - We have a privacy policy in place and take steps to ensure the policy is correctly implemented and reviewed annually

This policy has been reviewed and agreed by the Board of Trustees. It will be reviewed annually or when there is a change in circumstances, in work practices or the introduction of new legislation.

Date of review: 13/03/25

Signature: K. Rennie

Date of next review: March 2026

Person responsible for next review: Chair

**Wanstead and Woodford Migrant Support  
March 2025**