

Thames Valley Adventure Playground Association

DATA PROTECTION and PRIVACY POLICY

Data Controller –
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Thames Valley Adventure Playground Data Protection Policy

Introduction

We collect and use certain types of information about the individuals and organisations we come into contact with for legitimate operational need and in the delivery of the service we provide. The purpose of this policy is to outline how we will hold and process such information subject to our obligations under the Data Protection Act 1998 and other relevant legislation.

The provision of your personal data to us is voluntary. However without providing us with your personal data you may be unable to access some of our services.

Data Protection Act 2018

The Data Protection Act (GDPR)2018 is designed to ensure that personal data about living individuals is handled properly by organisations and that the rights of individuals to access information that is held about them are protected. Any person or organisation that handles personal data must therefore comply with the requirements of the Act.

What Is Personal Data?

Personal data is information about a living individual from which that person can be identified. Such information can exist in a variety of formats, for example, on a computer or in a paper filing system.

What Principles Apply To The Collection Of Personal Data?

There are eight governing principles that we will follow in connection with the processing of data about individuals. The information that we hold will:

1. Be processed fairly and lawfully.
2. Be processed for the particular purposes specified.
3. Be adequate, relevant and not excessive for the purposes for which it is kept.
4. Be accurate and, where necessary, kept up-to-date.
5. Not be kept for longer than necessary.
6. Be processed in accordance with the subject's rights.
7. Be kept securely and adopt measures to guard against its accidental loss. Not be transferred outside the European Economic Area unless the country receiving it as an adequate level of protection for the rights and freedoms of data subjects.

How We Use Personal Data

All personal data is treated strictly in accordance with the terms of the Data Protection Act 2018. This means that, as outlined below, confidentiality will be maintained and appropriate security measures are taken to prevent unauthorised disclosure.

Under the Act, The Thames Valley Adventure Playground Association is the data controller and its trustees are therefore ultimately responsible for implementing this policy and the procedures it sets out. The Playground Manager has been designated as the Data Protection Compliance Officer for both the Association and the Thames Valley Adventure Playground (TVAP).

Where appropriate, all existing and new staff and volunteers will be given training as part of their induction on this policy and our procedures around data protection and confidentiality.

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We have adopted 4 **lawful grounds** on which we will process your data:

1. **Consent** – We will ask for your consent.
2. **Contractual relationships** – So that we can enter into a contract with you for services or employment.
3. **Legal obligation** – Sometimes we will be obliged to process your personal data due to a legal obligation binding on us or where this policy has been over ruled by safeguarding.
4. **Legitimate interest** – Law allows us to process personal data for our legitimate activities, as long as we do so fairly and it does not unduly impact your rights. This will be used when it is not practical or appropriate to obtain consent.

We will collect / hold and use data from the following:

1. Accompanied users of the playground. This data will be collected for reasons of **legitimate interest**. We will typically ask for name, date of birth, gender, ethnicity, special need and some general geographic data.
2. In addition we will ask for contact details for the parents /guardians / carer for the user. Separate explicit **consent** will be obtained should the parent/carer or guardian wish to sign up to any mailing not related to the child.
3. Users left in our care (Ofsted Registered Day-care). This data will be collected for **contractual reasons** and for the *safety and wellbeing* of the users concerned. We will typically ask for name, date of birth, gender, ethnicity, special need and some general geographic data and additionally some sensitive information regarding behaviour and medical needs, personal care and emergency contact/action information. For these reasons we will not be able to offer this service to anyone who withholds consent.
4. Supporters. *This will be held by consent*. This data may include personal details, contact, phone numbers and email addresses where information forms our mailing lists and /or bank details where a financial arrangement exists.
5. Employee / Volunteer records. *This data is contractual*. We will collect personal data needed to comply with employment law and in addition will seek DBS and health checks as required by our employment and safeguarding policies.
6. Email addresses. Personal information collected by us as a result of receiving an email will be used **assuming intent on the part of the sender**. The personal information contained in the email will be used to action the email only and then will be deleted in accordance with the retention clause of this policy.. In response to the email we will include our opt-in procedures for inclusion on our ongoing mailing lists.
7. Personal information received in paper form. Personal information collected by us as a result of receiving a letter or other paper communication will be used **assuming intention on the part of the sender**. The personal information contained in the letter will be used to respond and then will be deleted in accordance with the retention clause of this policy. In response to the letter we will include our opt-in procedures for inclusion on our ongoing mailing lists.
8. Personal data in the public domain. We may on rare occasions collect data passed on via other organisations to who you have given consent to share or where your information is already in the public domain. Such data will only ever be used for furtherance of our own services and will never be passed on. Where possible data sharing agreements will be put in place

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How we will use your personal data

In accordance with the Act, we will only use the personal data that others have chosen to provide for the purpose for which it was requested. We will not use it for any other purpose without the prior written consent of those concerned.

We may use your personal data:

1. To enable you to use some of our services
2. To send you information about our services
3. In furtherance of the services that you receive.
4. To handle administration of any donation or user contributions.
5. Administration of employment of staff or volunteers
6. Conduct our own research or marketing – no data will be shared with third parties
7. Deal with enquiries and complaints.
8. Audit/administer our proper accounts.

Personal information about our **users** will only be collected; held and processed for legitimate operational purposes. Any user data used for fundraising purposes will be non-attributed.

Personal data gathered through and for **fundraising** such as ticket sales, draws etc. will only be held as per the details of the consent signed at the time of the event and will only be retained for the period specified.

A Data Protection Impact Assessment will form part of the management plan for all fundraising activities involving collection and use of personal data.

Personal data held on our **mailing lists** will only be used in strict adherence with the provisions of the Act and for the purposes to which you have given specific consent. We will not share your information with any outside agencies unless there is a legal requirement to do so or because of a safeguarding issue that overrides this policy.

Furthermore, we will not disclose personal data, such as names, addresses, email addresses or telephone numbers, to any organisation or person outside of TVAPA without the prior explicit or implied consent of those concerned, unless it is under a legal obligation to do so, e.g. where withholding such information would place an individual at risk.

How will we collect the Data?

Users data will be collected either at the point of booking or through the booking process. This will be by secure email, in advance of the booking or if attending as a family, in person at the time of arrival.

Attending carer data will be collected through the booking process. Carer information will be processed only in connection with the group booking to which it relates or to the child for whom the carer is responsible.

Supporters data will be collected through either the sign up on our website or with explicit and /or implied consent given during our initial engagement with them.

Employees and Volunteers will be collected through the employment process and subsequent monitoring and review in accordance with current legislation.

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Storage & Access

All personal data held by us is kept with either the consent of those who have provided it, for contractual access to some of our services or because of legitimate interest. All data is password protected where held on computer; and stored securely in lockable non-portable filing cabinets where kept on paper. In all cases, access is strictly controlled and limited to those who are authorised to use it in the course of their duties for the organisation.

Data is backed up daily to a secure offsite facility within the EEA.

We will maintain a record of all those who have access to personal data or to whom such information has been revealed and recognises that it is a criminal offence to pass personal data to anyone who is not entitled under the Act and other legislation to have access to it.

Any individual about whom we hold personal data shall be given access to the data held about them upon request. At all times, we will ensure that the rights of such individuals can be fully exercised.

Handling & Retention

We will not keep personal data for longer than necessary. In particular:

Personal data held for recruitment purposes will be destroyed within a period of 6 months of the data subject's active involvement with us coming to an end.

Users' Data will be held for **5 years** from the time of the individual's last visit to us. (Or 5 years from the date of a valid cease processing agreement.) This will be held for safeguarding and fundraising purposes.

Personal data held for **fundraising** purposes will be held for **2 years** after the data subject's active involvement with us coming to an end.

We will also take reasonable steps to ensure that all personal data we hold is kept up-to-date by putting in place measures through which data subjects can update the information held about them.

Sensitive data

We will collect the following sensitive data:

Health / special needs

Medical

Ethnicity (optional)

Religion (optional)

This will only be processed to either fulfil our employment obligations or in furtherance of the services that individuals receive.

Equal opportunities monitoring information will be collected / stored anonymously and will only be used for reviewing how TVAP is ensuring equality of opportunity.

Photographs, portraits and electronic images

Images, unless identifying or profiling an individual are not deemed to be sensitive data. Photography on site will continue to be handled under our photography and mobile phone policies.

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Disposal

Once the retention period has elapsed, we will ensure that personal data is destroyed by secure means. While awaiting destruction, personal data will be kept in a secure receptacle. No photocopy, other image, or any copy or representation of the personal data will be kept. All electronic data will be permanently deleted from our own server and as a consequence through our backup protocols from offsite backup servers within the following 48 hours.

Data sharing

We will receive data from our users and groups which we will process for the purposes stated above. We will not share any data with any third parties save for legal or safeguarding obligations. Where appropriate we will enter into data sharing agreements with our user groups.

Your Rights

Where we rely on your consent to use your personal information, you may withdraw that consent at any time. This includes the right to stop us using your personal data for direct marketing or to unsubscribe from our newsletters and mailing lists. You also have the right to:

1. Be informed. We will tell you how your personal data will be used.
2. Access. You can ask to see any personal data that we hold on you, provided that we are satisfied that you have the right to access it and have proved your identity. We will provide a copy of all data held within 30 days of the request being verified. Access request forms can be obtained from gary@tvap.co.uk
3. Ask us to cease processing. Cease processing request forms are available from gary@tvap.co.uk
4. Rectification. You have the right to expect that your personal data is correct and you have the right to ask us to amend or update your details and records.
5. Restriction. You have the right to ask us to restrict the use of your personal data if you are concerned that it may be inaccurate or we are not using it for legitimate purposes. We will not use this data until the dispute is resolved. A copy of our Legitimate interest assessment and data impact assessments can be requested at gary@tvap.co.uk

Please note that some of these rights apply in limited circumstances. For more information please consult the Information Commissioner's Office website (<https://ico.org.uk>).

Complaints / Breaches

You have the further right to complain about the way in which we hold or use your data either directly with us (our complaints process is detailed on our website) or through the ICO (<https://ico.org.uk>). Any data breaches will be investigated immediately by our Trustees and Data Officer and will be reported to the ICO within 48 hours as per their guidelines.

External links.

Where we link our website or social media pages to external sources we will not take responsibility for the privacy practices of those organisations. We would encourage you read the individual policy statements of any websites or social media sites that you access through our website.

Policy Review

This policy will be reviewed by the board of trustees to reflect best practice in response to changes in relevant legislation or an identified failing in its effectiveness.

Contact us

Please feel free to contact us on gary@tvap.co.uk to discuss this policy.