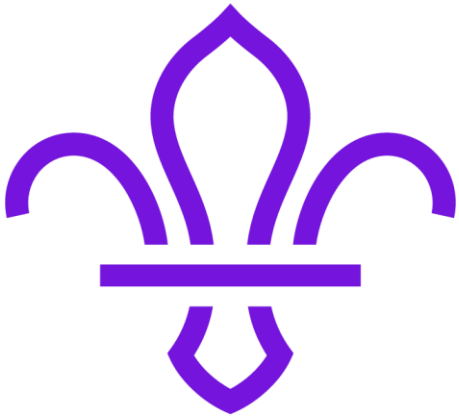

Scouts

1st Swindon Sea Scouts

Data Privacy Policy

Version: 1.0
Date: 08/07/2022

Contents:

The purpose of this Data Privacy Policy and what it covers

This policy sets out 1st Swindon Sea Scouts' approach to protecting personal data and explains your rights in relation to how we may process personal data. As a registered UK charity, we have our own Data Privacy Policy (this document). As the Group is a member of the Scout Association, this policy also adheres to the Scout Association's Data Privacy Policy, available at the link below. The structure and content of this document is based on the Scout Association's Data Privacy Policy.

https://www.scouts.org.uk/about-us/policy/data-protection-policy/

Some Important Definitions

'We', 'Us', 'the Group' means 1st Swindon Sea Scouts

'ICO' is the Information Commissioner's Office, the body responsible for enforcing data protection legislation within the UK and the regulatory authority for the purposes of the GDPR

'Personal Data' is defined in the "What is Personal Data" section of this policy.

'Processing' means all aspects of handling personal data, for example collecting, recording, keeping, storing, sharing, archiving, deleting, and destroying it.

'Data Controller' means anyone (a person, people, public authority, agency, or any other body) which, on its own or with others, decides the purposes and methods of processing personal data. We are a data controller insofar as we process personal data in the ways described in this policy.

'Data Processor' means anyone who processes personal data under the data controller's instructions, for example a service provider.

'Subject Access Request' is a request for personal data that an organisation may hold about an individual. This request can be extended to include the deletion, rectification, and restriction of processing.

'**Compass'** Compass is The Scouts Association's membership system. Local Scouting must comply with the Data Protection Act 2018 and the GDPR when using Compass, The Scout Association's Membership System.

'OSM' OSM (Online Scout Manager) is an online membership system run by Online Youth Manager Ltd. It is a secure membership database where we store the personal information of Adults and Youth members for the day to day running of the group.

What is Personal Data

Personal data is any information about a person who could be identified or identifiable directly from that information, or indirectly identifiable from that information in combination with other information. For example, an individual's name, home address, personal (home and mobile) phone numbers and email addresses, date of birth, occupation, and so on can all be defined as personal data.

Some categories of personal data are recognised as being particularly sensitive (classified as "special category data") and there are greater restrictions on processing these categories of data. These include data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric information for the purpose of uniquely identifying a person, health data and data concerning a person's sex life or sexual orientation.

How does Data Protection apply to Scouting?

Data protection legislation applies to all data controllers regardless of whether they are charities or small organisations. It applies to Scouting in the same way as it does to other organisations. Scout units are created and run as independent charities and insofar as they collect and store personal data about members and young people, for example, they are data controllers and must adhere to the law.

There are scenarios of joint controllership of personal data between The Scout Association and local Scouting, this is regarding the data held within Compass and specifically for the activities below:

- Maintenance of local Scouting's primary records, such as name, address and leadership details of the local Group, District, County, Area (Wales), Region (Scotland) or Country
- Local Scouting roles, such as creation, management and deletion of role and any reasons for leaving local Scouting. This includes ID checking
- Direct messaging in the platform
- Training updates and Personal Learning Plan

What type of personal data do we collect and why?

Members (young people in Sections in the Group):

- Name
- Contact details
- Date of birth/age
- Details of next of kin/emergency contacts
- Details of any health conditions
- Details of Scouting events and activities you have taken part in
- Any complaints we have received about the member
- Details of your membership status
- Religion
- Photographs and videos

We process personal and medical information for the protection of the member whilst in the care of the Scout Group.

The processing of a member's religion data is necessary to respect their beliefs with regards to activities, food and holidays.

We process the data to have the ability to contact the member, parents and carers, to inform them of meetings and events that the group itself may be running or attending.

We provide census information for The Scout Association.

We process data to claim gift aid from the UK Government for any donations from members who declare that they are a UK taxpayer.

We process photographs and videos for use on Sections' private Facebook groups, to show parents/carers what sections have been doing and to evidence progress against achievements. Photographs and videos may also be used on our website and promotional material. Please note, as detailed later in this document, consent is required for photographs and videos to be taken/used in these ways.

Adult Members (e.g., volunteers, leaders, Trustees):

As per Members (young people in the Group) and also:

- Details of disclosure checks
- Details about your role in Scouting
- Details of your experience, qualifications, occupation, skills and any awards you have received
- Details of training you receive
- Details of any conflicts of interest
- Probation, appraisal and any disciplinary information
- Bank account information (where needed for reimbursement of expenses for example)

We need this information to communicate with you and to carry out any necessary checks to make sure that you can work with young people. We also have a responsibility to keep information about you, both during your membership and afterwards (due to our safeguarding responsibilities and also to help us if you leave or re-join).

The majority of information held about our members is provided via waiting list enquiry forms, joining forms when a member is first enrolled or via our online membership systems (OSM and Compass).

For adult members, additional data may be provided by third party reference agencies such as the Disclosure and Barring Service (DBS).

Where a member is under the age of 18, this information will only be obtained from a parent/carer and cannot be provided by the young person.

Conditions for collecting Personal Data

Following the Law

We are committed to processing personal data fairly and in accordance with the law. To do this, we need to meet at least one lawful basis for processing that data. These are listed below:

- **Consent** – you have to give (or have given) your permission for us to use your information for one or more specific purposes
- **Performance of a contract** – we need to process the information to meet the terms of any contract you have entered into (for example when we process personal data as part of a volunteer's membership application or to provide goods or services purchased with us)
- **Legal obligation** – processing the information is necessary to keep to our legal obligations as data controller
- **Vital interests** – processing the information is necessary to protect your vital interests
- **Public task** – processing the information is necessary for tasks in the public interest or for us as the data controller to carry out our responsibilities
- **Legitimate Interests** – processing the information is necessary for our legitimate interests (see below examples)

Lawful Basis	Data Processing examples
Consent	• Photographs/videos for Sections' private Facebook groups • Photographs/videos for our website
Performance of a contract	• Volunteer membership application • Supply of goods or services purchased
Legal obligation	• Responding to information requests from statutory authorities • Disclosure and Barring Service referral • Insurance Underwriting referral
Vital interests	• Medical history disclosure to a medical professional to protect the vital interests of the data subject
Public Task	Not relevant
Legitimate interests	• Informational/operational communications directly to members and parents/carers • Nominations for national awards (such as Scouting or Duke of Edinburgh award)

Also, information must be:

- processed fairly and lawfully
- collected for specified, clear and legitimate purposes
- adequate, relevant and limited to what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- processed securely

Information that we share

We will sometimes need to share your personal information with others outside of the Group where we need to meet or enforce a legal obligation or to meet our legitimate interests. We will only share your personal information to the extent needed for those purposes.

We will never sell your personal information to any third party for the purposes of marketing.

If you move from the Group to another scout group or explorer group, we will transfer your personal information to them via OSM or via a paper report from OSM.

Sometimes we may nominate a member for national award, (such as Scouting or Duke of Edinburgh award) such nominations would require we provide contact details to that organisation.

We do not share personal data with companies, organisations and people outside the Group, unless one of the following applies:

- We have a clear lawful basis to do so.
- If we have to supply information to others for processing on our behalf (for example OSM). We do this if we are asked and make sure that they have appropriate confidentiality and security measures in place.
- For safeguarding young people or for other legal reasons.

A list of the most common third parties we share data with is below:

3rd Party	Data Category	Purpose
The Scout Association	Personal and Special	Compass - To record the personal information of leaders, adults and parents who have undergone a Disclosure and Barring Service (DBS) check Unity – Insurance referrals
Online Youth Manager Ltd (OSM)	Personal and Special	To record personal information, badge records, event and attendance records etc. The Security and GDPR practices and procedures for OSM are available at https://www.onlinescoutmanager.co.uk/security.html
Swindon North Scout District	Personal and Special	Events attendance and management Items requiring escalation (e.g., complaint management as appropriate) Adult/Leader information from OSM for compliance (training/DBS, etc.)
Wiltshire County Scouting	Personal and Special	Events attendance and management Items requiring escalation (e.g., complaint management as appropriate)
Microsoft (Teams and Office365)	Personal and Special	Core data repositories such as Teams, SharePoint and Exchange (email)
Facebook	Personal	Session summary Facebook Group membership management
Disclosure and Barring Service	Personal and Special	Criminal record checks
Atlantic Data	Personal and Special	Scout Association's mandated platform for completion of Disclosure and Barring Service checks
Statutory Authorities	Personal and Special	Statutory information requests/information transfers
Police	Personal and Special	Police information requests
Charity Commission	Personal	Statutory information about our Trustees and Officers
Barclays Bank	Personal	Payment of expense claims

Transfers outside the UK

Some of the 3rd parties listed above may store personal information outside of the UK. Where these 3rd parties are within our control (for example OSM and Microsoft), we make sure we have appropriate data protection and security measures in place to protect your information.

Other than these, the Group will not transfer your personal information outside of the UK, with the exception of where an Event is taking place outside of the UK and it is necessary to provide personal information to comply with our legal obligations. Generally, such an event will have its own data collection form which will be securely held and disposed of after the event.

Keeping personal data secure

Everyone who handles personal data (including volunteers, Trustees and visitors) must make sure it is held securely to protect against unlawful or unauthorised processing and accidental loss or damage.

We take appropriate steps to make sure we keep all personal data secure, and we make all of our volunteers and Trustees aware of these steps. In most cases, personal data must be stored in appropriate systems and encrypted when taken off-site. The following is general guidance for everyone working within the Group, including members and volunteers.

- You must only store personal data on authorised networks, drives or files that are password protected and regularly backed up.
- You should have proper entry-control processes in place, and you should report any stranger seen in entry-controlled areas.
- You should keep paper records containing personal data secure. If you need to move paper records, you should do this strictly in line with data protection rules and procedures.
- You should not download personal data to mobile devices such as laptops and USB sticks unless necessary. Access to this information must be password protected and the information should be deleted immediately after use.
- You must keep all personal data secure (and out sight of anyone not authorised to see the data) when travelling.
- Personal data relating to members and volunteers should usually only be stored on the membership database or other specific databases which have appropriate security in place.
- When sending larger amounts of personal data by post, you should use registered mail or a courier. Memory sticks should be encrypted.
- When sending personal data by email this must be appropriately authenticated and password protected.
- Do not send financial or sensitive information by email unless it is encrypted.
- Personal email accounts must not be used to send personal information. Only Group email addresses (i.e., @1stswindonscouts.onmicrosoft.com address) may be used to send personal information.
- Personal email accounts must not be used to receive personal information where the recipient holds a Group email address (i.e., @1stswindonscouts.onmicrosoft.com address).
- You must not share your passwords with anyone.
- Different rights of access should be allocated to users depending on their need to access personal or confidential information. You should not have access to personal or confidential information unless you need it to carry out your role.
- Before sharing personal data with other people or organisations, you must ensure that they are GDPR compliant.

- In the event that you detect or suspect a data breach, you should report it promptly to the Group Scout Leader.
- As a volunteer or Trustee, as part of your data protection duties, you should report urgently (to your manager or the Executive Committee) any instance where the rules on how we handle personal data are broken (or might be broken).

Responsibilities

We expect our trustees, volunteers, members and any providers we use to keep to the guidelines as set out in our Data Privacy Policy and under ICO and GDPR guidance when they are using or processing personal data and other confidential or sensitive information. This is set out more clearly below.

Board of Trustees

Our Board of Trustees has overall responsibility for the Group and for making sure that we keep to legal requirements, including data protection legislation.

Data protection officer (DPO) or equivalent role holder

Our Group Scout Leader is responsible for:

- making sure that this data protection policy is up to date
- advising the Group on data protection issues
- dealing with complaints about how we use personal and sensitive personal data
- reporting to the District DPO if we do not keep to any regulations or legislation

Volunteers and members

We expect you to keep to data protection legislation and this data protection policy, and to follow the relevant rules set out in The Scout Association's Policy, Organisation and Rules (POR).

As part of your data protection duties, you should report urgently (to your local manager or the Executive Committee) any instance where the rules on how we handle personal data are broken (or might be broken).

Data Retention

We may keep information for different periods of time for different purposes as required by law or best practice. We make sure we store information in line with our Data Retention Schedule below.

As far as membership information is concerned, to make sure of continuity (for example if you leave and then re-join) and to carry out our legal responsibilities relating to safeguarding young people, we keep your membership information throughout your membership and after it ends, and we make sure we store it securely.

Only those staff who need membership information to carry out their role have access to that information.

Data Retention Schedule

Below is a summary of the information we will retain and for how long.

Information Type	Retention Period	Responsibility
OSM record of section information relating to a young person – includes our waiting list – Held on OSM	Only for the duration of the young person being in that section, on leaving the information will be transferred to the new section. For people on the waiting list who have confirmed they no longer need a place at the Group, or fail to respond to communications from the waiting list administrator, record will be removed 3 months after confirmation or last communication sent.	Section Leader / waiting list administrator
OSM record of young person or adult member – held on OSM	For the duration of the young person or adult being a member at 1st Swindon. Record will be removed 12 months after the person has left the Group	Section Leader/Group Administrator
Compass records of young person or adult member	Removed from Group access at point of leaving. After this point, the Group has no access to the information and District becomes the Data Controller of the information	Group Compass Administrator
Downloaded data containing members personal information – held electronically	With the exception of In Touch information being created (see below) these should be immediately deleted	Section Leader
E mail with members personal information sent from a personal pc. – held electronically	With the exception of In Touch information being shared (see below) these should be immediately deleted.	Section Leader
Hard copies of event information including emergency contact details	For the duration of the event / camp	Camp Leader
Electronic copy of In Touch information held by the In Touch contact – held electronically	For the duration of the event / camp	Camp Leader
Gift Aid Claim information	7 years as required by HMRC (held in OSM)	Finance
Email addresses for young people/parents/carers held in Microsoft365 for the purposes of MS Teams-based sessions	3 months after the person has left the group	Microsoft365 Administrator
Microsoft365 account for adult member	Logon/access disabled after the person has left the group.	Microsoft365 Administrator

(@1stswindonscouts.onmicrosoft.com email/OneDrive/Teams)	Account deleted 3 months after the person has left the group.	
Expense claim information – held electronically	Until approval of Group accounts for the financial year in which the expense is claimed. Bank account details retained only until successful payment has been made.	Finance

If paper forms are transferred to somebody (for example when at an event), we will audit that the forms are returned when the event is complete. The person the forms are transferred to will be made aware of their responsibility to not take copies of the information and to keep the information confidential and secure at all times. See Printing Personal Information usage policy at the end of this document for further detail.

All paper forms are securely destroyed after use, or when they reach the end of their data retention period. Secure destruction is via either a cross-cut shredder (min DIN 66399 P-3) or via secure burning.

Rights to accessing and updating personal data

(Extracted directly from https://www.scouts.org.uk/about-us/policy/data-protection-policy/)

Under data protection law, individuals have a number of rights in relation to their personal data.

(a) The right to information: As a data controller, we must give you a certain amount of information about how we collect and process information about you. This information needs to be concise, transparent, understandable and accessible.

(b) The right of subject access: If you want a copy of the personal data we hold about you, you have the right to make a subject access request (SAR) and get a copy of that information within 30 days.

(c) The right to rectification: You have the right to ask us, as data controller, to correct mistakes in the personal data we hold about you.

(d) The right to erasure (right to be forgotten): You can ask us to delete your personal data if it is no longer needed for its original purpose, or if you have given us permission to process it and you withdraw that permission (or where there is no other lawful basis for processing it).

(e) The right to restrict processing: In certain circumstances where, for lawful or legitimate purposes we cannot delete your relevant personal information or if you do not want us to delete it, we can continue to store it for restricted purposes. This is an absolute right unless we have a lawful purpose to have it that overwrites your rights.

(f) The obligation to notify relevant third parties: If we have shared information with other people or organisations, and you then ask us to do either (c), (d) or (e) above, as data controller we must tell the other person or organisation (unless this is impossible or involves effort that is out of proportion to the matter).

(g) The right to data portability: This allows you to transfer your personal data from one data controller to another.

(h) The right to object: You have a right to object to us processing your personal data for certain reasons, as well as the right to object to processing carried out for profiling or direct marketing.

(i) The right to not be evaluated on the basis of automatic processing: You have the right not to be affected by decisions based only on automated processing which may significantly affect you.

(j) The right to bring class actions: You have the right to be collectively represented by not-for-profit organisations.

Subject Access Requests

You are entitled to ask us, in writing, for a copy of the personal data we hold about you. This is known as a subject access request (SAR). In line with legislation, we will not charge a fee for this information and will respond to your request within one calendar month. This is unless this is not possible or deemed excessive, in which case we will contact you within the month of making the SAR to state the reason for the extension and/or the charging of an appropriate fee.

Further Information and Contacts

Data Protection Officer Contacts:

DPO: Group Scout Leader

Email: dpo@1stswindonscouts.onmicrosoft.com

In situations where you feel the Group has not handled your personal data query/complaint appropriately you have the right to inform the Information Commissioners Office.

Contact the Information Commissioner's Office

Updates to this Policy

We may make changes to this policy from time to time. Should we update the policy we will notify our members and publish the updated version on our website.

Document Control

Version	Date Published	Updated By	Changes Made	Approved By
1.0	08/07/2022	Mark Crossland	Initial Version	Jackie Stevens (08/07/2022), Carl Steckerl (09/07/2022)

Additional Usage Policies:

Use of website (firstswindon.co.uk)

The Group manages its own website (https://firstswindon.co.uk). Personal information will be used in line with the conditions outlined in Conditions for collecting Personal Data.

For news articles or similar, names will be used in the format members first name and surname.

No names will be directly associated with any photographs.

Use of e-mail

For the purposes of this section, the term 'Group' email address refers to any email address/mailbox provided to an individual as a member of the Group. These email addresses will end "@1stswindonscouts.onmicrosoft.com".

All adult members of the Group (leadership and Executive Committee members) will be provided with a Group email address (an @1stswindonscouts.onmicrosoft.com address). Some roles within the Group will also have access to shared mailboxes as required (like dpo@1stswindonscouts...). These Group email addresses must be used for all scouting-related emails. Personal email addresses **must not** be used.

As per **Keeping personal data secure**, any personal data which needs to be sent via email to others within the Group must be kept to the minimum required for the purpose and sent from and to Group email addresses only. **Personal email addresses must not be used for this purpose.**

If it is necessary to refer to specific members in external emails (relating to events for example) we will use the members first name and surname

OSM is our preferred method of sending bulk emails and communications to our members/parents/carers and must be used where possible.

The 'reply to' address for all OSM-initiated communications must be a Group e-mail address (@1stswindonscouts.onmicrosoft.com). Personal email addresses must not be used as reply to addresses.

Where OSM cannot be used for external emails to young persons/parents/carers, any email sent to more than one recipient must only use the blind carbon copy (bcc:) field for external recipient email addresses to avoid disclosing email addresses to other recipients. Mistakes can happen - If the bcc: field is not used, you must notify the Group Scout Leader immediately so action can be taken to minimise the impact.

We will not email any other personal information apart from:

- When information is in relation to an event and the personal information is needed for the safety of the young person i.e., Camp.
- The DBS approved adult(s) responsible for the In Touch process may receive an electronic copy of the information of the camp attendees. This information will only be used if a member/member's family needs to be contacted in the event of an incident where their safety is

of concern. Where information is provided, this will be deleted after the event and confirmed to the event leader in writing.

Use of Facebook

The Group will only operate closed Facebook groups. Typically, each section will have its own group.

Each closed group will have a minimum of two administrators, each of whom must be DBS approved and members of the Group.

Each closed group will have a set of defined rules which must be followed by all members of the group.

The administrators will only accept new requests where it is proven that a requester is a parent/carer of a young person in that section (refer to OSM), a Leader or Occasional Helper of the section, or a Leader of another section within 1st Swindon Sea Scouts.

The Data Protection Officer should be immediately contacted should any inappropriate postings take place.

When a young person leaves the section, or it is no longer relevant for a Leader or an Occasional Helper to have access, their access to the applicable closed Facebook group will be removed. On removal, the administrator will select the option to remove their postings and as such these will be removed from the page.

If one of the administrators leaves the section, the Section Leader is responsible for immediately removing their access to the Facebook group and finding an alternative administrator if applicable. At no point should a Facebook group have less than two administrators.

Use of other Social Media Platforms

The Group will not use any social media platform other than Facebook.

Use of Messaging/Collaboration Platforms (e.g., Teams, WhatsApp, Zoom)

The Group uses Microsoft Teams for internal collaboration and messaging, via its @1stswindonscouts.onmicrosoft.com account.

We will not use any other messaging/collaboration platforms (such as WhatsApp) for any reason, as access to these platforms is outside of the control of the Group and may not have appropriate data protection policies in place.

Printing Personal Information

We will only print personal information needed for the safety of the young person e.g., safety information required for events/camp.

When we do print personal information for this purpose, we will handle it securely, treat it as confidential data and only disclose it to authorised individuals. Printed information must not be left where anyone not authorised to see it (e.g., parents, other helpers, members of the public) is able to.

The event leader (who must be DBS approved) may receive a printed copy of safety and contact information from OSM for all members taking part in the event. This printed copy is only intended to be used as a backup, should the event leader be unable to access OSM during the event.

The DBS approved adult(s) responsible for the In-Touch process may receive a printed copy of the information of the event attendees from the event leader. This information will only be used if a member/members family needs to be contacted.

Where printed information is provided, this must be returned to the event leader after the event. The event leader is responsible for ensuring all printed information is returned to them. Once collected, the event leader will securely dispose of the printed information (by either shredding or secure burning). The Group Scout Leader must be notified immediately if any printed personal information has not been returned, so that the breach process can be followed.

All paper forms must be securely destroyed after use, or when they reach the end of their data retention period. Secure destruction is via either a cross-cut shredder (min DIN 66399 P-3) or via secure burning.

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