



## Data Protection Policy

Please see Glossary for terms at the end of this document, as necessary.

**Ely Foodbank** (otherwise “we” or “us”) needs to collect and use information about the Data Subjects whom we come into contact with in order to carry out our work. This information must be collected and dealt with appropriately – whether on paper, electronically, or recorded on other material – and there are safeguards to ensure this under the UK GDPR.

**Ely Foodbank** is the Data Controller under the Act, and will determine what purposes the information held will be used for.

**Ely Foodbank** will not disclose your personal information to a third party unless we believe it is lawful to do so. We will not pass on your details to anyone outside the foodbank for marketing purposes. There are circumstances where the law allows the **Ely Foodbank** to disclose data without the data subject’s consent; these are:

1. Carrying out a legal duty as authorised by an appropriate legal officer;
2. The Data Subject has already made the information public;
3. Conducting any legal proceedings, obtaining legal advice or defending any legal rights.
4. *Where there is a “legitimate interest”, such as preventing abuse of the system by those obtaining more vouchers than they are entitled to*

**Ely Foodbank** places great importance on the correct treatment of personal information as a key element in the success of our working relationships, and in maintaining the confidence of those with whom we deal. We will ensure that personal information is treated lawfully and correctly.

To this end **Ely Foodbank** will, through appropriate management and strict application of criteria and controls, adhere to the seven key principles of the UK GDPR which require that:

1. personal data should be processed lawfully, fairly and transparently;
2. data should be obtained only for one or more specified and lawful purposes;
3. the data collected should be adequate, relevant and not excessive;
4. data should be accurate and, where necessary, kept up-to-date;
5. any data should not be kept for longer than necessary;
6. data should be kept secure;
7. we take responsibility for what we do with personal data and we comply with the other principles.

When collecting data, **Ely Foodbank** will ensure that the Data Subject:

- has received sufficient information on why their data is needed and how it will be used;
- understands what the consequences are should the Data Subject decide not to give consent to processing;
- as far as is reasonably possible, grants explicit consent, either written or verbal, for their data to be processed;
- is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress.

**Ely Foodbank** will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

Information and records relating to service users will be stored securely and will only be accessible to authorised staff and volunteers. With explicit consent, specified information may also be shared with a partner organisation if this is necessary for the provision of a specific agreed service.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately.

**Ely Foodbank** is responsible for ensuring that all personal and company data is non-recoverable from any computer system previously used within the organisation which has been passed on/sold to a third party.

***Ely Foodbank** maintains up-to-date data privacy statements for each of its principal groups of data subjects. These are available separately, and are freely available to Data Subjects upon request.*

All Data Subjects have the right to access the information **Ely Foodbank** holds about them. We reserve the right to charge the maximum fee payable under the Act for providing this information. Currently this fee is £10. We are unable to provide the details until the fee has been paid. If the details we hold are incorrect you can ask us to amend them.

**Ely Foodbank** will also take reasonable steps to ensure that this information is kept up-to-date by asking data subjects whether there have been any changes.

**In addition, Ely Foodbank will ensure that:**

1. It has an appointed Data Protection Officer with specific responsibility for ensuring compliance with data protection regulations;
2. Everyone processing personal information understands that they are contractually responsible for following good data protection practice;
3. Everyone processing personal information is appropriately trained to do so;
4. Everyone processing personal information is appropriately supervised;
5. Anybody wanting to make enquiries about handling personal information knows what to do;
6. We deal promptly and courteously with any enquiries about handling personal information;

7. We describe clearly how we handle personal information.
8. We will regularly review and audit the way we hold, manage and use personal information;
9. We will regularly assess and evaluate our methods and performance in relation to handling personal information;
10. We will ensure that all staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.

*This policy will be reviewed and updated as necessary to reflect best practice in data management, security and control, and to ensure compliance with any changes or amendments made to the Data Protection Act 2018.*

*In case of any queries or questions in relation to this policy please contact us at [info@elyfoodbank.org.uk](mailto:info@elyfoodbank.org.uk)*

### **Making a Complaint**

Complaints may be made and will be dealt with as per Ely Foodbank's Complaints Policy.

If you are not satisfied with our response to any query you raise with us, or you believe we are processing your personal data in a way which is inconsistent with the law, you can complain to the Information Commissioner's Office whose helpline number is: 0303 123 1113. See also <https://ico.org.uk/make-a-complaint/> .

**Appointed Data Protection Officer:      Tabitha Griffin**

**Policy Reviewed:      Bi-annually      Next Review      April 2024**

# Glossary

*The following list of definitions of the technical terms used is intended to aid understanding of this policy.*

**Data Controller** – The organisation that determines the purposes and means of processing personal data.

**Data Protection Act 2018 (DPA 2018)** – The UK legislation that tailors the UK General Data Protection Regulation (UK GDPR) and provides the framework for responsible behaviour by those using personal information.

**Data Protection Officer** – The person responsible for ensuring that the organisation follows its data protection policy and complies with the Data Protection Act 2018.

**Data Subject** – The individual whose personal information is being held or processed by an organisation (for example: a service user, an employee).

**Explicit consent** – is a freely given, specific and informed agreement by a Data Subject (see definition) to the processing of personal information about her/him. Explicit consent is needed for processing Special Category data.

**Information Commissioner** – The UK Information Commissioner responsible for implementing and overseeing the UK GDPR.

**Processing** – Collecting, amending, handling, storing or disclosing personal information.

**Personal Information** – Information about a Data Subject that enables them to be identified, directly from the information in question, or indirectly from that information in combination with other information.

**Special Category Data** – The UK GDPR defines special category data as:

- personal data revealing **racial or ethnic origin**;
- personal data revealing **political opinions**;
- personal data revealing **religious or philosophical beliefs**;
- personal data revealing **trade union membership**;
- **genetic data**;
- **biometric data** (where used for identification purposes);
- data concerning **health**;
- data concerning a person's **sex life**; and
- data concerning a person's **sexual orientation**.

This does not include personal data about criminal allegations, proceedings or convictions, as separate rules apply. **UK GDPR**

Now that the UK has left the EU, and following the end of the Brexit transition period, GDPR has been retained in domestic law, but the UK has the independence to keep the framework under review. The UK GDPR sits alongside an amended version of the Data Protection Act 2018.