



Data Protection Policy (General Data Protection Regulation, Privacy and Electronic Communications Regulations, Privacy & Retention of Data)

Adopted by GeoMôn Board on 6th March 2021

Who is covered by this policy?

GeoMôn members of staff, volunteers and trustees.

What is covered by this policy?

Data gathered or held by GeoMôn in all formats.

Purpose

To ensure that GeoMôn and our members of staff, volunteers and trustees are aware of their rights and responsibilities under legislation and regulations relating to the collection, management, storage, retrieval and destruction of data. To comply with the law, GeoMôn is required to have a lawful basis for the processing of personal data.

The Policy

GeoMôn will ensure that all personal and/or sensitive personal data is collected and protected in line with current legislation and best practice at all times.

Best practice will include, but is not limited to:

- Only collecting personal and/or sensitive personal data for a specified purpose
- Having a clear schedule of data retention and processes in place to ensure that no data is retained longer than necessary
- Ensuring all staff and Trustees are aware of our procedures to minimise the risks of sharing, storing or disposing of data, particularly in the context of a virtual office environment
- Publishing clear and transparent statements on the ways in which we will use data supplied by staff, volunteers, members and the general public
- Ensuring all staff and Trustees are aware of our processes and procedures for handling any data breach



Definitions

What is **personal data**?

The General Data Protection Regulation (GDPR) states *“personal data’ means 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”*.

This would include but is not limited to contact details and bank account information. When considering what is ‘personal data’, thought should be given to the way in which separate pieces of information can be combined to create personal data – for example, in a survey of Trustees the combination of ‘location’, ‘gender’ and ‘profession’ could easily combine to identify an individual.

What is **sensitive personal data**?

Some of the personal data GeoMôn processes can be more sensitive in nature and therefore requires a higher level of protection. The GDPR refers to the processing of these data as ‘special categories of personal data’. This means personal data about an individual and can include information relating to criminal convictions and offences. This also requires a higher level of protection.

Controllers and processors

The GDPR applies to ‘controllers’ and ‘processors’. A **controller** determines the purposes and means of processing personal data. A **processor** is responsible for processing personal data on behalf of a controller.

GeoMôn is both a controller and a processor of data.

Processing data includes obtaining, collecting, holding, retrieving, consulting and using data. As a processor, the GDPR places specific legal obligations on the organisation; for example, GeoMôn is required to maintain records of personal data and processing activities. GeoMôn will have legal liability if it is responsible for a personal data breach.

The GDPR applies to the processing of personal data that is:

- wholly or partly by automated means; or
- the processing other than by automated means of personal data which forms part of, or is intended to form part of, a filing system.

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As a controller, GeoMôn is not relieved of its obligations where an external processor is involved – the GDPR places further obligations on GeoMôn to ensure our contracts with external processors comply with the GDPR.

The GeoMôn designated data controller is the Managing Director. In their absence, the designated data controller is the Deputy Managing Director.

GeoMôn is registered as a data controller with the Information Commissioner's Office.

Privacy, and our privacy policy

Our statement on data control and processing (the privacy policy) is published on our website. It reads:

If your organisation or an individual applies to join GeoMôn, we will use the data you provide to process the application and to manage membership. If your organisation is admitted to membership we will retain that information, and any other data provided during the term of membership, for the duration of membership and for a period of six years after the membership terminates. If your organisation is not admitted to membership we will retain that information for one year after the conclusion of the application process.

If you sign up to our newsletter, we will use your contact information to send you an occasional e-newsletter, updates of events and trust activities, and other relevant information. You can unsubscribe at any time. If you unsubscribe, we will not retain your data.

If you apply for a job with GeoMôn, we will retain all the information contained within your application for a period of nine months from the date the recruitment process is completed. If you are successful, all the information contained within your application will be retained in line with our policy on retention of staff data.

We will never share your personal data with any third parties, we will try very hard not to irritate you, and you can contact us at any time to ask us to change your preferences or delete your personal information from our database.

For any queries about data please contact the Managing Director Executive, who is the GeoMôn data controller.

Legislation

Current applicable legislation consists of the [General Data Protection Regulation \(GDPR\)](#) as it applies in the UK, tailored by the [Data Protection Act 2018](#), and the [Privacy and Electronic Communications Regulations \(PECR\)](#).

As the UK has left the EU, there is a transition period until the end of 2020 to allow time to negotiate a new relationship with the EU. During the transition period the

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GDPR will continue to apply in the UK. The GDPR will be brought into UK law as the 'UK GDPR', and will be retained in domestic law at the end of the transition period, but the UK will have the independence to keep the framework under review.

Responsibilities

Members of staff, volunteers and trustees should ensure that personal and/or sensitive personal data provided to GeoMôn in relation to their employment or voluntary service is accurate and up to date. This includes home address, emergency contact details, motor insurance cover information and bank details. It is your responsibility to ensure that GeoMôn is aware that that out of date information is to be deleted.

If/when members of staff, volunteers and trustees collect or obtain personal/sensitive personal data about other people as part of their work or voluntary service, or hold, retrieve, consult or use such data, this must be done in accordance with the provisions of the GDPR.

GeoMôn must have a valid lawful basis in order to process personal data. There are six available lawful bases for processing. No single basis is 'better' or more important than the others – which basis is most appropriate to use will depend on the GeoMôn purpose and relationship with the individual. Most lawful bases require that processing is 'necessary' for a specific purpose. If GeoMôn can reasonably achieve the same purpose without the processing, it won't have a lawful basis. Full details are set out in [Article 6 of the GDPR](#).

The Managing Director has overall responsibility and is responsible for ensuring that data is dealt with in accordance with this policy and the law.

Procedures

At some point, all members of staff, volunteers and trustees are likely to come into contact with data, whether supplying your own data to GeoMôn or using other people's data. If you have any concerns, queries or want to learn more please speak to the data controller. They will be happy to help.

Sharing data

Think before you share data – especially with anyone outside the organisation.

1. Do they have a legitimate reason for having the data?
1. Are you sharing data which is in the public domain?
2. If personal, or sensitive personal, data is being shared, do you have permission of the subject to share the data?

Equally, ensure that you are not asking others to share information with you that would constitute a breach or that you do not have a legitimate reason to hold.



If someone shares information with you that you do not believe should have been shared, you **must** contact the GeoMôn data controller immediately.

Using data

When you are using data, think:

1. Have you taken care to ensure you don't inadvertently share people's data with others, eg when sending bulk emails or invites, have you used bcc?
2. Have the subjects given consent for their data to be used in the way that you are using it, eg to receive communications from GeoMôn?

Storing data

Think carefully about where you store data.

Electronic data should be stored using GeoMôn digital systems (Office 365). Data kept for specific purposes for example on spreadsheets should be stored in Teams or OneDrive, never on the individual hard drive of your laptop or other devices.

Use password protection on files containing personal data. When sharing file passwords, do not send them in the same message as the data.

IT equipment should be locked electronically when not in use. This applies to equipment supplied by GeoMôn and, if used for GeoMôn purposes, your own devices eg phones.

Hard copy data eg in notebooks or on print outs, should be kept to a minimum, protected carefully and destroyed securely after use. For advice on secure disposal of hard copy data speak to your line manager or the data controller.

Where data is held by a third party service provider, then the responsibility for ensuring data is securely stored is held by the Chief Executive or Head of Service responsible for that platform.

No data should be stored with a third party service provider unless the data controller has confirmed that the provider meets the necessary security standards.

Sensitive personal data

Sometimes it will be necessary for GeoMôn to process sensitive personal data about a person, such as race, gender or family details. In some case this relates to our commitment to inclusivity, diversity and equality.

There may also be a need for GeoMôn to ask for information relating to particular health, family or disability needs, to ensure we support our members of staff, volunteers and trustees in the ways they prefer and which best suit their individual needs, and in case of medical or other emergency at work.

In these cases, GeoMôn will ask individuals for their express consent to hold



and process such data.

Personal data breach

Make sure you understand [what constitutes a potential personal data breach](#), and who to contact should you become aware of a potential personal data breach.

A personal data breach or potential personal data breach could include a loss of a USB stick, data being destroyed or sent to the wrong address (electronically or physically), theft of a laptop/tablet/phone, hacking or other cyberattack.

If you become aware of a personal data breach or a potential personal data breach you **must** inform the GeoMôn data controller immediately.

Subject access request

Current and former members of staff, volunteers, trustees and staff of member organisations have the right to access any personal data relating to them which is held/used by GeoMôn, whether held electronically or in hard copy.

To make a subject access request please email or write to the data controller, marking your communication 'Subject access request'.

The data controller will acknowledge receipt of the subject access request by the end of the next working day. A full response will be provided within 30 calendar days.

Right to be forgotten (right of erasure)

Current and former members of staff, volunteers, trustees and staff of member organisations have the right to request erasure of any personal data relating to them which is held/used by GeoMôn, whether held electronically or in hard copy.

To make a right to be forgotten request please email or write to the data controller, marking your communication 'Data erasure request'.

The data controller will acknowledge receipt of the subject access request by the end of the next working day. A full response will be provided within 30 calendar days.

Retention of data

GeoMôn will keep data which is being used in line with the GDPR.

GeoMôn will retain personal data relating to members of staff, volunteers and trustees for six years after the date the subject leaves employment or voluntary service with the organisation. This includes information relating to pensions, taxation, and information required to complete future reference requests.

All other personal data will be retained as set out in our privacy policy.

Next Review Date: 6th March 2022

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