# Data Protection Policy – September 2024

The Data Protection Act regulates the processing of information relating to individuals (living identifiable persons). This includes the obtaining, holding, using or disclosing of such information and covers computerised records as well as manual filing systems.

[Name of Firm] will hold the minimum personal information necessary to enable us to perform our functions effectively. All such information is confidential and must be treated with care in order to comply with the requirements of the Data Protection Act and other legislation.

## Data Protection Principles

[Name of Firm] fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act. This Act has seven key Principles which require that personal information shall be:

1. Processed lawfully fairly and in a transparent manner
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
3. Used in a way that is adequate, relevant and limited to only what is necessary
4. Accurate and, where necessary, kept up to date
5. Kept for no longer than is necessary
6. Handled in a way that ensures appropriate security including protection against unlawful or unauthorised processing, access loss, destruction or damage.
7. The controller shall be responsible for and be able to demonstrate compliance with paragraph 1 (accountability).

All staff who process or use personal data must ensure that they abide by these Principles at all times

### Procedures

[Name of Firm] will, through appropriate management and strict application of criteria and controls:

* Comply fully with the requirements for fair collection and use of information.
* Meet its legal obligations to specify the purposes for which information is used.
* Collect and process appropriate information only to the extent that it is needed to fulfil our operational needs or to comply with any regulatory or legal requirements.
* Ensure the quality and accuracy of information used.
* Ensure that the information is held for no longer than necessary.
* Ensure that the rights of people about whom information is held can be fully exercised under the Act (i.e. the right to: be informed that processing is being undertaken, access that personal information, prevent processing in certain circumstances, to correct, rectify, block or erase information that is regarded as incorrect and to obtain and reuse date for different services).
* Take appropriate technical and organisational security measures to safeguard personal information.
* Ensure that personal information is not transferred abroad without suitable safeguards.

### Staff Responsibilities

All staff are required to be aware of the provisions of the Data Protection Act and are responsible for ensuring that any personal data they hold whether in electronic or paper format is kept securely and is not disclosed deliberately or accidentally either orally or in writing to any unauthorised third party.

Any breach of this Data Protection Policy whether deliberate or through negligence may lead to disciplinary action being taken or even a criminal prosecution.

Training on data protection will be provided annually to ensure ongoing understanding.

### Subject Access Requests

Any request for access to personal data must be referred to Director’s Name who is responsible for compliance with Data Protection Regulation. Such requests must be made in writing by the applicant. The Data Protection Act requires that any legitimate requests for personal information must be processed within 1 month of receipt of the request unless the circumstances are particularly complex. If it is likely to take longer than 1 month we must keep the data subject informed. ~~.~~

We are not allowed to charge for the provision of the personal data unless we are being asked for a large amount of information or the request will take a lot of time and effort to process.

[Name of Firm] must always verify the identity of anyone making a subject access request.