

Data Protection Policy

Summary policy statement

Ambitious about Autism looks after the information it holds about you and respects your privacy. We take appropriate security precautions to prevent your information being lost or falling into the wrong hands.

We make sure that the information we hold is as accurate as possible; we do not hold more information than we need; and we do not hold it longer than we need to.

We do not share your data with anyone else without your permission, except when we believe it is the only way to prevent harm to you or other people. If we do disclose information without your permission, this is authorised by the Chief Executive, and we will explain our reason to you at the earliest opportunity.

Other policies to be referred to

- Data Security Policy
- Confidentiality Policy
- Compliments and Complaints Policy

Full policy

Introduction and principles

This policy applies to the whole of Ambitious about Autism, including TreeHouse School and Ambitious College. It applies to all trustees, governors and workers, paid or unpaid, including employees, trainees, people on placement, temporary staff, interns, contractors and volunteers.

Ambitious about Autism processes personal data about employees, students, their parents, other service-users, donors and other stakeholders.

Note: In this policy, various terms are used with the specific meaning they have under the Data Protection Act. These include 'personal data', 'processing' and 'data subject'.

Ambitious about Autism is committed to good practice in the handling of personal data and careful compliance with the legal requirements of the Data Protection Act 1998. Ambitious about Autism aims above all to protect people from harm through data being misused, mismanaged or not being held securely.

Ambitious about Autism also ensures that it takes account of the legitimate concerns of individuals about the ways in which their data may be used. In particular, Ambitious about Autism aims to be open and transparent in the way it uses personal data and, where relevant, to give individuals a choice over what data is held and how it is used.

Ambitious about Autism has policies and procedures in place to ensure that it complies with the eight Data Protection Principles set out in the Data Protection Act. These specify, in brief, that personal data must be:

1. Processed fairly and lawfully;
2. Obtained for specified purposes and then only used for those purposes;
3. Adequate, relevant and not excessive;
4. Accurate and up to date;
5. Not kept any longer than necessary;
6. Processed in accordance with the data subject's rights;
7. Securely kept; and
8. Transferred outside the UK only in certain circumstances.

The most important risks which this policy addresses are:

- Inappropriate disclosure of personal data about service users that puts an individual at personal risk or contravenes a duty of confidentiality;
- Negligent loss of data that would cause concern to people whose data was lost and would seriously affect Ambitious about Autism's reputation;
- Failure to follow good practice in the Data Protection aspects of fundraising; and
- Failure to engage Data Processors on legally compliant terms.

Operational procedures and guidance to paid staff and volunteers set out more detailed ways in which these risks can be managed and the objectives achieved.

Responsibilities

The Board of Trustees of Ambitious about Autism recognises its overall legal responsibility for Data Protection compliance.

Day to day responsibility for Data Protection is delegated to the Chief Executive as the nominated Data Protection Officer. The main responsibilities of the Data Protection Officer are:

- Briefing the Board of Trustees on their and Ambitious about Autism's Data Protection responsibilities;
- Reviewing Data Protection and related policies;
- Advising other staff on Data Protection issues;
- Ensuring that Data Protection induction and regular training takes place;
- Approving unusual or controversial disclosures of personal data;
- Approving contracts with Data Processors (external contractors and suppliers of outsourced services);
- Notification (i.e. registration with the Information Commissioner); and
- Handling requests from individuals for access to their personal data.

Managers and Heads of Departments have responsibility for data protection within their own area of operation. However, all employees and volunteers are responsible for ensuring information and data is maintained securely in accordance with this policy and procedures that apply to their area of work. All employees and volunteers have the following responsibilities:

- Assisting the Data Protection Officer in identifying aspects of their area of work which have Data Protection implications so that guidance can be provided as necessary;
- Ensuring that their activities take full account of Data Protection requirements; and
- Engaging fully in Data Protection and confidentiality training.

Confidentiality and security

Ambitious about Autism recognises that a clear policy on confidentiality of personal data – in particular that of service users – underpins security. It maintains a policy that sets out how staff and volunteers are authorised to access which data and for which purposes.

All staff and volunteers are required to abide by any security measures designed to protect personal data from loss, misuse or inappropriate disclosure.

Principles underlying operational procedures

Good Data Protection practice is, wherever relevant, incorporated into everyday operational procedures. These aim to include:

- Transparency, so that all the individuals about whom data is collected are made aware of the uses that Ambitious about Autism makes of information about them, and in particular to whom it may be disclosed;
- Informed consent, where necessary, especially in the case of service users;
- Good quality data, so that all the data held about individuals is accurate and can be justified as adequate, relevant and not excessive;
- Clear archiving and retention periods; and
- Security, proportionate to the risk of information being lost or falling into the wrong hands.

Specific legal provisions

Ambitious about Autism maintains an up to date Notification with the Information Commissioner as required by law.

All contracts between Ambitious about Autism and external data processors are reviewed by the Data Protection Officer for compliance with Data Protection Act requirements.

Name of Policy:	Data Protection Policy
Contractual/Non-Contractual	Non Contractual but subject to statutory legislation
Date last approved	December 2014
Policy reviewed by	ELT
Date to be reviewed	December 2015
Responsibility of which ELT member	Rachel Dufton
Type of Policy	General