

# Data Protection Policy

Version: 2  
Date: 15 Nov 2024  
Filename: DataProtectionPolicy\_2.odt

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Any queries regarding the document should be referred to

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## Document History

Version	Date	Author	Comments
1 Draft A	04/05/18	A D Middleton	Initial version based upon sample produced by U3A. Document format updated and minimal changes made to make specific to Macclesfield U3A.
1 Draft B	21/05/18	A D Middleton	Updated to reflect Macclesfield U3A requirements.
1 Final	02/06/18	A D Middleton	No changes required after review
2 Draft	30/10/24	P E Thomas	Updated section 13 to reflect impact of pandemic on data removal, section 16 on review period and updated reference 1
2 Final	15/11/24	P E Thomas	No changes required after review

## References

1. *Macclesfield U3A Privacy Policy, PrivacyPolicy\_2.*

## 1 Introduction

This policy applies to the work of The Macclesfield U3A (hereafter 'the U3A'). The policy sets out the requirements that the U3A has to gather information for membership purposes. The policy details how personal information will be gathered, stored and managed in line with data protection principles and the General Data Protection Regulation. The policy is reviewed on an ongoing basis by the U3A committee members to ensure that we are compliant. This policy should be read in tandem with the U3A's Privacy Policy [Ref. 1].

## 2 Why this policy exists

This data protection policy ensures the U3A:

- Complies with data protection law and follows good practice
- Protects the rights of members
- Is open about how it stores and processes members data
- Protects itself from the risks of a data breach

## 3 General guidelines for committee members, group leaders and other officials

- The only people able to access data covered by this policy should be those who need to communicate with or provide a service to the U3A members or take part in the management of the U3A.
- The U3A will provide induction training to committee members, group leaders and other officials to help them understand their responsibilities when handling data.
- Committee Members, group leaders and other officials should keep all data secure, by taking sensible precautions and following the guidelines below.
- Strong passwords must be used and they should never be shared.
- Data should not be shared outside of the U3A unless with prior consent and/or for specific and agreed reasons. Examples would include Gift Aid information provided to HMRC or information provided to the distribution company for the Trust publications.
- Member information should be refreshed periodically to ensure accuracy, via the membership renewal process or when policy is changed.
- Additional support will be sought from the Third Age Trust where uncertainties or incidents regarding data protection arise.

## 4 Data protection principles

The General Data Protection Regulation identifies key data protection principles:

Principle 1 - Personal data shall be processed lawfully, fairly and in a transparent manner.

Principle 2 - Personal data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.

Principle 3 - The collection of personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Principle 4 - Personal data held should be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

Principle 5 - Personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.

Principle 6 - Personal data must be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

## 5 Lawful, fair and transparent data processing

The U3A requests personal information from potential members and members for membership applications, the management of the U3A and for sending communications about their involvement with the U3A. The forms used to request personal information will contain a privacy statement informing potential members and members as to why the information is being requested and what the information will be used for. The lawful basis for obtaining member information is due to the contractual relationship that the U3A has with individual members. In addition members will be asked to provide consent for specific processing purposes. U3A members will be informed as to who they need to contact should they wish for their data not to be used for specific purposes for which they have provided consent. Where these requests are received they will be acted upon promptly and the member will be informed as to when the action has been taken.

## 6 Processed for specified, explicit and legitimate purposes

Members will be informed as to how their information will be used and the Committee of the U3A will seek to ensure that member information is not used inappropriately. Appropriate use of information provided by members will include:

- Administration, management and planning the U3A, its services and activities
- Communicating with members about the U3A, its events and activities
- Group leaders communicating with group members about the group, its events and activities
- Consent will be sought in order to add members details to the direct mailing information for the Third Age Trust magazines - Third Age Matters and Sources
- Sending members information about The Third Age Trust, its events and activities
- Communicating with members about their membership and/or renewal of their membership
- Communicating with members about specific issues that may have arisen during the course of their membership
- Communicating with members about events and activities outside the U3A that are likely to be relevant or of interest

The U3A will ensure that group conveners are made aware of what would be considered appropriate and inappropriate communication. Inappropriate communication would include sending U3A members marketing and/or promotional materials from external service providers.

The U3A will ensure that members' information is managed in such a way as to not infringe an individual members rights which include:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object

## 7 Adequate, relevant and limited data processing

Members of the U3A will only be asked to provide information that is relevant for membership purposes. This will include:

- Name
- Postal address
- Email address
- Telephone number(s)
- Gift Aid entitlement (historical)
- Group membership
- Gender (optional, to allow monitoring of gender balance of members and committee members etc.)
- Subscription details
- Attendance register (optional by group leader)

Where additional information may be required such as health related information this will be obtained with the consent of the member who will be informed as to why this information is required and the purpose that it will be used for.

Where the U3A organises a trip or activity that requires next of kin information to be provided, a legitimate interest assessment <sup>(1)</sup> will have been completed in order to request this information. Members will be made aware that the assessment has been completed. If information needs to be given to a third party as part of the organising a trip or activity specific consent will be gained.

## 8 Photographs

Photographs are classified as personal data. Where group photographs are being taken members should step out of shot if they don't wish to be in the photograph. Otherwise consent, probably verbal, will be obtained from members in order for photographs to be used and members will be informed as to where photographs will be used. Should a member wish at any time to remove their consent and to have their photograph removed then they should contact the photographer in the first instance, otherwise the Membership Secretary to advise that they no longer wish their photograph to be displayed. Depending on where the photograph has been used this may not be possible.

## 9 Accuracy of data and keeping data up-to-date

The U3A has a responsibility to ensure members' information is kept up to date. Members have a responsibility to let the Membership Secretary know if any of their personal information changes. In addition, on an annual basis, the membership renewal process will provide an opportunity for members to inform the U3A as to any changes in their personal information.

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<sup>1</sup> <https://macclesfield.u3asite.uk/links/>

## 10 Accountability and governance

The U3A Committee are responsible for ensuring that the U3A remains compliant with data protection requirements and can provide evidence that it has. Where consent is required for specific purposes then evidence of this consent (either electronic or paper) will be obtained and retained securely. The U3A Committee will ensure that new members joining the Committee receive an induction into the requirements of GDPR and the implications for their role. The U3A will also ensure that group leaders and other officials are made aware of their responsibilities in relation to the data they hold and process. Committee Members shall also stay up to date with guidance and practice within the U3A movement and shall seek additional input from the Third Age Trust National Office should any uncertainties arise. The Committee will review data protection and who has access to information on a regular basis as well as reviewing what data is held. When Committee Members and Group Conveners relinquish their roles, they will be asked to either pass on data to those who need it and/or delete data.

## 11 Secure Processing

The U3A Committee Members have a responsibility to ensure that data is both securely held and processed. This will include:

- All officials using strong passwords
- All officials not sharing passwords
- Reviewing who has access to information and their access rights
- Using password protection on laptops and PCs that contain personal information
- Using password protection or secure cloud systems when sharing data between committee members and/or group leaders
- Considering any need for firewall security to be put onto Committee Members' laptops or other devices.

## 12 Subject Access Request

U3A members are entitled to request access to the information that is held by the U3A. The request should be made to the Membership Secretary of the U3A by email or telephone. On receipt of the request, the request will be formally acknowledged and dealt with expediently. The U3A will usually respond within 14 days unless there are exceptional circumstances as to why the request cannot be granted. The U3A will provide a written response detailing all information held on the member. This should include that held within BEACON, any paper records and any held by leaders of groups of which the subject is a member. A record shall be kept of the date of the request and the date of the response.

## 13 Data Removal

Information is retained as long as a member's status is Current (i.e. an annual membership renewal has been obtained). If a member's status changes to Lapsed or Resigned, the member is removed from all the u3a groups at or before the end of the annual renewal grace period. If informed of a death, the status changes to Deceased and the email address is deleted. Until membership returns to pre-Covid pandemic levels, information is retained for 7 years (in part for historical Gift Aid purposes). If there is no membership activity for 7 consecutive years, the full record is deleted.

## 14 Restriction of Processing

A member may make a request that processing of their data be restricted in some way. Any such request will be considered by the Committee to determine if this is compatible with managing the persons ongoing membership. If not, the member may have to amend their request if they are to continue being a member.

## 15 Data Breach Notification

Were a data breach to occur action shall be taken to minimise the harm. This will include ensuring that all the U3A Committee Members are made aware that a breach has taken place and how the breach occurred. The Committee shall then seek to rectify the cause of the breach as soon as possible to prevent any further breaches. The Chair of the U3A shall contact National Office within 24 hours of the breach occurring to notify of the breach. A discussion will take place between the Chair and National Office as to the seriousness of the breach, action to be taken and, where necessary, the Information Commissioner's Office would be notified. The Committee shall also contact the relevant U3A members to inform them of the data breach and actions taken to resolve the breach.

Where a U3A member feels that there has been a breach by the U3A, a committee member will ask the member to provide an outline of the breach. If the initial contact is by telephone, the committee member will ask the U3A member to follow this up with an email or a letter detailing their concern. The alleged breach will then be investigated by members of the committee who are not in any way implicated in the breach. Where the committee needs support or if the breach is serious they should notify National Office. The U3A member should also be informed that they can report their concerns to National Office if they don't feel satisfied with the response from the U3A. Breach matters will be subject to a full investigation, records will be kept and all those involved notified of the outcome.

## 16 Regular Review

The Committee will regularly review this policy. At minimum this will include:

- Data held
- Usage of data
- Who has access to data
- Changes to systems and procedures, including third parties
- Legislative changes