

 **Data Protection Policy**

**Introduction**

MFYP Ltd needs to keep certain information about its employees, students and other users to allow it to monitor performance, achievements and health and safety, for example. It is also necessary to process information so the MFYP Ltd can comply with its legal obligations and staff can be recruited, paid and courses organised. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

To so this MFYP Ltd must comply with the Data Protection Principles, which are set out in the Data Protection Act 1998.

In summary these state that personal data shall:

* Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
* BE obtained for a specific and lawful purpose and shall not be processed in any manner incompatible with that purpose.
* Be adequate, relevant and not excessive for that purpose.
* Be accurate and kept up to date.
* Not be kept for longer than is necessary for that purpose.
* Be processed in accordance with the data subject’s rights.

Be kept safe from unauthorised access, accidental loss or destruction.

* Not to be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

All MFYP Ltd staff or others who process information must ensure that the follow these principles at all times.

 **Data Controller**

**MFYP Ltd is the** Data Controller under the Act, which means that it determines what purposes personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

**Data Collection**

Informed consent

Informed consent is when:

·     A data subject clearly understands why their data information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data.

·      And then gives their consent.

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

When collecting data, MFYP Ltd will ensure that the data subject:

·      Clearly understands why the information is needed.

·      Understands what it will be used for and what the consequences are should the Data Subject decide not to give consent to processing.

·      As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed.

·      Is as far as reasonably practicable, competent to give consent and has given freely without any duress.

·      Has received sufficient information on why their data is needed and how it will be used.

**Data Storage**

Information and records relating to service users will be stored securely and will only be accessible to authorised staff and volunteers.

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

It is SAV’s responsibility to ensure 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.

**Data Access and Accuracy**

All Data Subjects have the right to access the information MFYP Ltd holds about them. MFYP Ltd will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition MFYP Ltd will ensure that:

* It has a Data Protection Officer with specific responsibility for ensuring compliance with Data Protection.
* Everyone processing personal information understands that they are contractually responsible for following good data protection practice.
* Everyone processing personal information is appropriately trained to do so.
* Everyone processing personal information is appropriately supervised.
* Anybody wanting to make enquiries about handling personal information knows what to do.
* It deals promptly and courteously with any enquiries about handling personal information.
* It describes clearly how it handles personal information.
* It will regularly review and audit the ways it holds, manages and uses personal information.
* It will regularly assess and evaluate its methods and performance in relation to handling personal information.
* 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.
* **Data Disclosure**

MFYP Ltd may share data with other agencies such as the local authority, funding bodies and other voluntary agencies. The data subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows MFYP Ltd to disclose data (including sensitive data) without the data subject’s consent. These are:

* Carrying out a legal duty or as authorised by the Secretary of State
* Protecting vital interests of a Data Subject or other person
* The Data Subject has already made the information public
* Conducting any legal proceedings, obtaining legal advice or defending any legal rights
* Monitoring for equal opportunities purposes – i.e. race, disability or religion
* Providing a confidential service where the Data Subject’s consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill Data Subjects to provide consent signatures.

MFYP Ltd regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal. MFYP Ltd intends to ensure that personal information is treated lawfully and correctly.

his policy will be 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 1998.

In case of any queries or questions in relation to this policy please contact the MFYP Ltd Data Protection Officer.

 MFYP Ltd

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