



# Data Protection and Privacy Policy

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## 1. Introduction

**KEVI CORPORATE TRUSTEE LIMITED** (hereinafter referred to as ‘**the Trustee**’), a company limited by guarantee incorporated in England and Wales (company number: 10178525), whose registered office is at Almshouse Office, King Edward VI Almshouses, Abbey Lane, Saffron Walden CB10 1DE, in its capacity as the sole corporate trustee of King Edward the Sixth and the Reverend Joseph Prime Almshouse Charity (registered charity number: 210590) and the Gibson Charity (registered charity number: 210590-1) (the two Charities hereinafter referred to as ‘**The Charities**’) has adopted the following policy with regard to Data protection and privacy.

This policy applies to all data held regarding current and former employees, residents and Trustees/ Directors of the Trustee.

## 2. Responsibilities

Trustees/ Directors have overall responsibility for compliance with GDPR. The Business Officer and Estate Officer have day-to-day responsibility for compliance. Failure to comply may result in disciplinary action.

## 3. The General Data Protection Regulation 2016

GDPR is designed to enable individuals to better control their personal data. It regulates the way in which certain information about residents and employees is held and used. This policy outlines the types of information that KEVI keeps and the purposes for which it is kept.

KEVI uses the following principles governing the handling and processing of data. Data must be:

Held securely and not transferred anywhere without adequate protection

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up-to-date
- Not kept for longer than is necessary
- Processed in line with individual rights.

## 4. Record of Processing Activity (ROPA)

“Personal data” is defined in both the Directive and the GDPR as any information relating to a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. KEVI will ensure that the individual to whom the personal data that it holds relates has consented to the processing and also that the processing is necessary in order to carry out the charitable objectives.

KEVI will only:

- Process information necessary to carry out the work of KEVI
- Process information necessary to provide or administer activities for residents
- Share the information with people and organisations necessary to carry out the organisations activities
- Keep the information while the individual is a resident or as long as necessary for administration purposes.

## **5. Relevance and accuracy**

Personal data will be adequate, relevant and not excessive in relation to the purpose for which it is processed. KEVI will use reasonable endeavours to ensure data is accurate and where necessary, kept up-to-date.

## **6. Length of time data is to be kept**

Data on Trustees/ Directors, employees and volunteers will be destroyed after three year.

Data will not be kept for longer than is necessary for KEVI to carry out its duties and legal responsibilities. This includes digital data as well as paper.

A resident's file will be completely destroyed within three years of the resident leaving or passing away, unless required for further administrative purposes of the Charity. Application forms from unsuccessful applicants will be destroyed within one year to allow for challenging from applicants.

## **7. Rights of the Individual**

Personal data shall be processed in accordance with the rights of the individuals concerned notably:

- A right of access to a copy of the information comprised in their personal data
- A right to object to processing that is likely to cause or is causing damage or distress
- A right to prevent processing for direct marketing
- A right to object to decisions being taken by automated means
- A right in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed. Should the data subject subsequently wish to have their data removed and the data is no longer required for the reasons for which it was collected then it must be deleted/destroyed.
- A right to claim compensation for damages caused by a breach of the Regulations.

## **8. Storing Information**

- Personal files for residents will be kept in a locked filing cabinet at all times with access by the Staff and Trustees only.
- Trustee details will be kept in the same locked filing cabinet, however, names of KEVI trustees/directors are displayed on the Companies House website.
- Sensitive data concerning residents will only be stored digitally for as long as necessary for administrative purposes. The computer is password protected.
- Contractors requiring to arrange access with the resident direct will only be provided with phone numbers/names after consent has been given by the resident.

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- Digital data is all held in secure cloud accounts. A local backup is held on a separate portable hard drive and stored in a locked fire cabinet.

## 9. Data Processing

Paper and digital data are not shared outside of the organisation without consent, with the exception of data required legally to be shared (e.g. to enable benefit payments).

**Email:** No Personal Data will be shared via email without consent. Data exchanges between staff and Trustees to enable the objectives of KEVI are within KEVI's own secure cloud network.

## 10. Retention Practice

Paper and digital data are kept only as long as required for processing.

## 11. Destroying Data

- Personal information held on paper will be destroyed by shredding
- All computer records (including any backup files) will be erased and overwritten to ensure complete removal beyond the ability to retrieve any data
- Data storage devices of all types will be destroyed at the end of their usable life beyond the ability to retrieve any data from them
- If a computer or other device is sold all contents will be erased and overwritten to ensure complete removal beyond the ability to retrieve any data.

## 12. Consent

Consent to hold data will be obtained in all cases. This can be digitally by an individual submitting data and in so doing giving consent, or on paper. Paper consent forms (resident agreement forms) are retained as noted in section 6 above.