York LGBT Forum
General Data Protection Regulation Policy

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Signed by: Jake Furby on behalf of the committee and members

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## **Introduction**

York LGBT Forum is committed to conducting its activities in accordance with all applicable Data Protection laws and regulations and in line with the highest standards of ethical conduct. As a EU country we are governed by The General Data Protection Regulation.

This policy sets forth the expected behaviours of York LGBT Forum ‘Workers’\* and Third Parties in relation to the collection, use, retention, transfer, disclosure and destruction of any ‘Personal Data’\* belonging to a York LGBT Forum Contact (i.e. the ‘Data Subject’\*).

‘Personal Data’ is any information (including opinions and intentions) which relates to an identified or ‘Identifiable Natural Person’. ‘Personal Data’ is subject to certain legal safeguards and other regulations, which impose restrictions on how organisations may process ‘Personal Data’.

An organisation that handles ‘Personal Data’ and makes decisions about its use is known as a ‘Data Controller’. York LGBT Forum, as a ‘Data Controller’, is responsible for ensuring compliance with the ‘Data Protection’ requirements outlined in this policy. Non-compliance may expose York LGBT Forum to complaints, regulatory action, fines and/or reputational damage.

The York LGBT Forum’s Workers are fully committed to ensuring continued and effective implementation of this policy and expects all York LGBT Forum ‘Workers’ and ‘Third Parties’ to share in this commitment. Any breach of this policy will be taken seriously and may result in disciplinary action.

## **Scope**

This policy applies to all York LGBT Forum activities where a ‘Data Subject’s Personal Data’ is processed:

* For the provision or offer of services to individuals by York LGBT Forum
* Membership Enrolments
* Trustee Enrolments and Declarations
* Volunteers Enrolments
* Non-Members Enrolments
* Service Users Enrolments

This policy applies to all ‘Processing of Personal Data’ in electronic form (including electronic mail and documents created with word processing software) or where it is held in manual files that are structured in a way that allows ready access to information about individuals.

Where national law imposes a requirement, which is stricter than imposed by this policy, the requirements in national law must be followed. Furthermore, where national law imposes a requirement that is not addressed in this policy, the relevant national law must be adhered to.

If there are conflicting requirements in this policy and national law, please consult with Information ‘Asset and Information Risk Owner’

## **Definitions**

Worker: An individual who volunteers for York LGBT Forum who has recognised rights and duties. (Note, we do not currently employ staff)

Third Party: An external organisation with which York LGBT Forum conducts activities and is also authorised to, under the direct authority of York LGBT Forum, Process the Personal Data of York LGBT Forum Contacts.

Personal Data: Any information (including opinions and intentions) which relates to an identified or Identifiable Natural Person.

Contact: Any past, current or prospective York LGBT Forum customer

Identifiable Natural Person: Anyone who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social id of that natural person.

Data Controller: A natural or legal person, Public Authority, Agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data.

York LGBT Forum: A registered charitable incorporated organisation with membership.

Data Subject: The identified or Identifiable Natural Person to which the data refers.

Process, Processed, Processing: Any operation or set of operations performed on Personal Data or on sets of Personal Data, whether or not by automated means. Operations performed may include collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Data Protection: The process of safeguarding Personal Data from unauthorised or unlawful disclosure, access, alteration, Processing, transfer or destruction.

Data Protection Authority: An independent Public Authority responsible for monitoring the application of the relevant Data Protection regulation set forth in national law.

Data Processors: A natural or legal person, Public Authority, Agency or other body which Processes Personal Data on behalf of a Data Controller.

Consent: Any freely given, specific, informed and unambiguous indication of the Data Subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to them.

Special Categories of Data Personal Data pertaining to or revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership; data concerning health or sex life and sexual orientation; genetic data or biometric data.

Third Country: Any country not recognised as having an adequate level

of legal protection for the rights and freedoms of Data Subjects in relation to the Processing of Personal Data.

Profiling: Any form of automated processing of Personal Data where Personal Data is used to evaluate specific or general characteristics relating to an Identifiable Natural Person. In particular to analyse or predict certain aspects concerning that natural person’s performance at work, economic situations, health, personal preferences, interests, reliability, behaviour, location or movement.

Binding Corporate Rules: The Personal Data protection policies used for the transfer of Personal Data to one or more Third Countries within a group of undertakings, or group of enterprises engaged in a joint economic activity.

Personal Data Breach: A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise Processed.

Encryption: The process of converting information or data into code, to prevent unauthorised access.

Pseudonymisation Data: amended in such a way that no individuals can be identified from the data (whether directly or indirectly) without a “key” that allows the data to be re-identified.

Anonymisation Data: amended in such a way that no individuals can be identified from the data (whether directly or indirectly) by any means or by any person.

Asset and Information Risk Owner: Someone who identifies where, how, whom and who is responsible for processing and storing data. Furthermore, someone who identifies risk to the data.

## Data Protection Policy

### Data Protection Officer

The York LGBT Forum is a small charity with no current paid employees. We therefore do not need a data protection officer.

**Policy Dissemination and enforcement**

The York LGBT Forum committee will ensure that all Workers who are responsible for the Processing of Personal Data are aware of and comply with the contents of this policy.

In addition, the York LGBT Forum will make sure that all Third Parties engaged to Process Personal Data on their behalf (i.e their Data Processor) are aware of and comply with contents of this policy. Assurance of such compliance must be obtained from all Third Parties, whether companies or individuals, prior to granting them access to Personal Data controlled by York LGBT Forum.

Example: An organisation accessing Personal Data of the attendees of the York LGBT Mental Health Group

### Data Protection by Design

To ensure that all Data Protection requirements are identified and addressed when designing new systems or processes and/or when reviewing or expanding existing systems or processes, each of them must go through an approval process before continuing.

The York LGBT Forum will ensure that Data Protection Impact Assessment (DPIA) is conducted for all new and/or revised systems or processes for which it has responsibility. The findings of the DIPA will be presented to the York LGBT Forum committee. If applicable guidance will be sort with the emergence of new technology and securing the safety of people’s personal data.

You can access the most recent DIPA’s via the membership Dropbox.

### 4.3 Monitoring

To confirm that an adequate level of compliance that is being achieved by all York LGBT Forum.

* Compliance with Policy in relation to the protection of Personal Data, including:
* The assignment of responsibilities.
* Raising awareness.
* Training of Volunteers.
	1. The effectiveness of Data Protection related operational practices, including:
	+ Data Subject rights.
	+ Personal Data transfers.
	+ Personal Data incident management.
	+ Personal Data complaints handling.
	+ The level of understanding of Data Protection policies and Privacy Notices.
	+ The currency of Data Protection policies and Privacy Notices.
	+ The accuracy of Personal Data being stored.
	+ The conformity of Data Processor activities.
	+ The adequacy of procedures for redressing poor compliance and Personal Data Breaches.
	+ The Information Asset Owner, in cooperation with key subgroup coordinators from each York LGBT Forum subgroup, will devise a plan with a schedule for correcting any identified deficiencies within a defined and reasonable time frame. Any major deficiencies identified will be reported to and monitored by the York LGBT Forum Committee.

### Data Protection Principles

York LGBT Forum has adopted the following principles to govern its collection, use, retention, transfer, disclosure and destruction of Personal Data:

1. Principle 1: Lawfulness, Fairness and Transparency
Personal Data shall be processed lawfully, fairly and in a transparent manner in relation to the Data Subject. This means, York LGBT Forum must tell the Data Subject what Processing will occur (transparency), the Processing must match the description given to the Data Subject (fairness), and it must be for one of the purposes specified in the applicable Data Protection regulation (lawfulness).

Principle 2: Purpose Limitation
Personal Data shall be collected for specified, explicit and legitimate purposes and not further Processed in a manner that is incompatible with those purposes. This means York LGBT Forum must specify exactly what the Personal Data collected will be used for and limit the Processing of that Personal Data to only what is necessary to meet the specified purpose.

Principle 3: Data Minimisation
Personal Data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are Processed. This means York LGBT Forum must not store any Personal Data beyond what is strictly required.

Principle 4: Accuracy

Personal Data shall be accurate and, kept up to date.

This means York LGBT Forum must have in place processes for identifying and addressing out-of-date, incorrect and redundant Personal Data.

Principle 5: Storage Limitation

Personal Data shall 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 is Processed. This means York LGBT Forum must, wherever possible, store Personal Data in a way that limits or prevents identification of the Data Subject

Principle 6: Integrity & Confidentiality

Personal Data shall 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. York LGBT Forum must use appropriate

technical and organisational measures to ensure the integrity and confidentiality of Personal Data is maintained at all times.

Principle 7: Accountability

The Data Controller shall be responsible for, and be able to demonstrate compliance. This means York LGBT Forum must demonstrate that the six Data Protection Principles (outlined above) are met for all Personal Data for which it is responsible.

### Data Collection

Personal Data should be collected only from the Data Subject unless one of the following apply:

* The nature of the business purpose necessitates collection of the Personal Data from other persons or bodies.
* The collection must be carried out under emergency circumstances in order to protect the vital interests of the Data Subject or to prevent serious loss or injury to another person.

If Personal Data is collected from someone other than the Data Subject, the Data Subject must be informed of the collection unless one of the following apply:

* The Data Subject has received the required information by other means.
* The information must remain confidential due to a professional secrecy obligation
* A national law expressly provides for the collection, Processing or transfer of the Personal Data.

Where it has been determined that notification to a Data Subject is required, notification should occur promptly, but in no case later than:

* One calendar month from the first collection or recording of the Personal Data
* At the time of first communication if used for communication with the Data Subject
* At the time of disclosure if disclosed to another recipient

### 4.7 Data Subject Consent

York LGBT Forum will obtain Personal Data only by lawful and fair means and, where appropriate with the knowledge and Consent of the individual concerned. Where a need exists to request and receive the Consent of an individual prior to the collection, use or disclosure of their Personal Data, York LGBT Forum is committed to seeking such Consent.

The committee shall establish a system for obtaining and documenting Data Subject Consent for the collection, Processing, and/or transfer of their Personal Data. The system must include provisions for:

* Determining what disclosures should be made in order to obtain valid Consent.
* Ensuring the request for consent is presented in a manner which is clearly distinguishable from any other matters, is made in an intelligible and easily accessible form, and uses clear and plain language.
* Ensuring the Consent is freely given (i.e. is not based on a contract that is conditional to the Processing of Personal Data that is unnecessary for the performance of that contract).
* Documenting the date, method and content of the disclosures made, as well as the validity, scope, and volition of the Consents given.
* Providing a simple method for a Data Subject to withdraw their Consent at any time.

Legal Obligation

York LGBT Forum has legal obligation to obtain ‘Personal Data’ of service users and children. Under Safeguarding regulations.

### 4.8 Subject Notification

York LGBT Forum will, when required by applicable law, contract, or where it considers that it is reasonably appropriate to do so, provide Data Subjects with information as to the purpose of the Processing of their Personal Data.

When the Data Subject is asked to give Consent to the Processing of Personal Data and when any Personal Data is collected from the Data Subject, all appropriate disclosures will be made, in a manner that draws attention to them, unless one of the following apply:

* The Data Subject already has the information
* A legal exemption applies to the requirements for disclosure and/or Consent.

The disclosures may be given orally, electronically or in writing. If given orally, the person making the disclosures should use a suitable script or form approved in advance by the committee. The associated receipt or form should be retained, along with a record of the facts, date, content, and method of disclosure.

### 4.9 Privacy Notices

### Our website will include an online ‘Privacy Notice’ fulfilling the requirements of applicable law. Refer to York LGBT Forum’s ‘Internet Privacy Notice’ standard templates for guidance. All Privacy Notices must be approved by the committee prior to publication on any York LGBT Forum website. Owing to our website being a Wordpress website it automatically uses cookies. Cookies are small pieces of data, stored in text files, that are stored on your computer or other device when websites are loaded in a browser. They are widely used to ‘remember’ you and your preferences, either for a single visit (through a ’session cookie’) or for multiple repeat visits (using a ‘persistent cookie’). They ensure a consistent and efficient experience for visitors, and perform essential functions such as allowing users to register and remain logged in. Cookies may be set by the site that you are visiting (known as ‘first party cookies’), or by other websites who serve up content on that site (‘third party cookies’). Sites hosted on WordPress.com make use of cookies for a variety of different purposes. These include those that are ‘strictly necessary’ for technical reasons; those that enable a personalized experience for visitors and registered users; and those that allow the display of advertising from selected third party networks. Some of these cookies may be set when a page is loaded, or when a visitor takes a particular action, such as clicking the ‘like’ or ‘follow’ button on a post. Many of the cookies we use are only set if a visitor is a registered WordPress.com user, whilst others are set for all visitors upon certain actions.

###  **Cookies we use**

Below is a description of each category of cookies that are in use, along with specific examples (including both those used for registered and non-WordPress.com users).

### **Strictly Necessary**

These are the cookies that are essential for websites on WordPress.com to perform their basic functions. These include those required to allow registered users to authenticate and perform account related functions, as well as to save the contents of virtual ‘carts’ on sites that have an e-commerce functionality.

cookietest – checks if cookies are enabled to provide appropriate user experience.
twostep\_auth – set when the user is logged in using two factor authentication.

#### Functionality

These cookies are used to store preferences set by users such as account name, language, and location. They are not used to track visitors on sites that are not hosted on WordPress.com.

Examples:

akm\_mobile – stores whether a user has chosen to view the mobile version of a site.
botdlang – used to track the language a user has selected to view popular blogs in.wordpress\_logged\_in\* – used to check whether the current visitor is a logged in WordPress.com user.
wp-settings-{user\_id} – used to persist a user’s wp-admin configuration.
wp\_sharing\_{id} – used to track whether or not a user has already performed an action.

**Performance**

Performance cookies collect information on how users interact with websites hosted on WordPress.com, including what pages are visited most, as well as other analytical data. These details are only used to improve how a website functions.

Examples:

ab – used for AB testing of new features.nux\_flow\_name – identifies which user signup flow was shown to the user.
signup\_partner\_ref – tracks the source of new user signups.
signup\_referrer – tracks the source of new user signups.
tk\_ni|tk\_ai|tk\_qs – collection of internal metrics for user activity, used to improve user experience.

#### Advertising/Tracking

These cookies are used to display relevant advertising to visitors on WordPress.com sites, as well as to track the volume of visitors to the WordPress.com network. They track details about visitors such as the number of unique visitors, number of times particular ads have been displayed, the number of clicks the ads have received, and are also used to measure the effectiveness of ad campaigns by building up user profiles. These are set by Automattic and trusted third party networks, and are generally persistent in nature.

Examples:

ads – tracks if a visitor has clicked an ad before.
wordpress\_eli – reduces display of ads for repeat visitors.

#### Third Party/Embedded Content

Sites hosted on WordPress.com make use of different third party applications and services to enhance the experience of website visitors. These include social media platforms such as Facebook and Twitter (through the use of sharing buttons), or embedded content from Youtube and Vimeo. As a result, cookies may be set by these third parties, and used by them to track your online activity. We have no direct control over the information that is collected by these cookies.

### Controlling cookies

Visitors may wish to restrict the use of cookies, or completely prevent them from being set. Most browsers provide for ways to control cookie behaviour such as the length of time they are stored – either through built-in functionality or by utilizing third party plugins.

To find out more on how to manage and delete cookies, visit [aboutcookies.org](http://aboutcookies.org/). For more details on advertising cookies, and how to manage them, visit [youronlinechoices.eu](http://www.youronlinechoices.eu/) (EU based), or [aboutads.info](http://www.aboutads.info/choices/) (US based).

It’s important to note that restricting or [disabling](https://www.youtube.com/watch?v=7HrnWC8zBcE) the use of cookies can limit the functionality of sites, or prevent them from working correctly at all.

### Web beacons and other tracking technologies

Both websites and HTML e-mails may also contain other tracking technologies such as ‘web beacons’. These are typically small transparent images that provide us with statistics, for similar purposes as cookies. They are often used in conjunction with cookies, though they are not stored on your computer in the same way. As a result, if you disable cookies, the web beacons may still load, but their functionality will be restricted.

Our website will include a cookie notice explaining that we use a WordPress site and what the cookies are used for.

### 4.10 Data Use

### 4.11 Data Processing

York LGBT Forum uses the Personal Data of its Contacts for the following broad purposes:

* The general running of the York LGBT Forum (publications of minutes and agendas).
* To provide services to York LGBT Forum customers.
* The ongoing administration and management of services.
* Issue a monthly events/newsletter
* Fundraising
* Donations and Purchases from the charities e-shop

The use of a Contact’s information should always be considered from their perspective and whether the use will be within their expectations or if they are likely to object. For example, it would clearly be within a Contact’s expectations that their details will be used by York LGBT Forum to respond to a Contact request for information about the products and services on offer.

However, it will not be within their reasonable expectations that York LGBT Forum would then provide their details to Third Parties for marketing purposes.

York LGBT Forum will Process Personal Data in accordance with all applicable laws and applicable contractual obligations. More specifically, York LGBT Forum will not Process Personal Data unless at least one of the following requirements are met:

* The Data Subject has given Consent to the Processing of their Personal Data for one or more specific purposes.
* Processing is necessary for the performance of a contract to which the Data Subject is party or in order to take steps at the request of the Data Subject prior to entering into a contract.
* Processing is necessary for compliance with a legal obligation to which the Data Controller is subject.
* Processing is necessary in order to protect the vital interests of the Data Subject or of another natural person.
* Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller
* Processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a Third Party (except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject, in particular where the Data Subject is a child).

There are some circumstances in which Personal Data may be further processed for purposes that go beyond the original purpose for which the Personal Data was collected. When making a determination as to the compatibility of the new reason for Processing, guidance and approval must be obtained from Information Asset and Senior Risk Owner before any such Processing may commence.

In any circumstance where Consent has not been gained for the specific Processing in question, York LGBT Forum will address the following additional conditions to determine the fairness and transparency of any Processing beyond the original purpose for which the Personal Data was collected:

* Any link between the purpose for which the Personal Data was collected and the reasons for intended further Processing.
* The context in which the Personal Data has been collected, in particular regarding the relationship between Data Subject and the Data Controller.
* The nature of the Personal Data, in particular whether Special Categories of Data are being Processed, or whether Personal Data related to criminal convictions and offences are being Processed.
* The possible consequences of the intended further Processing for the Data Subject.
* The existence of appropriate safeguards pertaining to further Processing, which may include Encryption, Anonymisation or Pseudonymisation.

It should be noted that our primary lawful bases for processing data is Consent, Legal Obligations and Vital Interest.

Donations and purchases from our e-shop is through PayPal. PayPal keeps records of all transactions between the charity and the customer. We will not collect or store this data. PayPal is GDPR complaint organisation.

### 4.12 Special Categories of Data

York LGBT Forum will only Process Special Categories of Data (also known as sensitive data) where the Data Subject expressly consents to such Processing or where one of the following conditions apply:

* The Processing relates to Personal Data which has already been made public by the Data Subject.
* The Processing is necessary for the establishment, exercise or defence of legal claims.
* The Processing is specifically authorised or required by law.
* The Processing is necessary to protect the vital interests of the Data Subject or of another natural person where the Data Subject is physically or legally incapable of giving consent.
* Further conditions, including limitations, based upon national law related to the Processing of genetic data, biometric data or data concerning health.

In any situation where Special Categories of Data are to be Processed, prior approval must be obtained from the committee or Information Asset Owner and the basis for the Processing clearly recorded with the Personal Data in question.

Where Special Categories of Data are being Processed, York LGBT Forum will adopt additional protection measures. York LGBT Forum may also adopt additional measures to address local custom or social expectation over the Processing of Special Categories of Data

### 4.13 Children’s Data

Children are unable to Consent to the Processing of Personal Data for information society services. Consent must be sought from the person who holds parental responsibility over the child. However, it should be noted that where Processing is lawful under other grounds, Consent need not be obtained from the child or the holder of parental responsibility.

Should any York LGBT Forum foresee a need for obtaining parental consent for information society services offered directly to a child, guidance and approval must be obtained from the committee or the Information Asset Owner before any Processing of a child’s Personal Data may commence.

### 4.14 Data Quality

York LGBT Forum will adopt all necessary measures to ensure that the Personal Data it collects and Processes is complete and accurate in the first instance, and is updated to reflect the current situation of the Data Subject.

The measures adopted by York LGBT Forum to ensure data quality include:

* Correcting Personal Data known to be incorrect, inaccurate, incomplete, ambiguous, misleading or outdated, even if the Data Subject does not request rectification.
* Keeping Personal Data only for the period necessary to satisfy the permitted uses or applicable statutory retention period.
* The removal of Personal Data if in violation of any of the Data Protection principles or if the Personal Data is no longer required.
* Restriction, rather than deletion of Personal Data, insofar as: a law prohibits erasure. Erasure would impair legitimate interests of the Data Subject.
* The Data Subject disputes that their Personal Data is correct and it cannot be clearly ascertained whether their information is correct or incorrect.

### 4.15 Profiling and automated decision-making

York LGBT Forum will only engage in Profiling and automated decision-making where it is necessary to enter into, or to perform, a contract with the Data Subject or where it is authorised by law

Where a York LGBT Forum utilises Profiling and automated decision-making, this will be disclosed to the relevant Data Subjects. In such cases the Data Subject will be given the opportunity to:

* Express their point of view.
* Obtain an explanation for the automated decision.
* Review the logic used by the automated system.
* Supplement the automated system with additional data.
* Have a human carry out a review of the automated decision.
* Contest the automated decision.
* Object to the automated decision-making being carried out.

Each York LGBT Forum must also ensure that all Profiling and automated decision-making relating to a Data Subject is based on accurate data.

### 4.16 Digital Marketing

As a general rule York LGBT Forum will not send promotional or direct marketing material to a York LGBT Forum Contact through digital channels such as mobile phones, email and the Internet, without first obtaining their Consent.

Any York LGBT Forum worker wishing to carry out a digital marketing campaign without obtaining prior Consent from the Data Subject must first have it approved by the Information Asset and Information Risk Assessment Owner.

We do not collect or store people’s personal data from digital marketing.

It should be noted that where digital marketing is carried out in a ‘business to business’ context, there is no legal requirement to obtain an indication of Consent to carry out digital marketing to individuals provided that they are given the opportunity to opt-out

**Social Media (Facebook, Twitter and Meetup)**

The York LGBT Forum will not directly contact followers/members on our Social Media pages. We do not collect people’s personal data from Social Media. If a request is made about engaging with the charity the Worker will send them a link to the appropriate application form. The Contact message is then deleted from the social media page.

### 4.17 Data Retention

To ensure fair Processing, Personal Data will not be retained by York LGBT Forum for longer than necessary in relation to the purposes for which it was originally collected, or for which it was further Processed.

The length of time for which York LGBT Forum Entities need to retain Personal Data is set out in the York LGBT Forum ‘Personal Data Retention Schedule’. This takes into account the legal and contractual requirements, both minimum and maximum, that influence the retention periods set forth in the schedule. All Personal Data should be deleted or destroyed as soon as possible where it has been confirmed that there is no longer a need to retain it.

### 4.18 Data Protection

York LGBT Forum will adopt physical, technical, and organisational measures to ensure the security of Personal Data. This includes the prevention of loss or damage, unauthorised alteration, access or Processing, and other risks to which it may be exposed by virtue of human action or the physical or natural environment.

The minimum set of security measures to be adopted by each York LGBT Forum is provided in the York LGBT Forum ‘Information Security Policy’. A summary of the Personal Data related security measures is provided below:

* Prevent unauthorised persons from gaining access to data processing systems in which Personal Data are Processed.
* Prevent persons entitled to use a data processing system from accessing Personal Data beyond their needs and authorisations.
* Ensure that Personal Data in the course of electronic transmission during transport cannot be read, copied, modified or removed without authorisation.
* Ensure that access logs are in place to establish whether, and by whom, the Personal Data was entered into, modified on or removed from a data processing system.
* Ensure that in the case where Processing is carried out by a Data Processor, the data can be Processed only in accordance with the instructions of the Data Controller.
* Ensure that Personal Data is protected against undesired destruction or loss.
* Ensure that Personal Data collected for different purposes can and is Processed separately.
* Ensure that Personal Data is not kept longer than necessary

### 4.19 Data Subject Requests

The Information Asset and Information Risk Owner will establish a system to enable and facilitate the exercise of Data Subject rights related to:

* Information access.
* Objection to Processing.
* Objection to automated decision-making and profiling.
* Restriction of Processing.
* Data portability.
* Data rectification.
* Data erasure.

If an individual makes a request relating to any of the rights listed above, York LGBT Forum will consider each such request in accordance with all applicable Data Protection laws and regulations. No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be unnecessary or excessive in nature.

Data Subjects are entitled to obtain, based upon a request made in writing to the Information Asset Owner and Senior Information Risk owner and upon successful verification of their id, the following information about their own Personal Data:

* The purposes of the collection, Processing, use and storage of their Personal Data.
* The source(s) of the Personal Data, if it was not obtained from the Data Subject;
* The categories of Personal Data stored for the Data Subject.
* The recipients or categories of recipients to whom the Personal Data has been or may be transmitted, along with the location of those recipients.
* The envisaged period of storage for the Personal Data or the rationale for determining the storage period.
* The use of any automated decision-making, including Profiling

The right of the Data subject to:

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* lodge a complaint with the Data Protection Authority.
* request rectification or erasure of their Personal Data.
* request restriction of Processing of their Personal Data.
* object to Processing of their Personal Data

All requests received for access to or rectification of Personal Data must be directed to the Information Asset Owner and Senior Information Risk Owner, who will log each request as it is received.

A response to each request will be provided within 30 days of the receipt of the written request from the Data Subject. Appropriate verification must confirm that the requestor is the Data Subject or their authorised legal representative.

Data Subjects shall have the right to require York LGBT Forum to correct or supplement erroneous, misleading, outdated, or incomplete Personal Data.

If York LGBT Forum cannot respond fully to the request within 30 days, Information Asset and Information Risk Owner shall nevertheless provide the following information to the Data Subject, or their authorised legal representative within the specified time:

* An acknowledgement of receipt of the request.
* Any information located to date.
* Details of any requested information or modifications which will not be provided to the Data Subject, the reason(s) for the refusal, and any procedures available for appealing the decision.
* An estimated date by which any remaining responses will be provided.
* An estimate of any costs to be paid by the Data Subject (e.g. where the request is excessive in nature).
* The name and contact information of the York LGBT Forum individual who the Data Subject should contact for follow up.
* It should be noted that situations may arise where providing the information requested by a Data Subject would disclose Personal Data about another individual. In such cases, information must be redacted or withheld as may be necessary or appropriate to protect that person’s rights.
* Detailed guidance for dealing with requests from Data Subjects can be found in the York LGBT Forum ‘Data Subject Request Handling Procedures’ document.

### 4.20 Law Enforcement Requests & Disclosures

In certain circumstances, it is permitted that Personal Data be shared without the knowledge or Consent of a Data Subject. This is the case where the disclosure of the Personal Data is necessary for any of the following purposes:

* The prevention or detection of crime.
* The apprehension or prosecution of offenders.
* The assessment or collection of a tax or duty.
* By the order of a court or by any rule of law.
* Safeguarding

If York LGBT Forum Processes Personal Data for one of these purposes, then it may apply an exception to the Processing rules outlined in this policy but only to the extent that not doing so would be likely to prejudice the case in question.

If York LGBT Forum receives a request from a court or any regulatory or law enforcement authority for information relating to a York LGBT Forum Contact, you must immediately notify the Information Asset and Information Risk Owner who will provide comprehensive guidance and assistance.

### 4.21 Data Protection Training

All York LGBT Forum Workers that have access to Personal Data will have their responsibilities under this policy outlined to them as part of their volunteer induction training. In addition, each York LGBT Forum will provide regular Data Protection training and procedural guidance for their workers

The training and procedural guidance set forth will consist of, at a minimum, the following elements:

* The Data Protection Principles.
* Each Employee’s duty to use and permit the use of Personal Data only by authorised persons and for authorised purposes.
* The need for, and proper use of, the forms and procedures adopted to implement this policy.
* The correct use of passwords, security tokens and other access mechanisms.
* The importance of limiting access to Personal Data, such as by using password protected screen savers and logging out when systems are not being attended by an authorised person.
* Securely storing manual files, print outs and electronic storage media.
* The need to obtain appropriate authorisation and utilise appropriate safeguards for all transfers of Personal Data outside of the internal network and physical office premises.
* Proper disposal of Personal Data by using secure shredding facilities.
* Any special risks associated with particular departmental activities or duties.

### 4.21 Data Transfer

York LGBT Forum may transfer Personal Data to internal or Third Party recipients located in another country where that country is recognised as having an adequate level of legal protection for the rights and freedoms of the relevant Data Subjects. Where transfers need to be made to countries lacking an adequate level of legal protection (i.e. Third Countries), they must be made in compliance with an approved transfer mechanism.

York LGBT Forum Entities may only transfer Personal Data where one of the transfer scenarios list below applies:

* The Data Subject has given Consent to the proposed transfer.
* The transfer is necessary for the performance of a contract with the Data Subject.
* The transfer is necessary for the implementation of pre-contractual measures taken in response to the Data Subject’s request.

• The transfer is necessary for the conclusion or performance of a contract concluded with a Third Party in the interest of the Data Subject.

• The transfer is legally required on important public interest grounds.

• The transfer is necessary for the establishment, exercise or defence of legal claims.

• The transfer is necessary in order to protect the vital interests of the Data Subject.

### 4.22 Transfers between York LGBT Forum Subgroups

In order for York LGBT Forum to carry out its operations effectively across it’s various York LGBT Forum Subgroups, there may be occasions when it is necessary to transfer Personal Data from one York LGBT Forum Subgroup to another.

Should this occur, the York LGBT Forum Subgroup Coordinator sending the Personal Data remains responsible for ensuring protection for that Personal Data.

York LGBT Forum handles the transfer of Personal Data between York LGBT Forum Subgroups, where the location of the recipient is a Third Country, using the Binding Corporate Rules transfer mechanism. Binding Corporate Rules provide legally binding, enforceable rights on Data Subjects with regard to the Processing of their Personal Data and must be enforced by each approved York LGBT Forum Subgroup, including their Workers.

### 4.23 Transfers to Third Parties

Each York LGBT Forum Subgroup will only transfer Personal Data to, or allow access by, Third Parties when it is assured that the information will be Processed legitimately and protected appropriately by the recipient. Where Third Party Processing takes place, each York LGBT Forum Subgroup will first identify if, under applicable law, the Third Party is considered a Data Controller or a Data Processor of the Personal Data being transferred. Subgroup Coordinators can get advice from the Information Asset and Information Risk Owner

Where the Third Party is deemed to be a Data Controller, the York LGBT Forum will enter into, in cooperation with the Information Asset and Information Risk Owner, an appropriate agreement with the Controller to clarify each party’s responsibilities in respect to the Personal Data transferred.

Where the Third Party is deemed to be a Data Processor, the York LGBT Forum will enter into, in cooperation with the Information Asset and Information Risk Owner icer, an adequate Processing agreement with the Data Processor. The agreement must require the Data Processor to protect the Personal Data from further disclosure and to only Process Personal Data in compliance with York LGBT Forum instructions. In addition, the agreement will require the Data Processor to implement appropriate technical and organisational measures to protect the Personal Data as well as procedures for providing notification of Personal Data Breaches.

When a York LGBT Forum is outsourcing services to a Third Party (including Cloud Computing services), they will identify whether the Third Party will Process Personal Data on its behalf and whether the outsourcing will entail any Third Country transfers of Personal Data. In either case, it will make sure to include, in cooperation with the Information Asset and Information Risk Owner, adequate provisions in the outsourcing agreement for such Processing and Third Country transfers.

Information Asset and Information Risk Owner shall conduct regular audits of Processing of Personal Data performed by Third Parties, especially in respect of technical and organisational measures they have in place. Any major deficiencies identified will be reported to and monitored by the York LGBT Forum committee.

### 4.24 Complaints Handling

Data Subjects with a complaint about the Processing of their Personal Data, should put forward the matter in writing to the Information Asset and Information Risk Owner. An investigation of the complaint will be carried out to the extent that is appropriate based on the merits of the specific case. Information Asset and Information Risk Owner will inform the Data Subject of the progress and the outcome of the complaint within a reasonable period.

If the issue cannot be resolved through consultation between the Data Subject and the Information Asset and Information Risk Owner, then the Data Subject may, at their option, seek redress through mediation, binding arbitration, litigation, or via complaint to the Data Protection Authority within the applicable jurisdiction.

### Breach Reporting

Any individual who suspects that a Personal Data Breach has occurred due to the theft or exposure of Personal Data must immediately notify the Information Asset and Information Risk Owner providing a description of what occurred. Notification of the incident can me made via e-mail yorklgbtforum@gmail.com or by using the anonymous incident reporting form which is available from the Information Asset and Information Owner.

The Information Asset and Information Risk Owner will investigate all reported incidents to confirm whether or not a Personal Data Breach has occurred. If a Personal Data Breach is confirmed, Information Asset and Information Risk Owner will follow the relevant authorised procedure based on the criticality and quantity of the Personal Data involved. For severe Personal Data Breaches, the York LGBT Forum Committee will initiate and chair an emergency response meeting to coordinate and manage the Personal Data Breach response.

## 5. Policy Maintenance

All inquiries about this policy, including requests for exceptions or changes should be directed to the Information Asset and Information Risk Owner via e-mail <yorklgbtforum@gmail.com>.

5.1 Publication

This policy shall be available to all York LGBT Forum Workers through the York LGBT Forum Memebrship Dropbox or via alternative means as deemed appropriate by the Information Asset and Information Risk Owner.

5.2 Effective Date

This policy is effective as of 03/04/2018

* 1. Revisions

The committee is responsible for the maintenance and accuracy of this policy. Notice of significant revisions shall be provided to York LGBT Forum Workers through notification via email. Changes to this policy will come into force when published on York LGBT Forum Policy Portal