



## **DATA PROTECTION POLICY FOR OPAL TRUST, UK**

Approved by OPAL Trust UK Board of Trustees -

Policy Review date by Board of Trustees - June 2023

This policy reflects the principles contained in the new GDPR legislation effective from 25 May 2018 onwards.

### **1. INTRODUCTION**

OPAL Trust is the registered name of the organisation in the UK which will handle your data (the Data Controller).

This policy has been developed in accordance with the General Data Protection Regulation legislation.

The principles within this policy should be followed by all staff and volunteers working for OPAL Trust. This includes those who voluntarily act on behalf of OPAL Trust in other countries and with whom personal information needs to be shared in helping the OPAL Trust fulfil its objectives: where an MOU exists for such work, it will include affirmation of the principles of this and other policies of OPAL Trust.

### **2. POLICY**

The Trust is committed to preserving the privacy of its employees, volunteers, supporters, and customers and to complying with current Data Protection Regulations. To achieve this aim, we shall process and store information about our employees, volunteers and customers as follows:

**2.1** Personal data will be processed fairly, lawfully and with transparency in accordance with each individual's rights under the act.

**2.2** Employee data will be stored for employment purposes, volunteers' data will be stored in order to facilitate their work for OPAL Trust, supporters' data will be stored in order to facilitate their interest in the work of the trust according to their preferences, customer data will be stored in order to support their purchases and other business with Opal Trust.

**2.3** We will store all data, whether manual or electronic, securely.

**2.4** We will collect only relevant and proportionate data, i.e. it will be adequate and not excessive.

**2.5** Every effort will be made to ensure the data is accurate and, where necessary, kept up to date.

**2.6** Data will not be unlawfully disclosed to any other person unless we are legally obliged to do so.

**2.7** We will only transfer data within the Trust on a 'need-to-know' basis so that we can support all employees, volunteers, supporters, and customers.

**2.8** Data will be kept no longer than necessary.

**2.9** Personal information stored will be reviewed annually.

### **3. SECURITY**

We take security very seriously. All staff and volunteers are made aware of the security procedures they must follow when handling your personal information. Information is protected from unauthorised access and we are confident no one will be able to access your personal information unlawfully. We also protect information which is being transferred (e.g. password protected). Generally information you provide to us is stored securely on password protected computers or in our cloud-based storage systems. If at any time we transfer your personal information to, or store it in countries located outside of the EEA, we will ensure that appropriate safeguards are in place for you, and that those who handle that information do so according to the principles set out in this policy.

### **4. ACCESS TO DATA**

Under the General Data Protection Regulation, you have the right to receive a copy of the personal data the OPAL Trust has about you. If you wish to see your files, you can send a request to the Data Protection Officer at OPAL Trust – [info@opaltrust.org](mailto:info@opaltrust.org)

For more information and advice on data protection matters, please contact the Trust's Data Protection Officer.

### **5. RESPONSIBILITIES, POLICY APPROVAL AND UPDATING**

- a) The Board of Trustees of OPAL Trust have overall responsibility for this policy including its approval, monitoring and periodic review
- b) All staff have responsibility for ensuring that the policy is applied in all their dealings with data held for staff, volunteers, supporters, and customers
- c) Staff and volunteers will be supplied with a copy of this policy at the commencement of their work with OPAL Trust, and will form part of their induction

- d) It is the responsibility of staff, volunteers and customers to inform OPAL Trust if their details change - particularly their contact details - so that we can keep their record up to date

## 6. CONSENT TO HOLD DATA

Staff and volunteers need to give their consent to OPAL Trust to enable us to handle their personal data, as detailed in this policy. See below for Consent letter. Supporters who request information about OPAL Trust are considered to have given consent for their contact details to be retained for the legitimate purposes of sending information, and are given the option to stop receiving such information. Customers are considered to have given consent for personal details such as address, payment methods, etc. to be stored by OPAL Trust for the legitimate purpose of fulfilling their current and future orders. No time limit is set on the retention of Customer information, but it would not normally be kept for more than seven years from the date of their last order.

## 7. DATA PROTECTION POLICY FOR STAFF

This policy describes how OPAL Trust will collect, store and process the personal data of a member of staff. By staff is meant any OPAL Trust employees, workers and volunteers, whether past, current or prospective.

### 7.1 Data Protection Regulations

This policy reflects the principles contained in the new General Data Protection Regulation legislation.

OPAL Trust may collect data about you by asking for some or all of the types of information shown below. We will use the data only in connection with employment or volunteering with OPAL Trust.

<b>Information we may ask you for</b>	<b>How we will use your information</b>
Application for Employment Form	To obtain contact details for use in connection with your application. To consider your suitability for employment.
Curriculum Vitae	To check for relevant experience and qualifications in respect of the job.
Copies of relevant academic awards	To verify the authenticity of your qualifications.
Passport, Birth Certificate	To check your identity and that you are legally entitled to live & work in the UK.
Medical Questionnaire	To determine if any reasonable adjustments in the workplace are needed as a result to any disability or medical condition.

New Start Details Form	To capture the information we need to add you to our payroll, tax and pension records.
P45 Tax form or P46 Tax declaration	To calculate your appropriate tax code.

## 7.2 Who will OPAL Trust share your employment-related information with?

The data OPAL Trust collect from you will only be shared with other parties where we have a valid reason to do so or where we are required to do so by law, in connection with your employment, as follows:

The information	Who OPAL shares it with	Valid reason
Personal and contact details, national insurance number and earnings.	Stewardship services – a third party provider of payroll software.	To process payroll (salary, tax, national insurance and pension payments etc.)
Data as above	Her Majesty's Customs & Revenue (HMRC) – UK government department responsible for the collection of taxes.	To report earnings of employees to HMRC for the purpose of collecting taxes, as required by UK law.
Data as above	Providers of occupational pension schemes	To enrol in the staff group pension scheme, whether through employee choice or by way of automatic enrolment in our workplace pension scheme, as required by law.

## 7.3 How long will OPAL Trust store your data?

OPAL Trust will only *keep* your data for as long as we need to. Once the data has served its purpose it will be discarded.

OPAL Trust will only *continue to keep* your data if there is a valid reason to do so. For example, OPAL Trust will need to maintain records for ongoing payroll processing, but will no longer need your copy passport once we have established you have a legal right to live and work in the UK, and it will be discarded.

## 7.4 Keeping your data securely

When you give OPAL Trust personal information, steps are taken to ensure that it is treated securely. All of your data will be safeguarded while being stored and processed by OPAL. All data which is no longer to be kept will be disposed of securely. Data

includes information held in paper or electronic form, and in any format such as computer files, discs, USBs, laptops etc.

Non-sensitive details such as your email address are transmitted normally over the internet, and this can never be guaranteed to be 100% secure. As a result, while OPAL Trust strives to protect your personal information, OPAL Trust cannot guarantee the security of any information you transmit to OPAL Trust, and you do so at your own risk. Once OPAL Trust receives your information, we make our best effort to ensure its security on our systems.

#### **7.5 What do you need to do?**

You need to give your consent to OPAL Trust to enable us to handle your personal data in connection with OPAL Trust employment matters, as detailed in this policy. If OPAL Trust find it necessary to obtain other data from you, or to use existing data in a way which is not described in this letter, OPAL Trust will obtain your fresh consent.

At any time, you have the right to refuse or withdraw your consent from OPAL Trust using your personal data. OPAL Trust will be bound by this except in circumstances where we are required to use or continue to use your data by reason of law. Refusal or withdrawal of consent must be given in writing.

#### **7.6 What rights do staff and volunteers have?**

The regulations entitle you to obtain confirmation that your data is being processed, and to request access to your personal data which is held by OPAL Trust.

Type of Data	Period Held for	Where Data Held	Practice followed
Bank details of payees	Immediately when contact ceases	Stewardship	Good practice
Staff pension records	6 years after leaving	Stewardship	Good practice
Donor details & support letters	3 years from last donation	Accounts Officer	Good practice
<b>Staff Records</b>			
Staff contact details	As long as staff are employed	Staff records	Good practice
Volunteer contact details	2 year from end of active contact	Volunteer records	Good practice
<b>Health &amp; Safety</b>			
Accident Forms	7 years	CEO Office	Good practice
Customer details	7 years since last order	Accounts Officer	Good Practice

## CONSENT FORM TO USE PERSONAL DATA LETTER – STAFF AND VOLUNTEERS



### **Consent to the use of personal data (staff and volunteers)**

I understand that OPAL Trust is the data controller in respect of any matters which affect me as an applicant for employment, or as an employee, or as a volunteer. I hereby freely give my consent to OPAL Trust obtaining, storing and processing the types of personal data listed, and in the manner described, in this letter. I understand that I may at any time refuse my consent or withdraw my consent in writing.

**Name**

**Signed**

**Date**