

GDPR Policy

Date: 01.01.2022

Version Number: V1



Approved by: Nicole Schnackenberg, Director (Labyrinth House)

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Policy Statement

Labyrinth House and Sunshine Baby Bank are committed to being transparent about how it collects and uses the personal data of its employees, volunteers, tenants, and those affected by its activities and to meeting its data protection obligations. This policy sets out the commitment of Labyrinth House and Sunshine Baby Bank to data protection, and individual rights and obligations in relation to personal data.

“**Personal Data**” is any information that relates to a living individual who can be identified from that information. Processing is any use that is made of data, including collecting, storing, amending, closing or destroying it.

“**Special categories of personal data**” means information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

“**Criminal Records**” means information about an individual’s criminal convictions and offences, and information relating to criminal allegations and proceedings.

Data Protection Principles

Labyrinth House and Sunshine Baby Bank processes personal data in accordance with the following data principles:

- The organisation processes personal data lawfully, fairly and in a transparent manner.
- The organisation collects personal data only for specified, explicit and legitimate purposes.
- The organisation processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing.
- The organisation keeps accurate personal data and takes all reasonable steps to ensure the inaccurate personal data is rectified or deleted without delay.
- The organisation keeps personal data only for the period necessary for processing.

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- The organisation adopts appropriate measures to make sure that personal data is secure and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage.

Labyrinth House and Sunshine Baby Bank will inform employees, volunteers, tenants and referral partners the reasons for processing their personal data, how it uses such data and the legal basis for processing in its privacy notices. It will not process the personal data of individuals for other reasons. Any data personal data will not be shared with third parties, except as set out in privacy notices.

Where the organisation relies on legitimate interest based on processing data, it will carry out an assessment to ensure those interests are not overridden by the rights and freedom of individuals.

The organisation keeps a record of its processing activities in respect of personal data in accordance with the requirements of the UK GDPR.

Policy Statement

As a data subject, individuals have a number of rights in relation to their personal data.

Subject access requests

Individuals have the right to make a subject access request. If an individual makes a subject access request, the organisation will tell them:

- Whether their data is processed and if so why; the categories of personal data concerned, and the source of the data if it is not collected from the individual;
- To whom their data is or may be disclosed, including recipients located outside of the UK and the safeguards that apply to such transfers;
- For how long their personal data is stored (or how that period is decided);
- Their rights to rectification or erasure of data, or to restrict or object to processing;
- Their right to complain to the Information Commissioner if they think the organisation has failed to comply with their data protection rights; and
- Whether the organisation carries out automated decision-making and the logic involved in any such decision-making.

Labyrinth House and Sunshine Baby Bank will also provide the employee, volunteer, tenant and referral partner with a copy of the personal data undergoing processing. This will normally be in electronic form if the individual has made a request electronically unless they agree otherwise.

To make a subject access request, the employee, volunteer, tenant or referral partner should send the request to good.day@sunshinebabybank.org.uk or use the organisation's form for making a subject request. In some cases, the organisation may need to ask for proof of identification before the request can be processed. The

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email: good.day@sunshinebabybank.org.uk



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organisation will inform the tenant if it needs to verify their identity and the documents it requires.

Labyrinth House and Sunshine Baby Bank will respond to a request within a period of one month from the date it is received. In some cases, such as where the request is complex, it may respond within three months of the date the request is received. The organisation will write to the individual within one month of receiving the original request to tell them if this is the case.

If a subject access request is manifestly unfounded or excessive, the organisation is not obliged to comply with it. Alternatively, the organisation can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded if it is made with the intention of harassing the organisation or causing disruption, or excessive where it repeats a request to which the organisation has already responded. If an individual submits a request that is unfounded or excessive, the organisation will notify them that this is the case and whether it will respond to it.

Other rights

Individuals have a number of other rights in relation to their personal data. They can require the organisation to:

- Rectify inaccurate data;
- Stop processing or erase data if the individual's interests override the organisation's legitimate grounds for processing data (where the organisation relies on its legitimate interests as a reason for processing data);
- Stop processing or erase data if processing is unlawful; and
- Stop processing data for a period if data is inaccurate or if there is a dispute about whether the individual's interests override the organisation's legitimate grounds for processing data.

To ask Labyrinth House or Sunshine Baby Bank to take any of these steps, the employee, volunteer, tenant or referral partner should send the request to good.day@sunshinebabybank.org.uk

Data Security

Labyrinth House and Sunshine Baby Bank takes the security of personal data seriously. The organisation has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclose, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

Where the organisation engages third parties to process personal data on its behalf, such parties do so based on written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

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Impact Assessments

Some of the processing the organisation carries out may result in risks to privacy. Where processing would result in a high risk to individual rights and freedoms, the organisation will carry out a data protection impact assessment to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out, the risks for individuals and the measures that can be put in place to mitigate those risks.

Data breaches

If Labyrinth House or Sunshine Baby Bank discovers that there has been a breach of personal data that poses a risk to the rights and freedoms of the individuals, the organisation will report it to the Information Commissioner within 72 hours of discovery. The organisation will record all data breaches regardless of their effect.

If the breach is likely to result in high risk to the rights and freedoms of individuals, it will tell affected individuals that there has been a breach and provide them with information about its likely consequences and the mitigation measures it has taken.

Individual Responsibilities

Individuals are responsible for helping the organisation keep their personal data up to date. Individuals should let the organisation know if data provided to the organisation changes.

Individuals who have access to personal data are required:

- To access only the data they have authority to access and only for authorised purposes;
- Not to disclose data except to individuals (whether that's inside or outside of the organisation) who have appropriate authorisation;
- To keep data secure (for example by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);
- Not to remove personal data, or devices containing it or that can be used to access personal data, from the organisation's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device;
- Not to store personal data on local drives or on personal devices that are used for work purposes and;
- To report data breaches of which they become aware to the Director of Labyrinth House or the Chair of the Sunshine Baby Bank immediately.

Further details about the organisation's security procedures can be found in its data security policy.

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Significant or deliberate breaches of this policy, such as accessing personal data without authorisation or a legitimate reason to do so, may constitute as gross misconduct and could lead to early exit of lease agreement without notice.