



CHILDREN IN FREEDOM
Education For The Citizenry We Want



DATA PROTECTION POLICY

Manual



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CHILDREN IN FREEDOM (CIF)

&

CIF Schools

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We also thank those who shared with us information on their Data Protection policy and their practical experiences.

We thank you all for your contributions.

Executive Director

Children in Freedom

New York, Nairobi

Data protection policy

1. Introduction

Children In Freedom recognises and accepts its responsibility as set out in the Data Protection Bill 2012 and sub-legislation contained therein. The organization, as a data controller, will take all reasonable steps to meet this responsibility and to promote good practice in the handling and use of personal information. In particular, the centre will comply with the data protection Bill 2012.

This policy statement applies to all trustees and employees, and individuals about whom the organization processes personal information, as well as other partners and companies with which the centre undertakes its business.

2. Scope

The organization needs to collect and use certain types of personal information about people with whom it deals in order to operate. These include current, past and prospective employees, beneficiaries, suppliers, clients, and others with whom it communicates. In addition, it may be required by law to collect and use certain types of information to comply with the requirements of government departments. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this in the Data Protection Bill 2012.

We regard the lawful and correct treatment of personal information by the organization as very important in order to secure the successful carrying out of operations and the delivery of our services, and to maintaining confidence with those whom we deal. The organization wishes to ensure that it treats personal information lawfully, correctly and in compliance with the 2012 Bill. To this end we fully endorse the obligations of the Bill and adhere to the principles of data protection, as enumerated in the 2012 Bill.

The following paragraphs provide a brief aid to the Data Protection Bill 2012.

3. Main provisions of the 2012 legislation

- (a) Ensuring data controllers notify their processing of personal data with the Information Commissioners Office. The centre must supply certain information to the Commissioner who maintains a public register of the types of information organisations process, where it gets it from and what it does with it.
- (b) Observing the eight Data Protection Principles (more detail below).
- (c) Allowing the data subject to exercise his/her rights and have right of access to their personal information, what is held, how it is processed, to whom it is disclosed and to be told of the logic behind automated decisions. Such access requests must be complied within 40 days and the maximum chargeable fee is £10.

4. Definitions

Individual or organization who controls personal data, in this instance, Children in Freedom.

- I. **Information:** held on a relevant filing system, accessible record or computerised record (as well as digital audio or video equipment), which identifies living individuals.
- II. **Sensitive Personal Data:** Personal data relating to an individual's race or ethnic origin, political opinions, religious beliefs, physical/mental health, trade union membership, sexual life and criminal activities.
- III. **Relevant Filing System:** Also known as manual records i.e. a set of records which are organised by reference to the individual/their criteria and are structured in such a way as to make specific information readily accessible e.g. personnel records, microfiches.
- IV. **Data Subject:** An individual who is the subject of the personal data, for example, employees, beneficiaries, claimants etc.
- V. **Processing:** Obtaining, recording or holding data or carrying out any operation on the data including organising, adapting, altering, retrieving, consulting, using, disclosing, disseminating, aligning, blocking, erasing or destroying the data.
- VI. **Accessible Records:** Any records which are kept by the organisation as part of a statutory duty, e.g. pupil records, housing tenancy records, social services records.

5. Data Protection Principles

Specifically, the principles require that personal information:

- I. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions as set out in the 2012 Bill are met;
- II. Shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
- III. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- IV. Shall be accurate and, where necessary, kept up to date;
- V. Shall not be kept for longer than is necessary for that purpose or those purposes;
- VI. Shall be processed in accordance with the rights of the data subject under the 2012 Bill; and that:
- VII. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- VIII. Shall not be transferred to a country or territory outside the European Union unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

6. Commitment

Children in Freedom will, through appropriate management and application of criteria and controls:

- I. Observe fully conditions regarding the fair collection and use of information;
- II. Meet its legal obligations to specify the purposes for which information is used;
- III. Collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- IV. Ensure the quality of information used, including its accuracy and relevancy for the purpose(s) specified;
- V. Apply strict checks to determine the length of time information is held;
- VI. Ensure that the rights of people about whom information is held can be fully exercised under the 2012 Bill. (These include: the right to be informed that processing is being undertaken: the right of access to one's personal information; the right to prevent processing in certain circumstances; the right to correct, block or erase information which is regarded as erroneous);
- VII. Take appropriate technical and organisational security measures to safeguard personal information; and
- VIII. Ensure that personal information is not transferred abroad without suitable safeguards.

7. Compliance

In addition, the centre takes steps to ensure that:

- I. There is someone with specific responsibility for data protection in the organisation;
- II. Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- III. Everyone managing and handling personal information is appropriately trained to do so;
- IV. Everyone managing and handling personal information is appropriately supervised;
- V. Anybody wanting to make enquiries about handling personal information knows what to do;
- VI. Queries about handling personal information are promptly and courteously dealt with;
- VII. Methods of handling personal information are clearly described;
- VIII. A regular review and audit is made of the way personal information is managed;
- IX. Methods of handling personal information are regularly assessed and evaluated;
- X. Performance of handling personal information is regularly assessed and evaluated; and
- XI. It disseminates to employees, information on good practice in respect of handling, using and storing personal information.

APPENDIX 1 : INDIVIDUAL STATEMENT OF COMMITMENT

“I _____ (name), have read and understood the standards and guidelines outlined in this Data Protection policy. I agree with the principles contained therein and accept the importance of implementing the Data Protection policy and practices while working with or associated with CIF

Name _____

Job title/position/role _____

Signature _____

Date _____

Sign Executive Director

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.