

## Data Protection and Retention Policy

V1.0

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## 1. Introduction

U-Maths holds personal data about job applicants, employees, trustees, contractors, suppliers and other individuals for a variety of purposes.

Maintaining the integrity and security of personal information, and ensuring its effective use for the intended purposes, is critical to the Charity's continued success.

This policy sets out how the Charity seeks to protect personal data and ensure staff understand the rules governing their use of personal data to which they have access in the course of their work.

In particular, this policy requires staff to ensure that the Data Protection Officer should be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

The Data Protection Officer is responsible for the monitoring and implementation of this policy. If you have any questions about the content of this policy or other comments, you should contact the Data Protection Officer.

## 2. Scope

This policy applies to all staff, which for these purposes includes employees, temporary workers, other contractors, seconded staff, Trustees, interns and volunteers.

All staff must be familiar with this policy and comply with its terms.

U-Maths may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff before being adopted.

## 3. Definitions

In this policy:

business purposes	means the purposes for which personal data may be used by the Charity, including, but not limited to personnel, administrative, financial, regulatory, payroll and charity development purposes.
personal data	means information relating to identifiable individuals, such as job applicants, current and former employees and other staff, suppliers and contacts. This includes expression of opinion about the individual and any indication of someone else's intentions towards the individual.
sensitive personal data	means personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, union membership (or non-membership), physical or mental health or condition, sexual life, criminal offences, or related proceedings. Any use of sensitive personal data must be strictly controlled in accordance with this policy.

processing data	means obtaining, recording, holding or doing anything with data, such as organising, using, altering, retrieving, disclosing or deleting it.
Data Protection Officer	The individual who assists the Charity in monitoring internal compliance, informing and advising on all data protection obligations, providing advice and also acting as a contact point for data subjects. The Data Protection Officer role will be designated to the CEO in the first instance.
data subject	Any living individual who is the subject of personal data held by an organisation.
GDPR	The GDPR (General Data Protection Regulation) is a legal framework that sets guidelines for the collection and processing of personal information from individuals who live in the European Union. Adopted in April 2016, the regulation came into full effect in May 2018. The GDPR is enshrined in UK law by the Data Protection Act 2018.

#### 4. General principles

U-Maths' policy is to process personal data in accordance with the applicable data protection laws and rights of individuals as set out below. All employees have personal responsibility for the practical application of the Charity's data protection policy.

The Charity will observe the following principles in respect of the processing of personal data:

- To process personal data fairly and lawfully in line with individuals' rights
- To make sure that any personal data processed for a specific purpose is adequate, relevant and not excessive for that purpose
- To keep personal data accurate and up to date
- To keep personal data for no longer than is necessary
- To keep personal data secure against loss or misuse
- Not to transfer personal data outside the EEA (which includes the EU countries, Norway, Iceland and Liechtenstein) without adequate protection

#### 5. Fair and lawful processing

Staff should generally not process personal data unless:

- The individual whose details are being processed has consented to this
- The processing is necessary to perform the Charity's legal obligations or exercise legal rights, or
- The processing is otherwise in U-Maths' legitimate interests and does not unduly prejudice the individual's privacy

When gathering personal data or establishing new data protection activities, staff should ensure that individuals whose data is being processed receive appropriate data protection

notices to inform them how the data will be used. There are limited exceptions to this notice requirement. In any case of uncertainty as to whether a notification should be given, staff should contact the Data Protection Officer.

It will normally be necessary to have an individual's explicit consent to process 'sensitive personal data', unless exceptional circumstances apply, or the processing is necessary to comply with a legal requirement. The consent should be informed, which means it needs to identify the relevant data, why it is being processed and to whom it will be disclosed. Staff should contact the Data Protection Officer for more information on obtaining consent to process sensitive personal data.

## **6. Accuracy, adequacy, relevance and proportionality**

Staff should make sure data processed by them is accurate, adequate, relevant and proportionate for the purpose for which it was obtained. Personal data obtained for one purpose should generally not be used for unconnected purposes unless the individual has agreed to this or would otherwise reasonably expect the data to be used in this way.

Individuals may ask the Charity to correct personal data relating to them which they consider to be inaccurate. If a member of staff receives such a request and does not agree that the personal data held is inaccurate, they should nevertheless record the fact that it is disputed and inform the Data Protection Officer.

Staff must ensure that personal data held by the Charity relating to them is accurate and update as required. If personal details or circumstances change, staff should inform their Line Manager so that the Charity's records can be updated.

## **7. Security**

Staff must keep personal data secure against loss or misuse in accordance with U-Maths' policies. Where the Charity uses external organisations to process personal data on its behalf, additional security arrangements need to be implemented in contracts with those organisations to safeguard the security of personal data. Staff should consult the Data Protection Officer to discuss the necessary steps to ensure compliance when setting up any new agreement or altering any existing agreement.

U-Maths must ensure that personal data is not disclosed to third parties, including family members and public bodies, without appropriate authority. All employees should exercise caution when asked to disclose personal data to anyone other than the confirmed data subject.

## **8. Data retention**

Personal data should not be retained for any longer than necessary. The length of time over which data should be retained will depend upon the circumstances including the reasons why the personal data was obtained.

U-Maths will not keep personal data in a form that permits identification of data subjects for longer than the period necessary for the purpose(s) for which the data was originally collected.

The retention period for each category of personal data will be set out in the Data Retention Schedule. This will include the criteria used to determine such periods and state any statutory obligations to retain or erase data. The Project and Operations Manager is responsible for keeping the Data Retention Schedule up to date.

As and when the retention period for a specific document has expired, a review is always to be carried out prior to the disposal of the document. This does not have to be time-consuming or complex. If a decision is reached to dispose of a document, careful consideration should be given to the method of disposal.

U-Maths may store personal data for longer periods if it is to be processed solely for statistical research and archiving purposes which are in the public interest. In such circumstances, the Charity will implement technical and organisational measures to safeguard the rights and freedoms of data subjects.

Personal data, in all formats, must be disposed of securely.

## **9. International Transfer**

Staff should not transfer personal data internationally and/or outside the EEA (which includes the EU countries, Norway, Iceland and Liechtenstein) without first consulting the Data Protection Officer. There are restrictions on international transfers of personal data from the UK and the EEA to other countries because of the need to ensure adequate safeguards are in place to protect the personal data. Staff unsure of what arrangements have been or need to be put in place to address this requirement should contact the Data Protection Officer.

## **10. Rights of individuals**

Individuals are entitled (subject to certain exceptions) to request access to information held about them. All such requests should be referred immediately to the Data Protection Officer. This is particularly important because the Charity must respond to a valid request within the legally prescribed time limits.

Any member of staff who would like to correct or request information that the Charity holds relating to them should contact the Data Protection Officer. U-Maths may charge a small fee for providing the requested personal data, as permitted by law. It should be noted that there are certain restrictions on the information to which individuals are entitled under applicable law.

## **11. Reporting breaches**

Staff have an obligation to report actual or potential data protection compliance failures to the Data Protection Officer.

This allows the Charity to:

- Investigate the failure and take remedial steps if necessary
- Make any applicable notifications
- In the event of a data breach, the Charity will invoke its data breach protocol and associated notification procedures where appropriate to do so

## 12. Consequences of failing to comply

U-Maths takes compliance with this policy very seriously. Failure to comply puts both staff and the Charity at risk. The importance of this policy means that failure to comply with any requirement may lead to disciplinary action, which may result in dismissal.

Staff with any questions or concerns about anything in this policy should not hesitate to discuss these with the Data Protection Officer.

## 13. Contact

If anyone has any concerns or questions in relation to this policy, they should contact the Data Protection Officer:

**The Data and Protection Officer**

U-Maths  
C/o Exeter Maths School  
Castle Street  
Exeter EX4 4PU

[Contact Form](#)