

Data Protection Policy

Version 2.0, July 2020

Review Date: July 2021

Policy Owner: Group Executive Committee



1. Background

- 1.1 51st Bath Scout Group, by the nature of its work, controls and processes data that is deemed both “personal data” and “sensitive personal data” under the General Data Protection Regulation (“GDPR”).
- 1.2 51st Bath Scout Group wishes to wholly comply with its obligations under the GDPR.

2. Definitions

- 2.1 “51st Bath Scout Group”, “the Group”, “we”, “our” and “us” all refer to 51st Bath (Ascension Church) Scout Group of Ascension Church Hall, Claude Avenue, Bath BA2 1AG.
- 2.2 “Member”, where used below, includes all members and associate members (youth and adult) within 51st Bath Scout Group, as well as any adult who holds an Occasional Helper role within 51st Bath Scout Group.

3. Gathering Data

- 3.1 We gather personal data primarily through it being directly provided to us by Members or Members’ parents/guardians, especially through verbal communication, through our website form or online membership system.
- 3.2 We also gather personal data about our adult volunteers from:
 - The Scout Association
 - the Disclosure and Barring Service (“DBS”)
 - personal references

4. Nature of Data

- 4.1 51st Bath Scout Group collects the following personal data of Members in order to directly carry out the mission of the Group:
 - forename(s) and surname
 - date of birth
 - gender
 - address

- contact telephone number
 - contact email of Members
 - forenames and surnames of Members' parents/guardians/emergency contacts
 - addresses of Members' parents/guardians/emergency contacts
 - contact telephone numbers of parents/guardians/emergency contacts
 - contact emails of Members' parents/guardians/emergency contacts
 - details of Members' registered GP surgery
 - details of Members' school
- 4.2 51st Bath Scout Group, in addition to the above, collects the following **sensitive** personal data in order to directly carry out the mission of the Group:
- details of any known physical or mental health conditions of Members
- 4.3 In addition, 51st Bath Scout Group collects the following sensitive personal data in pursuant of its charitable aims but not directly related to carrying out its mission:
- ethnic origin of Members
- 4.4 In order to track the use of our website and contact those who show an interest in becoming Members, we collect the following information:
- forename(s) and surname
 - contact email
 - contact telephone number
 - potential Member's date of birth
 - IP address

5. Systems for Processing

- 5.1 All systems 51st Bath Scout Group uses to collect, store and process personal data are selected and operated by the Group with security and privacy in mind. All systems allow personal accounts to which permission-based access can be granted by necessity.
- 5.2 Where a person completes the "Contact Us" form on the website, or otherwise sends us personal data to a volunteer's @51bathscouts.org.uk email account, this data is stored within the Group's Office 365 account operated by Microsoft.
- 5.3 All personal data stored by 51st Bath Scout Group on its Members (and Members' parents/guardians/emergency contacts) is held within Online Scout Manager, operated by Online Youth Manager Ltd. Non-members' data, for example of Occasional Helpers who have agreed to help us deliver Scouting, is also stored in Online Scout Manager.

For more information on the security and privacy practices of Online Youth Manager Ltd., please visit their Security page at <https://www.onlinescoutmanager.co.uk/security.html>.

- 5.4 All our volunteers, where their volunteering activity requires them to possess a DBS check or otherwise hold a scouting role, are registered using The Scout Association's Compass system at <https://compass.scouts.org.uk>. The Scout Association's Privacy Policy can be found at <https://www.scouts.org.uk/DPPolicy>.
- 5.5 We store our financial records, including personal data on those who make payments to us or we make payments to, on Xero, Stripe and GoCardless. We store this data for the purposes of collecting payments, making payments and financial record-keeping. Xero's privacy policy can be found at <https://www.xero.com/uk/about/terms/privacy/>, Stripe's at <https://stripe.com/gb/privacy> and GoCardless's at <https://gocardless.com/legal/privacy/>.
- 5.6 We use services on our website to track how users interact with it. You can find out more about what these services are, how the data is used and how you can opt-out from our Privacy Notice at <https://www.51bathscouts.org.uk/privacy-notice>.
- 5.7 The trustees of the Group will enter into data processing agreements, where appropriate, to ensure all its obligations are kept.
- 5.8 The trustees of the Group reserve the right to move personal data to another system, where that system still meets the Group's obligations for data processing.

6. Basis for Processing

- 6.1 51st Bath Scout Group collects, stores and processes personal data on its Members (and Members' parents/guardians/emergency contacts) in order to:
 - plan and safely operate its activities, in line with its charitable aim.
 - keep records on the Group's membership.
 - keep Members (and Members' parents/guardians) informed of upcoming activities and information pertaining to the leadership, management and governance of the Groupwhich 51st Bath Scout Group believes is a **legitimate interest** for participation in our activities.
- 6.2 51st Bath Scout Group processes details of Members' parents, guardians and/or emergency contacts on the basis of **vital interest** for our Members, in order to ensure we may contact an appropriate person in the event of an emergency.

- 6.3 51st Bath Scout Group processes sensitive personal data under **explicit consent** from Members (or Members' parents where the Member is under 18 years of age). Failure to provide this consent, because the sensitive personal data is essential for us providing safe activities, will result in a termination of membership.
- 6.4 51st Bath Scout Group processes personal data in relation to Gift Aid under the **legitimate interest** of the Group to seek income via HMRC's Gift Aid scheme. We are legally obliged to keep this data for seven years after the last claim including a person.
- 6.5 51st Bath Scout Group processes the personal data of potential Members under **legitimate interest** of them wishing to become a Member of the Group.

7. Individual Rights

Right to be informed

Members are informed of this data protection policy ("this Data Protection Policy") when they register for membership of the Group.

Right of access

All Members (or Members' parents/guardians) have access to the data we hold about them via functionality of Online Scout Manager.

Should any Member wish for a machine-readable copy of their data, they may submit a subject access request by email to privacy@51bathscouts.org.uk.

Right to rectification

All Members (or Members' parents/guardians) have the ability to rectify or complete the data we hold about them via functionality of Online Scout Manager.

51st Bath Scout Group will, at least twice in every calendar year, make a general request to Members and Members' parents/guardians to ensure the accuracy of the data we hold.

In the case that the data to be rectified or completed is not made available, or stored, by Online Scout Manager, any Member (or Members' parents/guardians) may submit a rectification request to privacy@51bathscouts.org.uk.

Right to erasure

Upon termination of a Member's membership of the Group, we will erase all sensitive personal data held on them, along with contact details and details of their parents/guardians/emergency contacts. We will keep some information about former Members, in line with our retention periods in the appendix to this Data Protection Policy.

Members (or Members' parents/guardians) may request erasure of data to privacy@51bathscouts.org.uk. Where this erasure request prevents us holding data that we require to provide safe activities, we shall terminate the Member's membership.

Right to restrict processing

Members (or Members' parents/guardians) may request restricted processing of data to privacy@51bathscouts.org.uk. Where this restriction request prevents us processing data that we require to provide safe activities, we shall suspend the Member's membership.

On receiving and actioning a restricted processing request, we shall move the Member to a section on Online Scout Manager to which only the Group Scout Leader and Group Chair have access.

Right to data portability

51st Bath Scout Group shall, on request to privacy@51bathscouts.org.uk, to the Group Scout Leader or by an agreed transfer of membership, transfer or share data of any Member in full to another section/group of The Scouts that uses Online Scout Manager so they may have exclusive or joint view of that Member's data.

Right to object

Members (or Members' parents/guardians) may submit an objection to us processing their data to privacy@51bathscouts.org.uk. Where this objection prevents us processing data that we require to provide safe activities, we shall terminate the Member's membership.

Rights related to automated decision-making including profiling

51st Bath Scout Group does not use automated decision-making based on its Members' data.

8. Sharing Data with Third Parties

- 8.1 When a Member wishes to join another scout group, district or county, in addition to or in substitution to 51st Bath Scout Group, we will transfer that Member's personal data to them.
- 8.2 In some cases, we may be legally obliged to share data with City of Bath Scouts, Avon County Scouts, The Scout Association, Unity Insurance Services, local authorities or law enforcement. We will only do so to the extent of meeting those obligations.
- 8.3 We sometime share our Members' personal data, including sensitive personal data, with other scout groups, districts and counties, or other activity providers, in order to provide activities to our Members. We will only do this where it is strictly necessary in providing an activity.

- 8.4 We may share personal data with City of Bath Scouts, Avon County Scouts, The Scout Association or The Duke of Edinburgh's Award in order to nominate one of our Members for an award. We would only share what was necessary to make this nomination.
- 8.5 Once a year, we're required to submit statistical information about our membership to The Scout Association as part of its annual census. This data is completely anonymised, showing totals for each of age, ethnicity, gender and disability for our sections and Group.
- 8.6 We will only share the personal data of our Members', Members' parents/guardians/emergency contacts with The Scout Association Headquarters for the purpose of managing safeguarding cases. The sharing of this data will be via Online Scout Manager (as detailed in 5.3). The Scout Association's privacy and security notice can be found at <https://www.scouts.org.uk/DPPolicy>.
- 8.7 We will never sell personal data to any third-party for the purposes of marketing.

9. Data Protection Lead

- 9.1 51st Bath Scout Group is not obliged to appoint a Data Protection Officer as it does not meet the criteria for having to do so under the GDPR and has not voluntarily decided to appoint one.
- 9.2 We do, however, have a data protection lead – appointed by the Group's trustees – whose role it is to monitor our compliance with our own policy and the GDPR and make sure we are handling requests in relation to data protection appropriately.

10. Contact

Any person may contact our Group's data protection lead and Group Chair on privacy@51bathscouts.org.uk in relation to any question or concern about this Data Protection Policy, or the use of their data.

11. Complaints

You may make a complaint about the use of your data in writing to privacy@51bathscouts.org.uk. We will respond within 30 days of receiving your complaint.

If you are unsatisfied with our resolution to your complaint, you may make a complaint to the Information Commissioner's Office, our supervisory authority, at <https://ico.org.uk/make-a-complaint/>.

Should you still be unsatisfied, you have a right to have enforced any of your legal rights through judicial means.

Appendix– The Data We Hold and Retention Periods

Description	Personal Data	Stored Using	Retention Period	Responsible Person
Information about our Members and volunteers	Name, contact details, date of birth, medical details, parent details, emergency contact details	Online Scout Manager, Compass (volunteers only), paper joining forms	<p>For the duration of membership.</p> <p>We keep names, the fact that they were a Member, attendance records and programme-related records (e.g. badge records) indefinitely after the end of membership.¹ All other information, including sensitive personal information, contact details and parent details is deleted.</p> <p>Any paper forms are destroyed as soon as a digital copy is made.</p>	Group Scout Leader and Section Leaders (jointly)

¹ We keep some personal data indefinitely in pursuant of keeping an accurate history of the Group, in case a former Member wishes to re-join Scouting and ensuring we can comply with any legal obligations in relation to historical safeguarding, accident, or other legal claims or complaints (especially from statutory authorities).

Information about potential Members	Name, contact details, date of birth and parent details	Online Scout Manager, paper joining forms	<p>Until they become a Member with us (then the above applies), they request to be removed or they reach eighteen years of age (whichever is the earliest).</p> <p>Any paper forms are destroyed as soon as a digital copy is made.</p>	Group Scout Leader
Information about safeguarding incidents involving our Members	Names, contact details, details of allegations, status and outcome of investigation.	Microsoft Office 365	At least twelve years – required for evidence requests from statutory authorities.	Group Scout Leader
Information about accidents and near misses	Names, contact details and details of the accident or near miss.	Microsoft Office 365 and paper files	Three years after the accident, or three years after the subject of the accident is 18 years old (whichever is longer) – required under Limitation Act 1980.	Group Scout Leader
General enquiries	Names, contact details and nature of enquiry.	Microsoft Office 365	Three years following the satisfaction of the enquiry or upon the enquiry falling within any other section of	Receiver of Enquiry

			this appendix (in which case the relevant retention period will apply).	
Complaints	Names, contact details and nature of complaint (including data related to the complainant, where appropriate, and complaine).	Microsoft Office 365, paper records	At least twelve years. Any paper copies destroyed once a digital copy is uploaded to Microsoft Office 365.	Group Scout Leader and Group Chair (jointly)
Gift Aid declarations	Names, declaration	Online Scout Manager	Six years after the last financial year including a claim including a person – required for HMRC tax audit purposes.	Group Treasurer
Financial records – associated payee information	Names, contact details and payment details	Xero, GoCardless, Stripe	Five years after the end of the last financial year in which a transaction involving a person occurs.	Group Treasurer