



Kickstart Trust (Bishop's Stortford) Ltd.

Kickstart Centre, Methodist Church, South Street, BISHOP'S STORTFORD, Herts. CM23 3AZ
Tel: 01279 501745 email: info@stortfordkickstart.org.uk

General Data Protection Regulation Protocol

Data Controller: Kickstart Trust (Bishop's Stortford) Ltd

- 1. Objective of Kickstart:** A registered Charity set up to provide FREE support and guidance to those unemployed people in the area who are trying to return to work. Also those who are still in employment and seeking a change of career
- 2. Introduction:** The purpose of this protocol is to demonstrate that Kickstart meets GDPR requirements for Data protection.
- 3. Lawful Basis: Legitimate Interest.**

Consent and Legitimate interest are the only lawful bases for our organisation.

Legitimate Interest means that we, Kickstart, take on extra responsibility for ensuring that we only process clients' data in ways they request or would reasonably expect, as stated in the Privacy Notice (Appendix 1). In the event of a dispute with a client we would have to justify our actions.

Processing is necessary given that job applications require CVs in a readily accessible format and emails as the preferred method of contact.

Processing is solely in the clients interest. Our only Legitimate interest is to anonymise data for statistical purposes.

Legitimate interest is considered to be the most suitable basis for Data Protection based on the following criteria:

We are a small independent charity with direct contact with clients and receive their personal data directly from them.

Working directly with clients, they are aware of how their personal data is being processed.

Legitimate interest most closely matches our current procedures.

It is less intrusive when working, as we do, face to face with clients.

We hold no sensitive data, or other high risk information.

4. Personal Data we hold:

Name
Address
Home telephone and mobile number
Email address
Curriculum Vitae
Qualifications
Employment History
Skill levels
Achievements (Work and Personal)
Age range)
Gender) For statistical analysis only
Nationality)

5. Services we provide:

Careers Advice
CV preparation and storage
Setting up client emails
Assistance with Job site Registration
Provision of Job search facilities
Assistance with Job Applications
Interview Role play
General job related advice

6. Privacy.

New clients and existing clients returning for the first time shall be asked to read the Privacy Notice and be made aware of their individual rights. Then to initial the box on the Registration form to indicate that they have read/understood them. Copies of the Privacy Notice and their Individual Rights shall be displayed on our 'sign in' notice board. See appendix 1 for Privacy Notice

7. Individual rights:

New clients and existing clients returning for the first time shall be made aware of their individual rights, by the receptionist, before taking or confirming clients personal data. See Appendix 2.

Clients can assert their rights in person, by writing or by emailing to the addresses in the Privacy Notice at any time. The Data Protection Officer is responsible for ensuring that their right has been actioned within 28 days.

Right to be informed: Client to be asked to read/directed to the Privacy Notice.

Right of Access: Clients have right to know what personal data is held about them and how it is being processed.

As we work face to face with clients, the client shall be shown the personal data that we hold on them and the way it is being used. This shall be actioned whenever possible at the time of making the request. If this is not possible, clients may assert their rights by writing or by emailing to the addresses in the Privacy Notice.

Right to Rectification: Clients have the right to have their personal data corrected if it is incorrect or incomplete.

Whenever possible the Receptionist and/or the adviser shall immediately amend the clients data we hold, when requested in person. If this is not possible, clients may assert their rights by writing or by emailing to the addresses in the Privacy Notice.

If personal data is disclosed to others, for example to Job search websites, each recipient must be informed of the correction, if practicable.

We may assist clients with correcting their data held by others. However, we cannot amend clients data, on the clients behalf, without the client being present. This would contravene our Legitimate Interests basis in law.

Right to erasure: otherwise known as right to be forgotten:

Clients may request that their personal data be deleted from our records. Clients can assert their rights by writing or by emailing to the addresses in the Privacy Notice at any time. Once data is deleted the person ceases to be a client of Kickstart.

Right to restrict processing: Clients can request that their data we hold should not be processed, although we can continue to store it. Clients can assert their rights by writing or by emailing to the addresses in the Privacy Notice at any time.

Right to data portability: Clients shall be given copies of their CV's, in either paper and/or electronic versions, to use as they wish, for their own purposes. The request may be made in person. If this is not possible, clients may assert their rights by writing or by emailing to the addresses in the Privacy Notice.

Right to Object: A client has the right to object if we use personal data outside the services defined in section 5 above. Our only legitimate interest is the use of anonymised data for statistical analysis, which does not fall within GDPR. Clients can assert their rights by writing or by emailing to the addresses in the Privacy Notice at any time.

Rights related to automated decision making including profiling: Not Applicable.

Dispute: The client has the right to contact the Information Commissioners Office if a dispute arises which cannot be resolved between the client and Kickstart.

8. Accountability and governance:

Accountability is assured as we work face to face with clients so that they can see and be involved in the processing of their data.

Contracts: Not Applicable.

Documentation: The services we provide are itemised in section 5 above. We shall record the service given on each visit by a client on the registration sheet.

Data Protection by design and default: This shall be considered whenever we set up a new IT system or make a significant update to the system. It is important to include this at an early stage of a project. (Note: awaiting ICO guidance on this).

Data Protection Impact Assessments: Not Applicable. We are a small organisation and do not process large scale processing.

Data Protection Officer: Roger Foot. Address, Kickstart as heading above.

Codes of Conduct and Certification: Not Applicable

Data Protection Fee: As a registered charity we are on Tier 1 Data protection fee (£40 less £5 for paying by direct debit)

9. Security:

We do not process any sensitive or high risk information. Therefore Password protection of IT equipment, in conjunction with anti malware software, is considered appropriate to our needs.

The IT operating system is 'bespoke' and is maintained by the Kickstart Administrator. The receptionist's and advisers computers have no personal data left on them and are locked away outside our opening hours. Data storage and back up facilities are held off site. Maintenance of the data base and back up facilities is the responsibility of the Kickstart Administrator.

An annual audit of our IT systems shall be carried out to identify any vulnerabilities.

Disposal of IT assets shall be done securely so that data is destroyed or effectively overwritten such that it cannot be recovered.

Paper records are stored in a locked cupboard and shall be shredded before disposal.

Data for statistical analysis is anonymised and separated into another file to be processed by a separate facility within Kickstart to prevent indirect identification of a client. The statistical analysis is required to support applications for funding, demonstrating that we are a viable organisation in our Annual reports to Companies House and the Charity commission. Also to confirm that we continue to serve our target clientele.

10. International Transfers: Not Applicable

11. Data Breaches:

Data breaches cover a wide spectrum of incidents, for example:

- Accidental erasure of personal data even though it may be backed up and recovered,
- Sending personal data to an incorrect recipient,
- Changes to personal data without permission,
- Access by an unauthorised third party
- Computing devices storing personal data being lost or stolen

If a data breach is suspected it shall be reported immediately to the Data Protection Officer, or the Directors, who shall call an immediate emergency meeting (a Quorum is 3 members). The objective of the meeting shall be:

To assess the risk level of the breach and determine if it must be notified to ICO. If so ICO must be notified within 72 hours of the breach being discovered (failure to do so may result in a significant fine in addition to any other measures ICO may require us to make). The contact number for ICO is 0303 123 1113.

To assemble the information ICO requires:

- A description of the nature of the personal data breach
- Approximate number of individuals concerned
- Approximate number of personal data records concerned

Name and contact details of Data Protection Officer

Description of the likely consequences of the personal data breach

Description of measures taken or proposed to be taken to deal with the breach

Measures taken to mitigate any possible adverse effects to our clients.

To keep ICO informed of progress if all or some of the information above is not immediately available.

The Data Protection Officer shall keep a record of all personal data breaches, whether notified to ICO or not. (ICO recommends all breaches should be notified).

12. Exemptions: Not Applicable

13. Children: Not Applicable

Appendix 1

Privacy notice

Your Privacy

Our legal basis for holding your personal data is '**Legitimate Interest**'.

The Kickstart Trust (Bishops Stortford) Ltd. will collect your personal data to provide you with the services you have requested. Your details will only be used to provide you with the services you require or which you would reasonably expect. The services we offer are:

- Careers Advice
- CV preparation
- Setting up emails
- Job site Registration
- Job Search
- Job Application
- Interview Role Play

You can object to us, at any time, using your personal data in ways you would not reasonably expect. This may be done by writing to the Kickstart Centre, South Street, Bishop's Stortford, Herts CM23 3AZ, or by email to info@stortfordkickstart.org.uk. Otherwise we shall keep your data on file for six months from your last contact with Kickstart. Your details will then be deleted except for your name, which will be used anonymously in statistical analysis for mandatory reports and to support funding applications. Your data cannot be identified by such analysis.

We shall make all reasonable efforts to keep your details secure. We shall not share your details with any other organisation, except when required for setting up emails Job site registration and completing Job Applications at your request.

Appendix 2

YOUR INDIVIDUAL RIGHTS

You have the following rights to the way in which your personal data is used and processed under the General Data Protection Regulation

Right to be informed: Please see the Privacy Notice.

Right of Access: You have right to know what personal data is held about you and how it is being processed.

Right to Rectification: You have the right to have your personal data corrected if it is incorrect or incomplete. Also whenever personal data is disclosed to others, for example to Job search websites, they must be informed of the correction whenever practicable.

Right to erasure: otherwise know as right to be forgotten:

You may request that your personal data be deleted from our records. Once your data is deleted you cease to be a client of Kickstart.

Right to restrict processing: You can request that your personal data shall not be processed, although we can continue to store it.

Right to data portability: You will be given copies of your CV, in paper and/or electronic versions to use as you wish, for your own purposes.

Right to Object: You can object to our using your personal data in a way you would not reasonably expect.

Note: Our only legitimate interest is to anonymise your personal data for statistical purposes (anonymised data analysis does not fall within the General Data Protection Regulation and your personal data cannot be identified from such analysis).

If your request cannot be completed in person you can assert your rights by writing or by emailing to the addresses in the Privacy Notice.

Dispute: You have the right to contact the Information Commissioners Office if a dispute arises which cannot be resolved between yourself and Kickstart. The ICO contact number is available on request.