

# Cestrian Scout Group.

## General Data Protection Regulation (GDPR)

### What is GDPR and why do we need it?

As technology develops and our private data is being used and shared in countless new ways, people are understandably becoming increasingly worried about security.

There are two key reasons why GDPR is being introduced – to bring all EU member states under one common regulation, and to update regulations to reflect our new digital age.

Different countries in the EU follow different rules and regulations when it comes to data sharing and privacy, which can get quite confusing when data is being shared between people and companies in different countries. GDPR will be enforced across all 28 EU member states, meaning everyone is following the same rules!

In the UK, companies and charities are still following the 1998 Data Protection Act to ensure the safety of people's data. But technology and data sharing has developed a lot since 1998. This means that the current regulation may not be entirely suitable for the needs of consumers and the types of technology we're seeing today. GDPR will replace the Data Protection Act to better protect our data from breaches and hacks.

### What data does it protect?

When people talk about technology and digital developments, there's always a focus on data. But what data do they mean? GDPR aims to protect any personal data a company or charity holds about you – including your name, address, email address, images, social networking accounts, IP address or medical history.

It will also cover more sensitive data such as your sexual orientation, your genetics, your political views or any trade union memberships.

### How will it affect UK businesses and charities?

Essentially, GDPR will affect everyone in all 28 EU member states, from businesses and charities big and small, to customers and consumers.

When it comes to implementing GDPR, the biggest changes will be seen by businesses rather than consumers – since they're the ones who will have to adjust the way they handle data to align with the new legislation.

There are hefty penalties for those who don't comply, including a fine of up to €20 million or 4% of the company's total profit. Any data breach also needs to be reported to the relevant authorities within 72 hours, and if there's a risk involved to the data subject (i.e. the people the data concerns) they'll have to inform their customers too.

### How will GDPR affect me?

While businesses and charities will have to make changes to their data policies in preparation for the new regulations, consumers don't have to do anything in particular to prepare.

That said, individual consumers will probably still notice some changes. You'll probably find that when you buy products online or sign up to newsletters, there will be more obvious checkboxes relating to how the company can use your data – for example to send you emails, or share data with a third party.

However, GDPR also gives you a number of 'rights' when it comes to your data, including:

**The right to be informed** – you have a right to know how your data will be used by a company.

**The right to access your personal data** – you can ask any company to share with you the data they have about you!

**The right to rectification** – this just means you can update your data if it's inaccurate or if something is missing.

**The right to erasure** – this means that you have the right to request that a company deletes any personal data they have about you. There are some exceptions, for example, some information can be held by employers and ex-employers for legal reasons.

**The right to restrict processing** – if you think there's something wrong with the data being held about you, or you aren't sure a company is complying to rules, you can restrict any further use of your data until the problem is resolved.

**The right to data portability** – this means that if you ask, companies will have to share your data with you in a way that can be read digitally – such as a pdf. This makes it easier to share information with other companies, such as your bank details when applying for a loan.

**The right to object** – you can object to the ways your data is being used. This should make it easier to avoid unwanted marketing communications and spam from third parties.

**Rights in relation to automated decision making and profiling** – this protects you in cases where decision are being made about you based entirely on automated processes rather than a human input.

Whether or not you exercise your new rights is up to you – the main thing to remember is that they're there if you need them.

# Cestrian Scout Group

## Data Privacy Notice

Our Data Privacy Notice describes the categories of personal data we process and for what purposes.

We are committed to collecting and using such data fairly and in accordance with the requirements of the General Data Protection Regulations (GDPR).

### Who we are

The Cestrian Scout Group is a registered member of The Scout Association . We are also registered with the UK Charity Commission . Every year we hold an Annual General Meeting where members of the Group's Executive Committee are elected. Any parent of a youth member can choose to stand for election on the Executive at the AGM and every parent has the right to attend the Annual General Meeting. We are based at Cestrian Scout Headquarters, Thackeray Drive, Vicars Cross , Chester CH3 5LP.

### Your rights

You have the right to object to how we process your personal information. You also have the right to access, correct, sometimes delete and restrict the personal information we use. In addition, you have a right to complain to us and to the data protection regulator.

Please contact a Leader or the Group Scout Leader for more information, in the first instance.

You can view and edit your personal information directly on the online membership systems Online Scout Manager and Compass (Adult Scout Association members only).

### How we gather personal information

The majority of the personal information we hold on you, is provided to us directly by yourself or by parents / legal guardian in either paper form or via our online membership systems. Data may also be provided by third party reference agencies, such as the disclosure and barring service (DBS).

Where a member is under the age of 16, this information will only be obtained from a parent / guardian and cannot be provided by the young person, however we will accept and potentially record any personal information, such as any ongoing medical treatment from any member no matter their age.

### How we use your personal information

We collect your personal and medical information for the protection and identification of that person whilst in the care of the Scout Group.

The collection of a person's religion data is necessary to respect their beliefs with regards to activities, food and holidays.

We also collect the data so we have the ability to contact the member, parents and guardians, to inform them of meetings and events that the group itself may be running or attending.

### Our legal basis for using your personal information

We only use your personal information where it is permitted by the laws that protect your privacy rights. We only use personal information where:

- a) We need to use the information to comply with our legal obligations.
- b) We need to use the information legitimately to contact you, regarding meetings, events, collection of membership fee's etc., i.e. for the day to day running of the group.
- c) It is fair to use the personal information in your interests, where there is no disadvantage to you – this can include where it is in our interests to contact you about products or services within scouting.

### Sharing and transferring personal Information

We will only normally share personal information within our Scout Group Leaders and Executive Committee Members.

We will however share your personal information with others outside the Cestrian Scout Group where we (or an affiliate processing your data on our behalf) are required to do so by law, obligation, regulation or legal proceedings, this may also include organisers of events and camps the member is attending, such as Chester District Scouts and Cheshire County Scouts, so they may fulfil any legal obligations although generally such an event will have its own data collection form which will be securely held and disposed of after the event.

We may also share personal detail with The Scout Association and its insurance subsidiary "Unity".

We would also share details in response to a valid, legally compliant request by a relevant public authority or law enforcement agency. We would also share details during an emergency when we believe physical safety is at risk if not sharing the details would cause harm or distress.

In all cases we will only share personal information to the extent needed for those purposes.

If you move from the Cestrian Scout Group, to another Scout Group or Explorer Unit we will transfer your personal information to them.

We will never sell your personal information to any third party for the purposes of marketing.

Sometimes we may nominate a member for national award, (such as a Scouting or Duke of Edinburgh award) such nominations would require we provide contact details to that organisation.

## Third Party Data Processors

The Cestrian Scout Group, employs the services of the following third-party data processors: -

The Scout Association via its membership system “**Compass**” which is used to record the personal information of leaders, adults and parents who have undergone a Disclosure and Barring Service ( DBS) check.

Unity Insurance (The Scout Association Insurance company).

Online Youth Manager Ltd (**Online Scout Manager**) which is used to record the personal information, badge records, event and attendance records etc., we have a data processing agreement in place with online youth manager, more information is available at

<https://www.onlinescoutmanager.co.uk/security.php>

Dropbox Inc. occasionally used for secure transfer of limited personal information for events.

## How long we keep your personal information for

We will retain your personal information, throughout the time you are a member of the Cestrian Scout Group.

We will retain your full personal information for a period of six months after you have left the Cestrian Scout Group, and in a much more limited form (just name, badge and attendance records) for a period of up to 15 years (until age 21) to fulfil our legal obligations for insurance and legal claims.

We will also keep any Gift Aid Claim information for the statutory 7 years as required by HMRC (which may be beyond age 21)

## Automated decision making

The Cestrian Scout Group does not have any automated decision-making systems.

## Transfers outside the UK

The Cestrian Scout Group will not transfer your personal information outside of the UK, with the exception where an event is taking place outside of the UK and it is necessary to provide personal information to comply with our legal obligations, although generally such an event will have its own data collection form which will be securely held and disposed of after the event.

## Data Storage

Cestrian Scout Group is committed to the protection of your personal information.

We generally store personal information in one or two secure digital online database systems, where access to that data is restricted and controlled.

**Compass**: - is the online membership system of The Scout Association, this system is used for the collection and storage of adult personal data.

**Online Scout Manager** is an online membership system run by Online Youth Manager Ltd, this is a secure membership database where we store the personal information of Adults and Youth members for the day to day running of the group.

**Local Hard Drives** Data sometimes has to be held on local Laptop or PC harddrives but the sensitive files and storage devices are always password protected.

### Printed records and Event data

Paper is still used within the Cestrian Scout Group to capture and retain some data for example the following: -

- Young Persons Information Form.
- Adult Information Form.
- New joiners waiting lists.
- Health and contact records update forms.
- Gift Aid Collection forms.
- Events consent from parents.
- Events coordination with event organisers.
- Award notifications/nominations

In the case of **Joining forms, health and contact update forms**, this information is securely held by the leader or waiting list manager, and transferred to our secure digital systems as soon as possible before the paper form is destroyed.

**Gift Aid** collection forms, will be securely held by the Gift Aid Manager to aid in the collection of Gift Aid for termly membership fee's. We have a legal obligation to retain this information for 7 years after the last claim.

### Events

As a member of Cestrian Scout Group it is hoped you will take up the opportunity to attend events and camps, where it is necessary to fulfil our legal obligations we will be required to potentially have a less secure means to access personal information, such as printouts of personal contacts and medical information, (including specific event contact forms), rather than relying on secure digital systems, as often the events are held where internet and digital access will not be available. We will minimise the use of paper to only what is required for the event/camp.

We will ensure

- a) Transfer of paper is secure, such as physical hand to hand transfer or registered post.
- b) Paper forms are securely destroyed after use.
- c) Secure destruction will be through a shredding machine or securely burned.
- d) Always keeping the paper records secure, especially when in transit, by using:
  - a.i. A lockable brief case.
  - a.ii. A lockable filing cabinet if long term stored.
- e) If transferred to somebody, we will check that they return them when the event is complete.

### Awards

Sometimes we may nominate a member for national award, (such as Queens Scout or Duke of Edinburgh award) such nominations would require we provide contact details to the awarding organisation, this is most often done on paper via registered post.

## Photography

The law on image use and GDPR needs further clarification, the position Cestrian Scout Group is as follows: -

Photographs / images (which can be classed as personal information) of yourself or your son/daughter may be taken during activities and be used within a Scouting context and in particular publicity material for example Scouting publications and the media. Images may be published to official Scout websites and scouting affiliated social media, but will never identify individuals in line with Scout Association guidelines.

We cannot ask for explicit consent "Yes/No", as consent presumes that it can be revoked, as is your right to do so under the GDPR regulations.

If we publish a photograph or image in any public forum, we no longer have control over that photograph, as it can be downloaded, screenshot, re-photographed and shared by others, stored in systems not related or controlled by the Cestrian Scout Group.

Under GDPR consent is invalid if people cannot easily withdraw consent, which would be the case with publishing to any publicly accessible system, therefore if you do not wish your son/daughter to appear in these then please confirm, in writing, to the Group Scout Leader, and we will not publish any photographs of you or your child on a public forum such as social media from that point forward, we will be unable to confirm full removal of images and photographs from the historical record online or otherwise stored.

Please note that the group cannot control or stop images being taken by other individuals, parents or organisations not connected with the Cestrian Scout Group.

The Cestrian Scout Group may store an image of you or your child on the Online Scout Manager (OSM) membership database for the purposes of identification, alongside and linked to the personal information, access to this image is limited to the leaders and authorised users of OSM as is the rest of the personal information.