



# **YOUNG PEOPLE MATTER CHARITY'S**

## **Data Protection Policy**

**Dated: June 2023**

**The Policy will be reviewed every three years  
or in line with changes in government  
legislation and updated guidance**

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**Charity No: 1134959 | Company No: 6418296**

## Introduction

Young People Matter holds and processes information about employees, young people, and additional data for administrative and commercial purposes. When handling such information, Young People Matter, and all staff or others who process or use any personal information, must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the Act). In summary it states that personal data shall:

- Be processed fairly and lawfully,
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with the purpose,
- Be adequate, relevant and not excessive for the purpose
- Be accurate and up-to-date,
- Not be kept for longer than necessary for the purpose,
- Be processed in accordance with the data subject's rights,
- Be kept safe from unauthorised processing, and accidental loss, damage or destruction,
- Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances.

## Definitions

- "Data controller" further information about YPM data controllers is available from the Data Protection Officer **Miss Kemi Folarin**
- "Staff", "Young People" and "other data subjects" may include past, present and potential members of those groups.
- "Other data subjects" and "third parties" may include contractors, suppliers, contacts, referees, friends or family members.
- "Processing" refers to any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

## Notification of Data Held

YPM shall notify all staff and service users and other relevant data subjects of the types of data held and processed by YPM concerning them, and the reasons for which it is processed. The information which is currently held by YPM and the purposes for which it is processed are set out in the Data Protection Register entry. When processing for a new or different

purpose is introduced the individuals affected by that change will be informed and the Data Protection Register entry will be amended.

### **Staff Responsibilities**

All staff shall

- Ensure that all personal information which they provide to YPM in connection with their employment is accurate and up-to-date;
- Inform YPM of any changes to information, for example, changes of address;
- Check the information which YPM shall make available from time to time, in written or automated form, and inform YPM of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. YPM shall not be held responsible for errors of which it has not been informed.

When staff hold or process information about young people, colleagues or other data subjects (for example, files, references to other youth clubs or companies or details of personal circumstances), they should comply with the Data Protection Guidelines.

### **Staff shall ensure that**

- All personal information is kept securely;
- Personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party. Unauthorised disclosure may be a disciplinary matter, and may be considered gross misconduct in some cases.

When staff supervises service users doing work which involves the processing of personal information, they must ensure that those young people are aware of the Data Protection Principles, in particular, the requirement to obtain the data subject's consent where appropriate.

### **Young Peoples Responsibilities**

All young people shall:

- Ensure that all personal information which they provide to YPM is accurate and up-to-date;
- Inform YPM of any changes to that information, for example, changes of address;
- Check the information which YPM shall make available from time to time, in written or automated form, and inform YPM of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. YPM shall not be held responsible for errors of which it has not been informed.

Young people who use YPM IT facilities may, from time to time, process personal information (for example, research). In those circumstances, they must notify the Data Controller in the relevant area, who will provide further information about this requirement.

### **Rights to Access Information**

Staff, young people and other data subjects in YPM have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the appropriate designated data controller.

YPM aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 28 days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing by the designated data controller to the data subject making the request.

### **Subject Consent**

In some cases, such as the handling of sensitive information or the processing of research data, YPM is entitled to process personal data only with the consent of the individual. Agreement to YPM processing some specified classes of personal data is a condition of acceptance of a young people on to any project and a condition of employment for staff. (See Data Protection Register entry)

YPM may process sensitive information about a person's health, disabilities, criminal convictions, race or ethnic origin. For example, some jobs or courses will bring the applicants into contact with children, including young people between the ages of 16 and 18, and YPM has a duty under the Children Act 1989 and other enactments to ensure that staff is suitable for the job, and young people for the courses offered. YPM may also require such information for the administration of the sick pay policy, the absence policy or the equal opportunities policy.

YPM also asks for information about particular health needs, such as allergies to particular forms of medication, or conditions such as asthma or diabetes. YPM will only use such information to protect the health and safety of the individual, for example, in the event of a medical emergency. The consent of the data subject will always be sought prior to the collection of any sensitive data as defined by the Act.

## **The Data Controller and the Designated Data Controllers**

YPM is the data controller under the Act, and the CEO is ultimately responsible for implementation. Responsibility for day-to-day matters will be delegated to the different projects as designated data controllers. Information and advice about the holding and processing of personal information is available from the Data Protection Officer.

## **Assessment Marks**

Young people shall be entitled to information about their marks for assessments; however this may take longer than other information to provide. YPM may withhold enrolment, awards, certificates, accreditation or references in the event that monies are due to YPM.

## **Retention of Data**

YPM will keep different types of information for differing lengths of time, depending on legal, academic and operational requirements.

## **Compliance**

Compliance with the Act is the responsibility of all Service users and members of staff. Any deliberate or reckless breach of this Policy may lead to disciplinary, and where appropriate, legal proceedings. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Data Protection Officer.

Any individual, who considers that the policy has not been followed in respect of personal data about him or herself, should raise the matter with the designated data controller initially. If the matter is not resolved it should be referred to the staff grievance or young people complaints procedure.

**Updated June 2023**

**Review June 2024**