



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 21 of 2016

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Attachments: SPF Data Protection Policy

Dear Colleague

SPF Data Protection Policy – Information

I refer to the above and attach herewith, the SPF Data Protection Policy for your information.

Yours sincerely

Calum Steele
General Secretary



Scottish Police Federation

Data protection policy

Context and overview

Introduction

The Scottish Police Federation (SPF) needs to gather and use certain information about individuals. These can include members, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled and stored to meet the organisations data protection standards and to comply with the law.

Why this policy exists

This data protection policy ensures SPF:

- Complies with data protection law and follows good practice
- Protects the rights of staff, members and partners
- Is open about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

Data protection law

The Data Protection Act 1998 describes how organisations, including SPF, must collect, handle and store personal information. These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

Personal data means data which relate to a living individual who can be identified:

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

It is important to note that, where the ability to identify an individual depends partly on the data held and partly on other information (not necessarily data), the data held will still be "personal data".

Principles the Data Protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained only for specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held for any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be protected in appropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

People, risks and responsibilities

This policy applies to:

- The head office of SPF
- All area offices of the SPF
- All staff and representatives of SPF
- All contractors, suppliers and other people working on behalf of SPF

It applies to all data that SPF holds relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act 1998. This can include:

- Names of individuals
- Postal addresses
- Email addresses
- Telephone numbers, plus,
- any other information relating to individuals

Data protection risks

This policy helps to protect from some very real data security risks, including:

- **Breaches of confidentiality.** For instance, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them.
- **Reputational damage.** For instance, SPF could suffer if hackers successfully gained access to sensitive data.

Responsibilities

Everyone who works for or with SPF has some responsibility for ensuring data is collected, stored and handled appropriately. Each office, representative and member of staff that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles. However, these people have key areas of responsibility:

The **Joint Central Committee** is ultimately responsible for ensuring that the SPF meets its legal obligations.

The **General Secretary** is the data controller and responsible for:

- Keeping the JCC updated about data protection responsibilities, risks and issues.
- Reviewing all data protection procedures and related policies, in line with an agreed schedule.
- Handling data protection questions from staff and anyone else covered by this policy.
- Dealing with requests from individuals to see the data the SPF holds about them (also called 'subject access requests').
- Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data.
- This responsibility may be delegated.

The **IT Consultant** is responsible for:

- Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
- Performing regular checks and scans to ensure security hardware and software is functioning properly.
- Evaluating any third-party services the company is considering using to store or process data. For instance, cloud computing services.

The **Business Manager** is the data protection officer and responsible for:

- Approving any data protection statements attached to communications such as emails and letters.
- Addressing any data protection queries from the website
- Where necessary, working with other staff to ensure all communications and publications abide by data protection principles.

General staff guidelines

- The only people able to access data covered by this policy should be those who need it for their work.
- Data should not be shared informally. When access to confidential information is required, employees can request it from their line managers.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, strong passwords must be used and they should never be shared.
- Personal data should not be disclosed to unauthorised people, either within the company or externally.
- Data should be regularly reviewed and updated if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees should request help from their line manager or the data protection officer if they are unsure about any aspect of data protection.

Data storage

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT Consultant or data protection officer. When data is stored on paper, it should be kept in a secure place where unauthorised people cannot see it. These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept in a locked drawer or filing cabinet.
- Employees should make sure paper and printouts are not left where unauthorised people could see them, like on a printer.
- Data printouts should be shredded and disposed of securely when no longer required.
- When data is stored electronically, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:
- Data should be protected by strong passwords that are never shared between employees.
- If data is stored on removable media (like a CD or DVD), these should be kept locked away securely when not being used.
- Data should only be stored on designated drives and servers, and should only be uploaded to an approved cloud computing services.
- Servers containing personal data should be sited in a secure location, away from general office space.
- Data should be backed up frequently. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should never be saved directly to laptops or other mobile devices like tablets or smart phones. Temporary data should be deleted immediately.
- All servers and computers containing data should be protected by approved security software and a firewall.

Data use

Personal data is of no value to the SPF unless it can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption or theft:

- When working with personal data, employees should ensure the screens of their computers are always locked when left unattended.
- Personal data should not be shared informally. In particular, it should never be sent by email, as this form of communication is not secure.
- Data must be encrypted before being transferred electronically. The IT Consultant can explain how to send data to authorised external contacts.
- Personal data should never be transferred outside of the European Economic Area.
- Employees should not save copies of personal data to their own computers. Always access and update the central copy of any data.

Data accuracy

The law requires the SPF to take reasonable steps to ensure data is kept accurate and up to date. The more important it is that the personal data is accurate, the greater the effort should be put into ensuring its accuracy. It is the responsibility of all employees who work with data to take reasonable steps to ensure it is kept as accurate and up to date as possible.

- Data will be held in as few places as necessary. Staff should not create any unnecessary additional data sets.
- Staff should take every opportunity to ensure data is updated. For instance, by confirming a customer's details when they call.
- SPF will make it easy for data subjects to update the information it holds about them. For instance, via the SPF website.
- Data should be updated as inaccuracies are discovered. For instance, if a member can no longer be reached on their stored telephone number, it should be removed from the database.

Subject access requests

All individuals who are the subject of personal data held by the SPF are entitled to:

- Ask what information SPF holds about them and why.
- Ask how to gain access to it.
- Be informed how to keep it up to date.
- Be informed how SPF is meeting its data protection obligations.

If an individual contacts SPF requesting this information, this is called a subject access request. The data controller can supply a standard request form, although individuals do not have to use this. Individuals will be charged £10 per subject access request. The data controller will aim to provide the relevant data within 14 days. The data controller will always verify the identity of anyone making a subject access request before handing over any information.

Disclosing data for other reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject. Under these circumstances, the SPF will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the JCC and from SPF legal advisers where necessary.

END.