



DATA PROTECTION POLICY

1.0	Policy Information	7.1	Responsibility
1.1	Organisation	7.2	Procedure for making request
1.2	Scope of policy	7.3	Provision for verifying identity
1.3	Policy operational date	7.4	Procedure for granting access
1.4	Policy preparation	8.0	Transparency
1.5	Approval date	8.1	Commitment
1.6	Policy review date	8.2	Procedure
2.0	Introduction	9.0	Consent
2.1	Purpose of policy	9.1	Underlying principles
2.2	Policy statement	9.2	Forms of consent
2.3	Key risks	9.3	Opting out
3.0	Responsibilities	9.4	Withdrawing consent
3.1	Data Protection Officer	10.0	Direct marketing
4.0	Confidentiality	10.1	Underlying principles
4.1	Scope	11.0	Staff training & acceptance of responsibilities
4.2	Communication with Data Subjects	11.1	Documentation
4.3	Communication with staff	11.2	Induction
4.4	Authorisation for disclosures not directly related to the reason why data is held	11.3	Continuing training
5.0	Security	12.0	Policy review
5.1	Scope	12.1	Responsibility
5.2	Specific risks	12.2	Procedure
5.3	Setting security levels	12.3	Timing
6.0	Data recording and storage		
6.1	Updating		
6.2	Archiving		
7.0	Subject access		





DATA PROTECTION POLICY

1.1 Organisation

The organization this policy is applicable to is O&P Construction Services Ltd

1.2 Scope of policy

This policy applies to:

The office and sites of O&P Construction Services Ltd

The policy applies to all paid staff and volunteers.

1.3 Policy operational date

The policy operational date is the 4th January 2010

1.4 Policy preparation

The policy has been prepared by Mr Robert Mitchell MCIQB.

1.5 Approval date

The policy was approved by the Managing Director Stuart Oxley FCIOB ACMI, on the 18th December 2009

1.6 Policy review date

Policy review date is the 18th December 2010

2.1 Purpose of policy

The purpose of this policy is to enable O&P Construction Services Ltd to:

- Comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect O&P Construction's supporters, staff and other individuals.
- protect the organization from the consequences of a breach of its responsibilities..

This policy applies to information relating to identifiable individuals, even where it is technically outside the scope of the Data Protection Act, by virtue of not meeting the strict definition of 'data' in the Act.

1.0

POLICY INFORMATION

2.0

INTRODUCTION



**O & P CONSTRUCTION
SERVICES LTD**

CHARTERED BUILDING COMPANY

DATA PROTECTION POLICY

2.2 Policy statement

O&P Construction Services Ltd will:

- comply with both the law and good practice
- respect individuals' rights
- be open and honest with individuals whose data is held
- provide training and support for staff and volunteers who handle personal data, so that they can act confidently and consistently

O&P Construction Services Ltd recognizes that its first priority under the Data Protection Act is to avoid causing harm to individuals. In the main this means:

- keeping information securely in the right hands, and
- holding good quality information

Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, O&P will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

2.3 Key risks

O&P Construction Services Ltd has identified the following potential key risks, which this policy is designed to address:

- breach of confidentiality (information being given out inappropriately) — especially at branch level.
- insufficient clarity about the range of uses to which data will be put — leading to Data Subjects being insufficiently informed
- failure to offer choice about data use when appropriate
- breach of security by allowing unauthorized access
- failure to establish efficient systems of managing changes to branch volunteers, leading to personal data being not up to date.
- harm to individuals if personal data is not up to date
- insufficient clarity about the way sessional workers' or volunteers' personal data is being used e.g. given out to general public.
- failure to offer choices about use of contact details for staff, volunteers, sessional workers or branch officers



DATA PROTECTION POLICY

3.1 Data Protection Officer

The Data Protection Officer is currently Mr Robert Mitchell MCIOB, with the following responsibilities:

- briefing the MD on Data Protection responsibilities
- reviewing Data Protection and related policies
- advising other staff on Data Protection issues
- ensuring that Data Protection induction and training takes place
- notification
- handling subject access requests
- approving unusual or controversial disclosures of personal data
- approving contracts with Data Processors

3.0

RESPONSIBILITIES

4.1 Scope

Some of the things that are likely to be confidential, but may well not be subject to Data Protection, include:

- information about the organisation (and its plans or finances, for example)
- information about other organizations, since Data Protection only applies to information about individuals
- information which is not recorded, either on paper or electronically

Information held on paper, but in a sufficiently unstructured way that it does not meet the definition of a "relevant filing system" in the Data Protection Act.

Access will be defined on a "need to know" basis; no one will have access to information unless it is relevant to their work. This may be relaxed in the case of information which poses a low risk: for example a list of business contacts may be made generally available, even if this means people having access who don't strictly need it.

4.2 Communication with Data Subjects

O&P Construction Services Ltd has a privacy statement for Data Subjects, setting out how their information will be used. This will be available on request.

4.3 Communication with staff

Staff and volunteers are required to sign a short statement indicating that they have been made aware of their confidentiality responsibilities.

4.0

CONFIDENTIALITY



DATA PROTECTION POLICY

4.4 Authorisation for disclosures not directly related to the reason why data is held

Where anyone within O&P Construction Services Ltd feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done with the authorisation of the Data Protection Officer. All such disclosures will be documented.

5.1 Scope

This section of the policy only addresses security issues relating to personal data. It does not cover security of the building, business continuity or any other aspect of security.



5.2 Specific risks

O&P Construction Services Ltd has identified the following risks:

- staff or volunteers with access to personal information could misuse it.
- sessional workers or, more likely, volunteers could continue to be sent information after they have stopped working for O&P Construction Services Ltd if their records are not updated promptly.
- poor web site security might give a means of access to information about individuals once individual details are made accessible on line.
- staff may be tricked into giving away information, either about supporters or colleagues, especially over the phone, through "social engineering".

5.3 Setting security levels

Access to information on the main computer system will be controlled by function.

O&P Construction Services Ltd will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular: ICT systems will be designed, where possible, to encourage and facilitate the entry of accurate data.

Data on any individual will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets. Effective procedures will be in place so that all relevant systems are updated when





DATA PROTECTION POLICY

information about any individual changes.

Staff or volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping.

6.1 Updating

There is a regular cycle (quarterly) where existing records and data are checked, updated or discarded.

6.2 Archiving

Archived paper records of members are stored securely off site.

7.1 Responsibility

Any subject access requests will be handled by the Data Protection Officer.

7.2 Procedure for making request

Subject access requests must be in writing. All staff and volunteers are required to pass on anything which might be a subject access request to the Data Protection Officer without delay.

7.3 Provision for verifying identity

Where the individual making a subject access request is not personally known to the Data Protection Officer their identity will be verified before handing over any information.

7.4 Procedure for granting access

The required information will be provided in permanent form unless the applicant makes a specific request to be given supervised access in person.

7.0

SUBJECT ACCESS

8.1 Commitment

O&P Construction Services Ltd is committed to ensuring that in principle Data Subjects are aware that their data is being processed and

- for what purpose it is being processed;
- what types of disclosure are likely; and

8.0

TRANSPARENCY



DATA PROTECTION POLICY

- how to exercise their rights in relation to the data.

8.2 Procedure

Data Subjects will generally be informed in the following ways:

- Staff: in the staff handbook
- Volunteers: in the volunteer support pack
- Sessional workers: in the staff handbook
- Members: in the welcome pack
- Supporters: when they sign up (on paper, on line or by phone) for services or purchase products

Whenever data is collected, the number of mandatory fields will be kept to a minimum and Data Subjects will be informed which fields are mandatory and why.

9.1 Underlying principles

Consent will normally not be sought for most processing of information about staff and sessional workers, with the following exceptions:

- Staff details will only be disclosed for purposes unrelated to their work for O&P Construction Services Ltd (e.g. financial references) with their consent.
- Sessional workers, or other staff working from home, will be given the choice over which contact details are to be made public

'Sensitive' data about members and supporters (including health information) will be held only with the knowledge and consent of the individual.

9.2 Forms of consent

Consent may be accepted verbally, but it is standard for it to be accepted in writing, the results of which are stored.

9.3 Opting out

The organisation will give an option to 'opt out' even when we do not require consent.

9.4 Withdrawing consent

Consent can be withdrawn, but not retrospectively. The organisation may have no choice but to hold certain data from time to time.

9.0

TRANSPARENCY

10.0

DIRECT MARKETING



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DATA PROTECTION POLICY

10.1 Underlying principles

O&P Construction Services Ltd will treat the following unsolicited direct communication with individuals as marketing:

- seeking donations and other financial support;
 - promoting any services;
 - promoting branch events;
 - promoting membership to supporters;
 - promoting sponsored events and other fundraising exercises;
 - marketing of products
-

11.1 Documentation

Information for staff and sessional workers is contained in the staff handbook.

11.0

TRANSPARENCY

11.2 Induction

All staff who have access to any kind of personal data will have their responsibilities outlined during their induction procedures.

11.3 Continuing training

O&P Construction Services Ltd will provide opportunities for staff to explore Data Protection issues through training, team meetings, and supervisions.

12.1 Responsibility

Mr Robert Mitchell MCIQB has the responsibility for carrying out the policy review.

12.0

POLICY REVIEW

12.2 Procedure

Senior staff will be consulted regarding this review by internal email. Staff on site away from the main office will be consulted verbally.

12.3 Timing

The review will commence in December 2010, to allow the new policy and any amendments to be created.