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| **Centre Name** | Larches Sports and Education Centre |
| **Approved/Reviewed by** | Directors of Above |
| **Last Review Date** | September 2024 |
| **Date of Next Review** | August 2025 |



**Data Protection Policy 2024/25**

**Introduction**

This policy relates to all information held and used by Larches Sports and Education Centre (LSEC).

LSEC holds personal and other information, both electronically and in hard copy, and has legal, contractual and operational reasons for keeping this safe and secure. This policy gives broad guidance on how to achieve this.

**Information Security Policy**

The purpose of this policy is to protect LSEC information assets from all threats, whether internal or external, deliberate or accidental.

The policy covers physical security and encompasses all forms of information security such as data stored on computers, transmitted across networks, printed or written on paper, stored on CD/DVD’s, USB drives or spoken in conversation or over the telephone.

The LSEC directors are directly responsible for implementing the Policy and for adherence by staff.

**Information Security Guidelines**

It is the responsibility of each LSEC employee to adhere to this policy. The attached guidelines will be given to members of staff during their induction and they are expected to comply with them. Inappropriate usage and failure to follow these guidelines may lead to disciplinary action being taken under LSEC Disciplinary Procedures.

**Managing Records**

The directors should ensure that creation, retention, archiving or destructions of both manual and electronic records are in line with business and legal requirements.

LSEC has a duty to hold records for specified amounts of time to meet administrative and legal needs but will return/delete all details once a given learner ceases attending LSEC. Legislation also places requirements on the retention of records. Certain records must be held for a minimum period (e.g. financial information), while others must only be held as long as needed (e.g. personal information).

LSEC’s retention schedule as outlined at the end of this policy provides the minimum period for meeting these requirements.

Records must not be destroyed before the retention periods expire. After the retention period has expired, non-essential records may be destroyed immediately; the request to destroy vital and important records must only be done after clearing with the directors.

Any destruction of confidential records must be carried out in an appropriately secure manner.

Any destruction of confidential records must be carried out in an appropriately secure manner and in accordance with the demands of partner organisations.

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**Computer Security**

Computers are increasingly subject to theft. As LSEC’s delivery is dependent on computers, to a degree, such theft can cause disruption. There are a number of steps to minimise direct or consequential loss:

* Make sure recent data back-ups are kept in a safe place.
* All equipment is insured.
* All equipment is security marked.
* Ask the police to check building security.
* Ensure relevant computers are kept in areas where access is controlled to a degree, and gives reasonable assurance that unauthorised physical access cannot occur in the normal course of work.

**Computer viruses**

Appropriate anti-virus software is installed on computers and that the virus definition files are kept up to date.

**Unauthorised access**

To prevent unauthorised access to computers, a BIOS password at start up, a password-protected screensaver and secure network passwords will be established.

**Storage Media**

Any data on a mobile storage media, e.g. DVD, USB memory stick or CD/DVD, inevitably exposes it to risks of damage or loss. Staff will be reminded to use an appropriate protective cover or container for the media and take care not to expose the media to theft or avoidable loss. USB sticks should also be password protected.

**INFORMATION SECURITY GUIDELINESIntroduction**

During an employees work with LSEC, staff will be processing and holding significant amounts of personal and other information both electronically and manually. LSEC has legal, contractual and operational reasons to keep this information safe and secure.

The following guidelines are prepared to highlight good practice in information security and staff are expected to comply with them at all times.

**Confidential information**

'Confidential information' is used to mean information referring to individuals, partner organisations or other parties which should only be shared with the intended authorised personnel.

**Oral Communications**

Oral communications, referring to individuals or other restricted matters, represent perhaps the most significant practical risk to the security of information. The layouts of LSEC centre may mean that oral communications can be easily overheard. Staff are expected to take care that confidential information is not overheard by unauthorised people, which may include other staff, trainees or visitors. Any discussion that involves or, potentially involves confidential information must take place using a separate office or a meeting room so as to avoid this.

**Staff should share confidential information only with authorised personnel both within and outside LSEC**.

Staff will be made aware that conversations outside of the centre are fraught with risk.

**Manual data**

Hardcopies of confidential information will be kept securely i.e. in a locked filing cabinet, ideally in a room that can itself be locked within the office.

In order to avoid loss in the event of fire, flooding etc, consideration will be given to duplicating hard copy information that is not also held on computers, keeping the duplicate in a separate, secure location in order to avoid loss

Hardcopy information which is confidential should not be left on an unattended desk in an open or unlocked office.

Generally, hardcopy information may be transferred by post. It is a criminal offence to open mail while it is in transit, so the use of the stamp ‘private and confidential’ should ensure that only the recipient or senior personnel within an organisation opens mail after it has been received.

Certain classes of hard copy information must be shredded before they are disposed of. These include:

* Personnel documentation referring to individuals;
* Any documentation referring to learners or volunteers;
* Internal financial information;
* Commercially sensitive information;
* Any documents that are designated as confidential by another organisation or individual.

**Information held on computers.**

Electronic data is usually stored on the hard drives of desktop or portable computers, DVD’s/CD’s, or memory sticks. These items can be stolen, destroyed or critically damaged by accident or intent as well as accessed by unauthorised persons.

To minimise risk a comprehensive and appropriate backup process will be in place to minimise potential loss of data.

If a computer is used for learners, volunteers or other semi-public purposes, no confidential information will be accessible on the drives of the computers.

Portable computers carry an obvious enhanced security risk. Their portability means that they can be easily lost and they can be the object of theft because of their size, cost and desirability. Regular data backups, at least monthly and all staff reminded to exercise due vigilance and care in the transport and storage of these items outside the centre.

**Five key threats to computer files and preventative measures**

In order to protect the data that is held on computer LSEC will protect the files from various systemic or malicious threats. There are five key threats to digital data:

* Drive failure;
* Computer viruses, Spyware/Trojan Programs ;
* Unauthorised access;
* Drive loss or theft;
* Improperly managed disposal of redundant computers.

In order to avoid these threats, anti-virus software will be installed on computers and virus definition files are kept up to date. Email users will ensure that anti-virus software is configured to scan all emails.

**Prevention of unauthorised access and passwords**

In order to prevent unauthorised access to computers:

* All computers have password protected start up, and network logon if appropriate;
* Where computers are left on and unattended for incidental periods during the working day, they will be protected by a password protected screen saver or by locking the PC;
* At the end of the working day computers will normally be shut down and switched off;
* Where computers need to be kept on, it will be protected by a password-based screen saver;
* A comprehensive data back up process.

All passwords will be held by the director in a secure file and location.

**Computer disposal**

All drives will effectively wiped or reformatted prior to disposal.

**Breach**

In the event of a data breach LSEC will inform relevant authorities within 72 hours, giving full details of the breach and proposals for mitigating its effects.

**Privacy Notice**

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

It applies to all current and former employees, workers and contractors.

Full information can be found in the sub Policy, Information Security-Privacy Notice

**Monitoring and Guidance**

Responsibility for monitoring and the implementation of this policy in operations, resides with the directors.

**DOCUMENT RETENTION PERIODS**

**Introduction**

The following list shows the minimum number of years for which some LSEC documents should be retained in order to meet organisational needs and the statutory requirements.

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| **Document** | **Period of Retention** | **Comments** |
| 1.1.  **Agreements and related correspondence** | | |
| Major agreements of historical significance | Permanently |  |

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| Major agreements of historical significance | Permanently |  |
| Contracts with customers,  Suppliers  Rental/hire purchase agreements  Indemnities and guarantees  Other agreements/contracts | Six years after expiry or termination of the contract | Six years is generally the time limit within which proceedings founded on a contract may be brought  If the contract is executed as a deed, the limitation period is twelve years  Actions for latent damage may be brought up to fifteen years after the damage occurs |
| 1.2. **Property** | | |
| Deeds of title | Permanently or until property disposed of |  |
| Leases | Fifteen years after expiry |  |
| 1.3. **Accounts** | | |
| Company accounts | For a minimum of seven years from the date they are made. | Best practice suggests retaining company accounts for seven years from the year end  Some accounting records will be required for tax purposes.  Other funders may have similar requirements. |

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| 1.4. **Tax** |  |  |
| Supporting documentation for tax returns:  VAT | Six years | Note in general that where there is an enquiry into a tax return, records should be retained until the enquiry is complete |

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| PAYE | For PAYE records not required to be sent to the Inland Revenue, not less than three years after the end of the tax year to which they relate | Note however that payroll records should be kept for five to six years |
| 1.5. **Banking Records** |  |  |
| Cheques, bills of exchange and other negotiable instruments, bank statements | Six years |  |
| Instructions to banks | Six years after ceasing to be effective |  |
| 1.6. **Employee Records** |  |  |
| Staff personal records | When employment ceases they should be retained for 6 months and then destroyed | . |
| Applications for jobs-where the candidate is unsuccessful | Six months after notifying the unsuccessful candidate |  |
| Payrolls/wages | Six years from the year end |  |
| Expense accounts | Six years |  |
| Sickness records | Three years after the end of each tax year for Statutory Sick  Pay purposes |  |
| Accident books | Three years from the date of each entry |  |
| Health and safety records | Three years | Personal injury actions must generally be commenced within three years of the injury. However, in some cases time |

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|  |  | periods may be substantially extended, check with HR Team. |
| 1.7. **Insurance** |  | |

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| Policies | Three years after lapse | |  |
| Employers liability certificate | 40 years | |
| Claims correspondence | Three years after settlement | |
| Accident reports and relevant correspondence | Three years after settlement | |
| 1.8. **Learner Records** |  | | |
| Learner personal and activity | Six years | | Experience tells us that we can get enquires from or about former learners. |
| Learner personal and activity records – core hardcopy record, including copies of qualification certificates | Six years | | Experience tells us that we can get enquires from or about the qualifications gained by former learners. |
| Contract related learner records | A minimum of three years from the contract year in which the learner left our provision, but the minimum period may be greater by contract / funding agreement specification.. | |  |
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| 1.10. **Disclosure Records** |  | | |
| Disclosure information relating to employees and volunteers which is in a | Up to six months to allow for the consideration and resolution of any disputes | If, in very exceptional circumstances, it may be considered necessary to keep Disclosure information for | |

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| secure storage away from personnel or volunteer’s file. | or complaints after which time the disclosure **MUST** be destroyed. | longer than six-months, we should consult the DBS about this and give full consideration to GDPR Protection and the Human Rights of an individual before doing so. |

This policy will be reviewed on an annual basis