



# The St Andrews Preservation Trust Limited

## Data Protection Policy

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Drafted by:	Miss Annie Birrell	Approved by Board on:	Insert date
Responsible person:	Miss Annie Birrell	Scheduled review date:	Insert date

### Introduction

The St Andrews Preservation Trust Ltd needs to gather and use certain information about individuals. These may include members, employees, volunteers, suppliers, contacts, and other persons and people in organisations with which the Trust has a relationship, or may need to contact.

This policy describes how the personal data must be collected, handled and stored to meet the Trust's data protection standards, and comply with the law.

### Why this policy exists

This data protection policy ensures that The St Andrews Preservation Trust Ltd:-

- Complies with data protection law and follows good practice
- Protects the rights of employees, members, volunteers, suppliers and contacts and other persons or people in organisations with which the Trust has a relationship
- 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 the St Andrews Preservation Trust Ltd – must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper, or in some other medium.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by eight important principles which state 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. Be processed in accordance with the rights of data subjects
7. Be protected in appropriate ways



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8. Not be transferred directly outside the European Economic Area unless that country or territory also ensures adequate levels of protection.

### Policy Scope

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

- Names of individuals
- Postal addresses
- Email addresses
- Telephone numbers
- Any other information relating to individuals such as may be required in respect of the services provided by the St Andrews Preservation Trust Ltd

### Data Protection Risks

This policy is adopted in order to protect The St Andrews Preservation Trust Ltd from 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 Trust uses data relating to them.
- Reputational damage. For instance, the Trust could suffer reputational damage if hackers successfully gained access to sensitive data.

### Responsibilities

Anyone involved in the Trust who handles data, or who has access to data, has a responsibility to ensure that data collected is stored and handled appropriately. They must ensure that it is handled and processed in line with this policy and data protection principles herein.

However, the following persons or office holders have specific areas of responsibility:

The Board of Trustees is ultimately responsible for ensuring that The St Andrews Preservation Trust Ltd meets its legal obligations.

The Trust Data Protection Officer is responsible for:

- Keeping the Board updated about data protection responsibilities, risks and issues.
- Reviewing all data protection procedures and related policies.



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- Arranging appropriate data protection training and advice for the people covered by this policy.
- Handling data protection questions from staff, members and anyone else covered by this policy.
- Dealing with requests from individuals to view the data held on them (also called 'subject to access requests').
- Checking and approving the data protection issues in respect of any contracts or agreements with third parties that may handle the Trust's sensitive data.
- Ensuring that all the Trust's systems, services and equipment used for storing data meet acceptable security standards
- Performing regular checks and scans to ensure the Trust's security hardware and software is up to date and functioning properly
- Evaluating any third party services being considered to store or process data, for example iCloud computer services.

### General staff guidelines

During the course of their duties with The St Andrews Preservation Trust Ltd, employees, volunteers and the Board of Trustees may need to deal with personal information in respect of both internal and external contacts. They may have access to, or overhear, sensitive information while working for the Trust. The Data Protection Act (1998) gives specific guidance on dealing with this information as outlined above. Staff, paid or unpaid, must abide by this policy.

To help employees, volunteers and the Board of Trustees meet the terms of the Data Protection Act, Data Protection and Confidentiality statements have been produced. Staff, volunteers and the Board of Trustees are asked to read and sign this statement declaring that they have understood their responsibilities as part of their training programme.

Any questions or concerns about the interpretation or operation of this policy statement should in the first instance be referred to the Data Protection Officer

### Data storage

Personal data may be kept in paper-based systems and on computer systems. Every effort is made to ensure that paper-based records are stored in classified and secure systems. The computer systems used are password-protected. The St Andrews Preservation Trust Ltd will endeavour to operate a clear desk policy at all times.

### Data use

All employees, Trustees, and volunteers shall be made aware of the Data Protection Policy and their obligation not to disclose individuals' personal data to anyone who is not supposed to have it.



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Information supplied is only accessed by those individuals involved in the delivery of the service. Only specifically delegated employees, members of the Board of Trustees and Trust members will normally have access to personal data – on a need to know basis.

The contact details of guests, visitors, employees, members and volunteers may be made available, to staff and volunteers where it is necessary for the effective functioning of the Trust and the supply of services provided by the Trust. Any other personal information supplied will be kept securely and will not be accessed during the day-to-day running of The St Andrews Preservation Trust Ltd.

All confidential post must be opened by the addressee only.

Personal information of both internal and external contacts will not be passed on to anyone outside the Trust without the individual's explicit consent unless there is a legal duty of disclosure under other legislation, in which case the Data Protection Officer will discuss and agree disclosure with the Chairman or, in his absence, one of the Vice Chairmen.

A copy of individuals' emergency contact details will be kept in the Emergency File for Health and Safety purposes - to be used in emergency situations,

Individuals will be supplied with a copy of their personal data held by The St Andrews Preservation Trust Ltd on request.

### Use of Photographs

Where practicable, The St Andrews Preservation Trust Ltd will seek consent from individuals – whether internal or external contacts – before displaying photographs in which they appear. If this is not possible (e.g. a large group photograph), The St Andrews Preservation Trust Ltd will, where practicable, remove any photograph if a complaint is received. This policy also applies to photographs published on The St Andrews Preservation Trust Limited website.

### Compliance

Compliance with the Act is the responsibility of everyone associated with the Trust who handles confidential data, or who has access to confidential data. The St Andrews Preservation Trust Ltd will regard any unlawful breach of any provision of the Act as a serious matter which will result in disciplinary action. Any employee who breaches this policy statement will be dealt with under the disciplinary procedure which may result in dismissal for gross misconduct. Any such breach may lead to criminal prosecution.

### Disclosure Scotland

The St Andrews Preservation Trust Ltd will act in accordance with the Disclosure Scotland code of practice.

Copies of disclosures are kept for no longer than is required by the Disclosure Scotland code of practice. In most cases this is no longer than 6 months, but there may be



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circumstances (e.g. in the case of disputes) where it is deemed appropriate to exceed this limit.

### Retention of Data

No documents will be stored for longer than is necessary. All documents containing personal data will be disposed of securely in accordance with the Data Protection principles. The guidelines on retention periods for internal contacts are as follows:

- Personal data of Trust members will be stored for **6 years** after they have left The St Andrews Preservation Trust Ltd and brief details for longer. Unless The St Andrews Preservation Trust Ltd is specifically asked by an individual to destroy their details, they will normally be kept on file beyond 6 years - for future reference. The Board of Trustees, through its delegated Data Protection Officer, has responsibility for destroying personal data.
- Application forms/Interview notes for all candidates for positions within the Trust, whether successful or not, should be retained for a period of 6 months in case of any discrimination challenges.
- Income Tax and National Insurance returns and correspondence with the Inland Revenue must be retained for 3 years after the end of the tax year to which they relate.
- Salary records should be retained for 3 years after the pay period following the one the records cover. However, because the limit to commence any civil cases is 6 years, these records shall be kept to cover that period.
- Pension Scheme records should be kept for 12 years following the ending of any benefit payable under the scheme.
- On termination of employment, records of personnel shall be retained in accordance with the Trust's Retention Policy
- In the case of termination of employment, not all records will be deleted; some records may be retained - for example, information to enable references to be provided in the future; information regarding an employee's pension arrangements or information that may be required to defend future employment claims. For avoidance of doubt:
  - Such records should be kept for 6 years after employment ceases.
  - Redundancy records should be kept for 6 years from the date of redundancy.
  - Disciplinary records should be retained for 6 years after employment ceases. Certain disciplinary records will have time limits and this will vary dependent upon the type of action taken and the outcome.



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Personal data of external contacts will be stored for as long as the data owner uses our services and normally longer. Where an individual ceases to use our services and it is not deemed appropriate to keep their records, the records will be destroyed according to these guidelines. However, unless a specific request is made by an individual to destroy their details, they will normally be kept on file for future reference.

Subject to the above provisions, if a request is received from an individual or organisation to destroy their records, their details will be removed from the database and both electronic and paper details for the organisation will be destroyed.

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