

# Hughenden Valley Residents Association

## Policy on Records Management

The Data Protection Act 2018 (DPA) regulates the processing (this includes collecting, using, storing etc. of data on any media) of personal data. As such the data has to be about a person - age, race, marital status, employment status, etc..

The HVRA processes data for the purposes of maintaining its membership list, or arranging events (e.g. selling tickets) & the data it collects will be limited to that needed to carry out those actions.

We could fail to comply with the Act by:

- Collecting more data than we need - excessive collection
- Publishing data when it is not necessary - excessive processing / disclosure
- Sharing the data with others who have no justification to see it - excessive processing

The Information Commissioner's Office (ICO)(<https://ico.org.uk/>) publishes guidance relating to the DPA.

Most organisations that process personal data have to Notify the ICO.

e.g. see <https://ico.org.uk/esdwebpages/search> & enter the word 'Hughenden'. This displays 3 entries.

HUGHENDEN PARISH COUNCIL  
HUGHENDEN PRIMARY SCHOOL  
HUGHENDEN VALLEY PHARMA LTD

The HVRA does not have to do this.

See <https://ico.org.uk/for-organisations/register/self-assessment/y> for a quick self-assessment, which starts with:

*1. Are you a not-for-profit organisation that qualifies for an exemption?*

*Answer 'Yes' if your organisation was established for not-for-profit making purposes and does not make a profit. You can answer 'yes' if your organisation makes a profit for its own purposes, as long as the profit is not used to enrich others. You must:*

- *only process information necessary to establish or maintain membership or support; and*
- *only process information necessary to provide or administer activities for people who are members of the organisation or have regular contact with it; and*
- *only share the information with people and organisations necessary to carry out the organisation's activities. Important - if individuals give you permission to share their information, this is OK (you can still answer 'yes'); and*
- *only keep the information while the individual is a member or supporter or as long as necessary for member/supporter administration.*

Which pretty much describes how HVRA works.

However this does NOT mean we are exempt from the Act. It is the law & where it applies to HVRA all Officers, committee members & representatives must comply.

### **Responsibilities:**

### **For Officers**

1. Commission the development & maintenance of this policy.
2. Ensure its distribution & compliance.

### **For Committee members (including officers)**

1. Approve this policy.
2. Discussion of personal data within the committee should be kept to a minimum, except where such is already in the public domain, e.g. a named person has raised a planning request or objection, or the family have published a notice in the local newspaper. Note that 'public domain' does not equate with information passed by 'word of mouth'.
3. Any case of personal data will be anonymised in the minutes.

It may be preferable if in committee such data are handled by the road rep stating 'In my street, 2 properties have changed hands, one of which has been empty for some time following the death of the resident'. That can go in the minutes.

### **For Road Representatives**

1. Hold the information they need in order to maintain contact & record payments.
2. Do not pass those data on to other parties either within or outside HVRA, unless the member has consented. (That has to be explicit consent, not assumed because they are members of HVRA).
3. Do not collect more data than are needed, e.g. do not collect the number of people in a household (adult/child, gender), occupation.
4. Dispose of data once it clear that a household is no longer a member (e.g. moved away, made it clear that they won't be paying their sub).

The list of data held by a rep should contain:

- House name/number, street name
- Payment status (including 'do not make any further contact')
- Contact details - name, phone (optional), email (optional)

### **For additional events/records. e.g. the Senior Citizens Event**

1. Records may be kept of who is to attend such events, payment, any special needs (e.g. transport, dietary), & so on. Only information that is required to support the event may be collected. It should not normally be passed outside HVRA unless necessary for the event & we have the informed consent of the people involved.
2. Access to those records is to be very tightly controlled. Ideally to 1 or 2 people who are closely involved in organising the event.
3. The records are to be stored securely. Ideally within a locked container if the building is unoccupied. Computer records should be password protected.
4. These records may be retained in line with the final item of guidance from the ICO shown on the first page. The definition of '*...as long as necessary for member/supporter administration.*' suggests that we should retain the records until we are sure that no claims may be made against HVRA.
5. The event organiser must be able to demonstrate their compliance with the above to any Officer of HVRA on request.

## **All – Committee, Road Reps, members, others engaged with HVRA (e.g. councillors from Hughenden Parish Council)**

1. As the vast majority of communications are by e-mail, HVRA provides a facility for Committee members & Road Reps to use a 'Hughenden' address, e.g. [secretary@hughendenresidents.org](mailto:secretary@hughendenresidents.org), or [burnham@hughendenresidents.org](mailto:burnham@hughendenresidents.org). By using these addresses the personal/private e-mail address of any Road Rep does not need to be made public. Further details on setting up these addresses is on the 'Contacts' page of the web site.

## **Incidents**

If personal data are lost or exposed then one of the Officers should be informed as soon as possible.

If you receive personal data that is not intended for yourself then you should inform the sender & delete the data.

## **References**

1. Data Protection Act 2018
  - a. <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
2. General Data Protection Regulation (GDPR).
  - a. **Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)**
  - b. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0679>

Prepared by

A. G. Capey, [webmaster@hughendenresidents.org](mailto:webmaster@hughendenresidents.org)  
Web master, HVRA  
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Feedback is welcome at any time.

## **Annex – The General Data Protection Regulation (GDPR)**

This European legislation came into effect in May 2018. The UK DPA 2018 is the UK equivalent, with some extensions.

For the limited data processing purposes of HVRA, they are equivalent.

As the data processing is so limited, there are no changes arising from the GDPR / DPA 2018 that impact HVRA. If the manner or extent of processing were to change then this would have to be reviewed.