

Scotland's International Development Alliance

Data Collection and Protection Policy

Scotland's International Development Alliance (the Alliance) is committed to meeting its obligations under the Data Protection Act 2018. The Alliance will strive to observe the Data Protection Laws in all collection and processing of personal data and will consider any requests from individuals in compliance with the Data Protection Laws.

The Alliance will only gather and use personal data in ways relevant to carrying out its legitimate purposes and functions as a charity. Personal data is information that relates to an individual who can be identified (directly or indirectly) from that information.

The Alliance is registered with the Information Commissioner's Office (the ICO).

Data protection principles

The Alliance will comply with the following data protection principles when processing personal data, which provide that the Alliance will:

- process personal data lawfully, fairly and in a transparent manner;
- collect personal data for specified, explicit and legitimate purposes only, and will not process it in a way that is incompatible with those legitimate purposes;
- only process the personal data that is adequate, relevant and necessary for the relevant purposes;
- keep accurate and up to date personal data, and take reasonable steps to ensure that inaccurate personal data are deleted or corrected without delay;
- keep personal data for no longer than is necessary for the purposes for which the data is processed; and
- take appropriate technical and organisational measures to ensure that personal data are kept secure and protected against unauthorised or unlawful processing, and against accidental loss, destruction or damage.

Types of personal data processed by the Alliance

This policy applies to all personal data processed by the Alliance. The Alliance collects, keeps and uses personal data about:

- current, prospective and previous members of the Alliance, including those who are in the process of joining – including name, organisation, address, contact number, email address, payment details;

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- individuals who opt in to receive communications from the Alliance – including name, address, contact number, email address;
- individuals who attend the Alliance's training programme and other Alliance events – including name, contact number, email address;
- individuals who are engaged with, or likely to be interested in, the Alliance's work – including name, contact number, email address;
- staff of the Alliance and freelance members of the mentoring team – including name, address, contact number, email address, date of birth, National Insurance number, bank details, employment history and qualifications, and emergency contact details; and
- board members of the Alliance – including name, address, contact number, email address, date of birth, occupation, payment details.

All member organisations have a public profile on our website, where their business contact details can be viewed by anyone. Consent for this publically available information, and the provision of an appropriate email address for their business contacts, is requested as part of the membership application process. At this point members have the opportunity to specify their contact details and communication preferences. Members of the Alliance are responsible for maintaining the information on their public profile, and are regularly reminded to update this, together with their communication preferences, in line with staff changes. The Alliance cannot take responsibility for the use of this public information by third parties.

The Alliance may also be required to collect sensitive/special category personal data about the above individuals, which is information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetics or biometric information (where used to identify an individual) and information concerning an individual's health, sex life or sexual orientation.

The Alliance collects, keeps and uses the following sensitive/special category personal data:

- any special requirements regarding individuals who attend the Alliance's training programme and other Alliance events;
- sickness absence records for staff; and
- data on protected characteristics collected anonymously for equality monitoring purposes.

Personal data and sensitive/special category personal data can be gathered in electronic and/or paper format.

Handling of personal data and sensitive/special category personal data

The Alliance will, through appropriate management and the use of strict criteria and controls:

- observe fully the conditions regarding fair and transparent use of personal data;

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- meet its legal obligations to specify the lawful basis and purpose of processing activities and provide individuals with privacy notices;
- collect and process appropriate data and only to the extent needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of data used;
- apply strict checks to determine the length of time data is held and either archive or destroy it when no longer relevant or required;
- take appropriate technical and organisational security measures to keep personal data secure;
- ensure that personal data is not transferred outwith the EU without the required safeguards under the Data Protection Laws; and
- ensure that the rights of individuals are respected and can be fully exercised by them under the Data Protection Laws and against the Alliance.

Basis and purposes for processing personal data

Before any personal data is processed by the Alliance for the first time, the Alliance will:

- review the purposes of the particular processing activity and select the most appropriate lawful basis under the Data Protection Laws. The lawful bases most commonly used by the Alliance are that:
 - the individual has consented – this will be appropriate where individuals only want to receive communications as they "opt-in" to receive these, such as the Alliance's monthly newsletter. The Alliance will always ensure that such communications include an option to unsubscribe;
 - the processing is necessary for performance of or to take steps to enter into a contract with the individual – this will apply to our members, staff and anyone requesting services from the Alliance, such as booking on to our training programme;
 - the processing is necessary to comply with a legal obligation – the Alliance needs to process certain personal data under law, such as staff personal data for HMRC reporting purposes and/or company and charity law; or
 - the processing is necessary for the Alliance's or a third party's legitimate interests – this could apply to any member or stakeholder communications, provided that the legitimate interests are not overridden by the interests of the individual;
- where sensitive/special category personal data is involved in the processing activity, identify the most appropriate special condition for processing in addition to a lawful basis above. The special conditions most commonly used by the Alliance are that:
 - the individual has explicitly consented – this is only appropriate where it is not a precondition of a service and does not apply to staff personal data;

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- the processing is necessary for the Alliance to perform its obligations or exercise rights under employment law – this would apply to staff personal data, for example, to assess the working capacity of an employee and maintain attendance records;
- the processing is necessary for the Alliance to establish, exercise or defend legal claims; or
- for equality of opportunity or treatment monitoring purposes – where the Alliance collects information for the purposes of equality opportunity monitoring;
- document the Alliance's decision as to which lawful basis applies, to help demonstrate compliance with the data protection principles; and
- include information about the purposes, lawful basis and special condition (if applicable) of the processing within the relevant privacy notice provided to individuals.

The Alliance will review the procedures above every three years.

Documentation and records

The Alliance keeps written records of processing activities, including:

- the name and details of the Alliance;
- the purposes of the processing of personal data by the Alliance;
- a description of the categories of individuals and categories of personal data processed by the Alliance;
- categories of recipients of personal data with whom the Alliance shares personal data;
- where relevant, details of transfers to third countries, including documentation of the transfer mechanism safeguards in place;
- details of how long the Alliance keeps personal data, as set out in this policy; and
- a description of technical and organisational security measures put in place to keep personal data secure.

The Alliance will issue privacy notices from time to time to ensure that individuals understand how their personal data is collected, used, stored, shared and deleted by the Alliance.

Storage and protection of personal data

All staff within the Alliance will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure and, in particular, will ensure that:

- paper files and other records or documents containing personal and/or sensitive/special category personal data are kept in a secure environment;

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- access to personal data is only provided on a "need to know" basis to those staff who require access for the purposes of fulfilling the requirements of their role within the Alliance. The Alliance uses a Sharepoint system with different permission levels;
- appropriate technical measures, including internet security, anti-virus software and firewalls, are installed and kept up-to-date;
- all paper files that contain personal data will be kept in lockable filing cabinets and only staff should access those;
- personal data held on computer systems is protected by the use of secure passwords, which have forced changes periodically and mandates strong password security;
- individual passwords should be such that they are not easily compromised; and
- personal details about staff and board members will be kept in lockable filing cabinets and should only be accessed by staff or board members if needed for Alliance business or for emergencies.

The Alliance will not disclose any personal details to third parties unless the disclosure has been notified to the individual in a privacy notice or is otherwise in accordance with the Data Protection Laws.

All contractors, consultants, suppliers, partners or other associates or agents of the Alliance must:

- ensure that they and all of their staff who have access to personal data held or processed for and on behalf of the Alliance are aware of this policy and are fully trained in and are aware of their duties and responsibilities under the Data Protection Laws. Any breach of any provision of the Data Protection Laws will be deemed as being a breach of any contract between the Alliance and that individual, company, partner or firm;
- allow data protection audits by the Alliance of personal data held on its behalf (if requested); and
- indemnify the Alliance against any prosecutions, claims, proceedings, actions or payments of compensation or damages, without limitation.

Individual obligations

Staff may have access to the personal data of other members of staff, suppliers, users and other individuals in the course of their employment with the Alliance. If so, the Alliance expects staff to help meet its data protection obligations to those individuals. Members of the team of mentors employed on a freelance basis by the Alliance are likewise expected to abide by these obligations.

If staff or mentors have access to personal data, they must:

- only access the personal data that they have authority to access, and only for authorised purposes;
- only allow other Alliance staff or mentors to access personal data if they have appropriate authorisation;

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- only allow individuals who are not Alliance staff or mentors to access personal data if staff have specific authority to do so from the Chief Executive;
- keep personal data secure (for example, by complying with rules on access to premises, computer access, password protection and secure file storage and destruction and other precautions set out in the information security and representation clauses of the Alliance's Employee Handbook);
- not remove personal data, or devices containing personal data (or which can be used to access it), from the Alliance's premises unless appropriate security measures are in place (such as pseudonymisation, encryption or password protection) to secure the information and the device; and
- not store personal data on local drives or on personal devices that are used for work purposes.

Staff should contact the Chief Executive if they are concerned or suspect that one of the following has taken place (or is taking place or likely to take place):

- processing of personal data without a lawful basis for its processing or, in the case of sensitive/special category personal data, without one of the special conditions being met;
- any data breach;
- access to personal data without the proper authorisation;
- personal data not kept or deleted securely;
- removal of personal data, or devices containing personal data (or which can be used to access it), from the Alliance's premises without appropriate security measures being in place;
- any other breach of this policy or of any of the data protection principles.

Data breaches

A data breach may take many different forms, for example:

- loss or theft of data or equipment on which personal data is stored;
- unauthorised access to or use of personal data either by a member of staff or third party;
- loss of data resulting from an equipment or systems (including hardware and software) failure;
- human error, such as accidental deletion or alteration of data;
- unforeseen circumstances, such as a fire or flood;
- deliberate attacks on IT systems, such as hacking, viruses or phishing scams; and
- 'blagging' offences, where information is obtained by deceiving the Alliance.

The Alliance will:

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- make the required report of a data breach to the ICO without undue delay and, where possible within 72 hours of becoming aware of it, if it is likely to result in a risk to the rights and freedoms of individuals; and
- notify the affected individuals if a data breach is likely to result in a high risk to their rights and freedoms and notification is required by law.

It is important that staff report any suspected or actual data breach to the Chief Executive immediately. The Chief Executive will be responsible for recording and reporting data breaches.

Retention and disposal of personal data

Data containing personal details, not related to staff, and solely related to individuals, may be stored for up to 3 years from expressing a wish to unsubscribe. Data containing personal details related to members of the Alliance will normally be stored for 3 years from resignation of membership to allow comparative monitoring and evaluation of the Alliance's work.

When a board member retires from the board all personal data should normally be destroyed unless it forms part of important the Alliance documents that requires to be kept within the statutory register of board members and/or company or charity law.

After a process of recruiting staff all personal data on unsuccessful candidates should be destroyed within 6 months.

When a staff member leaves the Alliance, their employment records are stored for 4 years.

When personal data comes to the end of its retention period, the Alliance will review this to consider whether it requires to be disposed of or whether the Alliance requires to retain it for any particular purpose. If the Alliance retains any personal data, there must be a lawful basis for doing so and the personal data should be reviewed annually thereafter.

All personal data (names, addresses, contact information and bank details) are disposed of through a locked confidential waste collection point.

Individual rights

Individuals have the following rights in relation to their personal data:

- to be informed about how, why and on what basis that information is processed – as contained within the Alliance's privacy notices;
- to obtain confirmation that their personal data is being processed by the Alliance and to obtain access to it and certain other information, by making a subject access request;
- to have personal data corrected if it is inaccurate or incomplete;

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- to have personal data erased if it is no longer necessary for the purpose for which it was originally collected/processed, or if there are no overriding legitimate grounds for the processing (this is sometimes known as the "right to be forgotten");
- to restrict the processing of personal data where the accuracy of the data is contested, or the processing is unlawful (but the individual does not want the data to be erased), or where the Alliance no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim; and
- to restrict the processing of personal data temporarily where the individual does not think it is accurate (and the Alliance is verifying whether it is accurate), or where the individual has objected to the processing (and the Alliance is considering whether its legitimate grounds override your interests).

Individuals wishing to make a request to exercise their rights should make the request in writing to the Chief Executive and / or Membership Services Manager.

Where staff receive a request from an individual that relates to their personal data and they are not authorised to handle such a request, staff must immediately notify the Chief Executive of the request. The Data Protection Laws only give the Alliance one month to respond to requests so staff should not delay in notifying the Chief Executive and / or Membership Services Manager of any request.

Data gathering for other organisations

The Alliance might also collect information on behalf of other coalitions of which they are a member, such as the UK Alliance of National Networks for International Development. The information would normally consist of names and contact details. The Alliance will normally apply the same procedures as above to any such information, but it will be the responsibility of the whole coalition to ensure that this information is kept safe.

As part of its duties as the Secretariat for the Scottish Parliament's Cross-Party Group on International Development, the Alliance operates and maintains the mailing list for this group. This consists of names and email addresses, and this information is not shared with the Scottish Parliament. The Alliance applies the same procedures as above to any such information.

Breaches of this policy

The Alliance takes compliance with this policy very seriously. Failure to comply with this policy:

- puts at risk the individuals whose personal data is being processed;
- carries the risk of significant civil and criminal sanctions for the individual and the Alliance; and
- may, in some circumstances, amount to a criminal offence by the individual.

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Because of the importance of this policy, a staff member's failure to comply with any requirement of it may lead to disciplinary action under the Alliance's procedures, and this action may result in dismissal for gross misconduct. If a non-staff member breaches this policy, they may have their contract terminated with immediate effect.

Any questions or concerns about anything in this policy, should be directed to the Chief Executive.

Review

The Alliance will review and update this policy in accordance with our data protection obligations. It does not form part of any staff member's contract of employment and the Alliance may amend, update or supplement it from time to time. Any new or modified policy will be circulated to staff when it is adopted.

All board members are to be made fully aware of this policy and of the Alliance's duties and responsibilities under the Data Protection Laws.

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