

## **What this privacy policy covers**

Updated: 30 May 2019

This policy explains how Ochil Youths Community Improvement (OYCI) uses, stores and protects any personal data it manages through the provision of its activities.

OYCI takes its obligations to any personal data held very seriously and has updated this policy to accommodate new General Data Protection Regulation (GDPR) that came into effect on 25 May 2018.

We may update this policy from time to time to provide additional information or clarity. This page will be the master copy of our policy and we encourage users to regularly check for any updates.

Our intention is to try and use plain English and youth work terminology as far as possible under our requirements for this policy. Any use of 'us', 'we' or 'our' etc. refers to OYCI. Any use of 'you', 'your' or 'you're' etc. refers to the user of our services. There are some legal terms used out of necessity but please get in contact if you require clarification on any of this policy.

To contact us regarding this policy, please email: [info@oyci.org.uk](mailto:info@oyci.org.uk) or write to: OYCI, c/o Kellyside Cottage, Dollar, FK14 7PG. Please note – a physical copy will only be current at time of issue.

### **Controller of Personal Data**

Any personal information provided to or gathered by OYCI is controlled by OYCI, a company limited by guarantee, registered in Scotland, registered number 569454.

To communicate with our Data Protection Officer please email [info@oyci.org.uk](mailto:info@oyci.org.uk) or write to the above address.

### **General Data Protection Regulation (GDPR)**

The General Data Protection Regulation (GDPR) takes effect from 25 May 2018. GDPR is an evolution of the existing Data Protection Act (DPA) and Data Protection Directive. It is intended to give all of us greater visibility and control of our personal information (referred to as personal data).

Personal data is defined as, "...'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier."

What this means is any information an organisation holds that could possibly be used to identify a person, counts as personal data.

You can find out more about GDPR and how the Information Commissioner's Office (ICO) applies it to UK organisations on their website [www.ico.org.uk](http://www.ico.org.uk)

## **Child Protection and privacy**

OYCI operates in the youth sector, interacting with young people from aged 10 years+. Where relevant, and if there exists a conflict, Child Protection legislation and policy supersedes GDPR.

## **Types of information**

Information, or data, that we hold is done so on a consent or legitimate interests basis, meaning that we hold and use information based on your permission (consent) to do so, such as providing your email address and name when you sign up to our email newsletter, or on the requirement for that information to provide our services (legitimate interests), such as information on a youth award challenge sheet to assess whether the candidate has passed or failed their personal challenge.

There are three main types of information OYCI holds to provide services to you:

### **Information you give us**

You provide us with information when you use our services. This may be a registration or consent form for one of our activities; or completing a challenge sheet for an award. In all cases, you choose to provide the information requested so that we may provide the service.

Information will typically be provided to us via a form. This form may be accessed online, or via a physical form at or during an OYCI event, such as a registration form.

### **Information that technology gives us**

Information is sometimes automatically passed between your chosen technology and OYCI's technology by accessing our digital services. The most common usage is website analytics and browser cookies.

Your web browser automatically passes information about itself and your device (computer/mobile etc.) to any internet location you visit. Your browser has specific settings you can adjust to limit or increase these options.

This information is often referred to as *metadata* and is information including: log data, information passed by your web browser like IP address or other web browser information; device information, like what type of computer or mobile device accessed our website; location information, such as an approximate location while accessing our website.

### **Electronic communications**

We may email information to you if you have agreed that we can do so, for example a newsletter or a registration form and we may receive information, such as a confirmation

when you open e-mail, when the email is opened and any links clicked—but only if your technology and services permit it.

### **How information is used**

We use any information you provide to us to fulfil the service or services related to your information. For example, we will ask for names, contact details, essential medical or support information and emergency contact details when you attend one of our activities.

In essence, the information is directly related to being able to fulfil the service we set out to provide to you or that required by law.

The core uses of personal data held by OYCI are:

- To provide, update, maintain and improve our services
- As required by law, legal process or regulation
- To communicate and respond to requests, comments and questions
- To send service emails and other communications essential to providing services
- For billing, account management and other administrative matters
- To maintain security and standards

In addition to the core purpose we use data for, we may also use information to analyse or profile our users to fulfil legal obligations, reporting obligations and to maintain and improve our services.

This may include:

- We may use data to analyse our services e.g. satisfaction surveys and programme evaluation surveys to see how we are doing and take on board feedback
- We may profile data on a geographic basis e.g. we may look at geographic criteria related to access of our services.
- We may profile data on age or gender basis e.g. we occasionally seek to understand our demographics to improve our offering and complete our annual reporting
- We may profile data for aggregated statistics to complete reports e.g. we are often required to complete annual reports for programmes we run as a contractual obligation

### **Sharing information**

Some OYCI events or activities are supported or funded by other organisations. These activities and events can require that reporting, financial and evaluation data be shared with the supporting funder or partner as a condition of contract. When we share data in this way it is fully anonymised.

### **Youth Scotland Awards (Hi5, DYA and YAA)**

Any participant in Youth Scotland Awards requires to provide personal data relevant to their Award or qualification which is shared with the relevant awarding body, and with our

delivery partners, in order to fulfil the criteria of the Award. Our partners are currently Clackmannanshire Council Community Learning & Development (CLD), and Youth Scotland. The awarding body is currently the Scottish Qualifications Authority (SQA)

Workers delivering Youth Scotland Awards are required to provide personal data relevant to their role which is shared with the relevant awarding body, currently the Scottish Qualifications (SQA), and the relevant Operating Agency (Clackmannanshire Council).

### **Youth Scotland Worker Training**

Where applicable consent has been obtained, Youth Scotland will share potentially sensitive personal information on workers undertaking Youth Scotland training with associated funders and partners of said training. Unless covered elsewhere within this policy, these funders and partners include: Education Scotland, YouthLink Scotland and the Youth Scotland Network. Where such consent is not given, all data recorded and shared is fully anonymised.

### **PVG Scheme**

All youth workers and volunteers who apply for PVG scheme membership/updates provide sensitive personal data required to process the PVG Checks. These details are submitted by our membership organisation Youth Scotland directly to Disclosure Scotland. Disclosure Scotland produce PVG certificates and share these with applicants and with Youth Scotland.

### **Website**

The OYCI website is hosted on Windows Servers at a Tier 3 Data centre owned by Pulsant which is located at South Gyle, Edinburgh. No data is held locally.

### **Events**

OYCI uses the Eventbrite platform to manage our bookings for activities and events. Eventbrite is a third-party, cloud-based system and data is not held locally. Eventbrite store data globally in compliance with GDPR and the EU-US Privacy Shield Framework.

### **SurveyMonkey**

We use SurveyMonkey to capture feedback and evaluation data. SurveyMonkey is a third-party, cloud-based system and data is not held locally. SurveyMonkey store data globally in compliance with GDPR and the EU-US Privacy Shield Framework.

### **MailChimp**

We use MailChimp as our email newsletter platform. MailChimp is a third-party, cloud-based system and data is not held locally. MailChimp store data in the USA in compliance with GDPR and the EU-US Privacy Shield Framework.

### **Data retention**

OYCI will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

To achieve this, we have grouped personal data and set the following general limitations:

### **Awards and worker training data**

Participants in Youth Scotland's awards often follow a learning pathway, where a young person may complete up to six possible awards between a potential age range of 5-26. This supports Scotland's policy objectives for enabling lifelong learning. We have tried to strike a realistic balance to allow for reasonable gaps in between awards but not retain data for extended periods of time.

Data will be held by OYCI for up to 60 months from the last award granted before being archived, in order to accommodate returning candidates. Only the base personal data required to identify a returning candidate will be archived.

### **Project data**

Projects and programmes run for varying periods of time, typically increments of 12 months by financial year. To accommodate this, we will keep data for period of time limited by project completion dates or by financial year in rolling projects.

Data is considered active and current during a project. Data will be held by OYCI for up to 24 months from the project completion date or 24 months from financial year end for rolling programmes.

### **Event registration data**

OYCI uses personal data to allow participants to register for event opportunities. This is typically through the Eventbrite booking platform but occasionally through direct communication with OYCI (forms and emails etc.)

Data will be held by OYCI for up to 12 months from the training or event completion date.

### **Financial data**

Like other organisations, OYCI is required to hold organisational financial records for accounting, auditing and taxation purposes.

Data will be held by OYCI for up to 84 months from the end of financial year.

## **Employee & trustee data**

OYCI holds various personal data on current and former employees and trustees.

Data is considered active and current during the period an employee is actively employed by the organisation or for the tenure of a trustee. Data will be held by OYCI for up to 12 months for employees and trustees and 12 months from last contract for freelancers and contractors.

## **PVG data**

OYCI holds personal data on PVG Applicants whilst their PVG Scheme application is being processed and until their PVG Certificate has been received and a recruitment decision made. After a recruitment decision has been made, we will hold PVG scheme record data as long as individual works for us or volunteers for us. Data will be held by OYCI for up to 12 months for employees and volunteers after they stop working or volunteering for us.

*These limitations may be superseded by legal requirements placed upon OYCI.*

## **Cookies**

Like the majority of websites, the OYCI website uses cookies – small text files that are placed on your machine to help the site provide a better user experience. In general, cookies are used to retain user preferences, store information and provide anonymised tracking data to third party applications like Google Analytics.

As a rule, cookies will make your browsing experience better. However, you may prefer to disable cookies on this site and on others. The most effective way to do this is to disable cookies in your browser.

We suggest consulting the Help section of your browser or taking a look at the About Cookies website <http://www.aboutcookies.org> which offers guidance for all modern browsers.

## **Individual rights**

GDPR provides certain rights for individuals. These are how they apply to OYCI:

1. The right to be informed – the core purpose of this policy; we aim to tell you about the collection of personal data.
2. The right of access – you have access to your personal information (often called a “data subject access request”). This enables you to ask for a copy of the personal information we hold about you. This is normally free but please note that, as per ICO guidelines, an administration fee may apply, “when a request is manifestly unfounded or excessive, particularly if it is repetitive.”
3. The right to rectification – in clearer words, the right to have corrections made. This a shared obligation between us to keep personal data as up to date as is practical.

4. The right to erasure - this enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
5. The right to restrict processing - This enables you, where appropriate, to ask us to suspend the processing of personal information about you. For example, if you are checking the accuracy of information we hold.
6. The right to data portability – in clearer words, the ability for you to take personal data from us to an alternative supplier. Less relevant to our operations but the right remains.
7. The right to object - where we are using a legitimate interest basis and there is something which makes you want to object to processing on these grounds. This may mean we are unable to provide some services to you.
8. Rights in relation to automated decision making and profiling - automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.