

Data Protection Policy (2.05 v02)

Summary

This Policy applies only to the activities of Berkshire County Scout Council (“Berkshire Scouts”), and does not have onward implications for the actions of other data controllers such as Groups, Districts, or The Scout Association. The Trustees (the County Trustee Board) will review this Policy at least annually.

This Policy should be read in conjunction with the [Privacy Statement](#).

Lawful bases for processing

By joining the Scouts, adults and young people provide their data for a range of purposes. The processing of such data is therefore normally considered to be a legitimate interest, or in fulfilment of a contractual obligation. Occasionally individuals may also provide additional information for processing on the basis of consent.

Data Processors

We use a number of organisations to process data on our behalf. Details of these are held in our Register of Data Processors.

Subject Access Request

Whenever a SAR is received, it must be notified immediately to the County Chair and County Lead Volunteer. They will ensure that relevant people and systems are informed, and that an appropriate response is made to the Data Subject within one calendar month of the request. Depending on the nature of the SAR, the County Chair and County Lead Volunteer may engage with external legal representation to ensure compliance.

Data Breaches

In the event of a suspected or verified data breach, the County Chair and County Lead Volunteer must be notified. Once established, they will ensure that we report the breach to the Information Commissioner’s Office within 72 hours. Any appropriate mitigating steps will be put in place, including decisions to withdraw or suspend services as required. The County Chair and County Lead Volunteer will further notify Unity Insurance Services. The County Administrator will keep a log of

all suspected or verified data breaches together with actions taken.

County Events

All events run by Berkshire Scouts are approved by the County Management Team (CMT) and are overseen by a member of it. In accordance with our Events Guidelines some events are also overseen by the County Trustee Board in respect of finance, reputation and risk. For all county events the County Trustee Board remains the Data Controller.

In addition to relevant legislation, this policy sets out principles for the management of data by those organising county events. The specific implementation of these principles will be overseen by the CMT.

1. The [legal basis for processing](#) will be established. The [purpose for processing](#) will be inherent from the start.
 - a. For first-stage advertising, it is a Legitimate Interest that the county will contact relevant volunteers to advertise events (eg: to let Explorer leaders know about a camp for Explorers.)
 - b. Once a registration process is used, Consent will be used as the legal basis for processing. As such, individuals will have the right to withdraw consent for us to process their personal data in this respect. This will mean they withdraw any interest and participation in the event.

2. The [scope of information](#) held will be determined.
 - a. When existing records (e.g. Compass, Mailchimp, OSM, etc.) contain the information required then additional copies will not be made.
 - b. When asking for additional information the event organiser, in conjunction with the relevant member of CMT, will consider the adequacy, relevance and limited tests (as described in the above ICO link).
 - c. If [special category data](#) is required, additional consideration will be given to how it is processed. This may reasonably result in this information being held separately to the main information.

3. The data will be [stored securely](#) with access restricted to only those who are approved to do so.
 - a. Where possible information should be stored on a platform operated by Berkshire Scouts (eg: our main website, a website hosted on our server, or accounts with existing Data Processors).
 - b. Any Data Processors used must be notified to the relevant member of the CMT in order for due diligence to be undertaken and for them to be added to the Register of Data Processors. This could include undertaking a [Data Privacy Impact Assessment](#).

- c. No access will be provided to personal data without first ensuring that the individual has completed an Enhanced DBS Check through The Scout Association.
4. Consideration will be given to the appropriate [retention period](#) for data after an event. In line with the [Data Retention Policy of The Scout Association](#), the following are starting points for the CMT to consider for each event.
 - a. For ad-hoc events, personal and special category data will be removed (or anonymised/pseudonymised) 2 months after the event of the event.
 - b. For annual events, personal data will be removed (or anonymised/pseudonymised) 18 months after the event of the event, and special category data 2 months after the event.
 - c. For biannual events, personal data will be removed (or anonymised/pseudonymised) 30 months after the event of the event, and special category data 2 months after the event.
 - d. For international events, personal data will be removed (or anonymised/pseudonymised) 5 years after the event of the event, and special category data 2 months after the event.

Note: for WINGS, the County Trustee Board have entered into a Joint Agreement Not Entity with Girlguiding Royal Berkshire. The County Trustee Board also appoint a WINGS Governance Group to initially consider trustee matters on its behalf.

Point of contact for data protection enquiries

Karen Thurlow, County Administrator, is the point of contact for any data protection enquiries. countyadmin@berkshirescouts.org.uk

Last modified **June 2024**