



Data Protection Policy

1. Introduction

Working Well With Autism Ltd need to collect and use certain types of information about the individuals or service users (the 'data subjects') who come into contact with *Working Well With Autism Ltd* in order to carry on their work. This personal information must be collected and dealt with appropriately, whether it is collected on paper, stored in a computer database, or recorded on other media, and there are safeguards to ensure this happens under the Data Protection Act 1998.

2. Data Controller

Working Well With Autism Ltd are the Data Controller under the Act, which means that it determines the purposes for which the personal information that they hold will be used. They are also responsible for notifying the Information Commissioner of the data they hold or are likely to hold, and the general purposes for which this data will be used.

Working Well With Autism Ltd are registered as a Data Controller with the Information Commissioner's Office (ICO) under registration reference ZA299445.

3. Disclosure

Working Well With Autism Ltd do not, as part of their ordinary operations, share any personal information (i.e. information that allows an individual person to be identified) with any third parties.

Working Well With Autism Ltd may be called upon, as part of requests for information by their funding agencies, to share some categories of personal information, such as age, ethnicity, gender or residential post code with them, to ensure that *Working Well With Autism Ltd* can confirm with their funding agencies that their objectives have been met. Provision of such data to such third parties will never include any personal identifying information (such as name, full address, contact details or actual date of birth).

There are circumstances where the law allows or mandates *Working Well With Autism Ltd* to disclose data (including sensitive data) without the data subject's consent. These would apply:

- a) Where the company would be carrying out a legal duty or as authorised by the Secretary of State
- b) Where the company has concerns about the vital interests of an individual or service user or other person (e.g. to protect them or people known to them from harm)

- c) Where the individual or service user has already made the information public
- d) Where the company would be conducting any legal proceedings, obtaining legal advice or defending any legal rights
- e) Where the data are required for monitoring for the purpose of promoting equal opportunities or avoiding any risk of discrimination against an individual's protected characteristics under the Equality Act 2010
- f) Where the company may provide a confidential service where the individual or service user's consent cannot be obtained or where it is reasonable to proceed without consent, e.g. in situations of high distress or mental incapacity

Working Well With Autism Ltd regard the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of all those we work with.

Working Well With Autism Ltd intend to ensure that personal information is treated lawfully and correctly.

To this end, *Working Well With Autism Ltd* will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Specifically, the Principles require that personal information:

- a) Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
- b) Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes
- c) Shall be adequate, relevant and not excessive in relation to those purposes
- d) Shall be accurate and, where necessary, kept up to date
- e) Shall not be kept for longer than is necessary
- f) Shall be processed in accordance with the rights of data subjects under the Act
- g) Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of or damage to personal information
- h) Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of individuals or service users in relation to the processing of personal information

Working Well With Autism Ltd will, through appropriate management and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information
- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfill its operational needs or to comply with any legal requirements
- Assure the quality of information used
- Ensure that the rights of people about whom information is held can be fully exercised under the Act. These include:

- The right to be informed that processing is being undertaken
- The right of access to one's personal information
- The right to prevent processing in certain circumstances and
- The right to correct, rectify, block or erase information which is regarded as wrong information
- Take appropriate technical and organisational security measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation, ethnicity, political beliefs or social status when dealing with requests for information
- Set out clear procedures for responding to requests for information

4. Data collection

Informed consent is obtained when

- An individual or service user clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data
- And then gives their consent, e.g. by completing a hard copy or electronic sign-up form

Working Well With Autism Ltd will ensure that any personal data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, *Working Well With Autism Ltd* will ensure that the individual or service user:

- a) Clearly understands why the information is needed
- b) Understands what it will be used for and what the consequences are should the individual or service user decide not to give consent to processing
- c) As far as reasonably possible, grants explicit consent, either written or verbal, for data to be processed
- d) Is as far as reasonably practicable competent enough to give consent and has given so freely without any duress
- e) Has received sufficient information on why their data is needed and how it will be used

5. Data Storage

Information and records relating to individuals and service users will be stored securely and will only be accessible to authorised staff and volunteers.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately and securely.

It is *Working Well With Autism Ltd's* responsibility to ensure that all personal and company data is non-recoverable from any computer system previously used within the organisation which has been passed on or sold to a third party.

6. Data access and accuracy

All individuals or service users have the right to access the information *Working Well With Autism Ltd* hold about them. *Working Well With Autism Ltd* will also take reasonable steps to ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, *Working Well With Autism Ltd* will ensure that:

- They have a Data Protection Officer with specific responsibility for ensuring compliance with data protection
- Any of their authorised personnel who process personal information understand that they are contractually responsible for following good data protection practice
- Any of their authorised personnel who process personal information are appropriately trained to do so
- Any of their authorised personnel who process personal information are appropriately supervised
- Any of their personnel wanting to make enquiries about handling personal information know what to do
- They deal promptly and courteously with any enquiries about handling personal information
- They describe clearly how they handle personal information
- They will regularly review and audit the ways they hold, manage and use personal information
- They regularly assess and evaluate their methods and performance in relation to handling personal information
- All their staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

In case of any queries or questions in relation to this policy please contact the *Working Well With Autism Ltd* Data Protection officer, Rob de Jong.

Signed:	Rob de Jong
Position:	Director and Data Protection Officer
Date:	01 November 2017
Review Date:	31 October 2018

Glossary of Terms

Data Controller: The person who (either alone or with others) decides what personal information *Working Well With Autism Ltd* will hold and how it will be held or used

Data Protection Act 1998: The UK legislation that provides a framework for responsible behaviour by those using personal information

Data Protection Officer: The person(s) responsible for ensuring that *Working Well With Autism Ltd* follow their data protection policy and comply with the Data Protection Act 1998

Individual or service user: The person whose personal information is being held or processed by *Working Well With Autism Ltd*, e.g. a client, an employee or a subscriber. Also referred to as a *data subject*

Explicit consent: A freely given, specific and informed agreement by an individual or service user in the processing of personal information about them. Explicit consent is needed for processing sensitive data

Notification: Notifying the Information Commissioner about the data processing activities of *Working Well With Autism Ltd* as certain activities may be exempt from notification. The business activities of *Working Well With Autism Ltd* are not exempt from notification

Information Commissioner: The UK Information Commissioner responsible for implementing and overseeing the Data Protection Act 1998

Processing: The collection, amendment, handling, storage or disclosure of personal information

Personal Information: Information about living individuals that enables them to be identified, e.g. name and address. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers or employees within an organisation

Sensitive data: These are data about a person's

- Racial or ethnic origin
- Political affiliations
- Religion or similar beliefs
- Trade union membership
- Physical or mental health
- Sexuality
- Criminal record or proceedings