

# True Food Community Co-operative Data Protection Policy

## Introduction

This policy has been written to bring True Food's data processing activities into line with current data protection regulations. It is based on guidance from the Information Commissioner's Office [www.ico.org.uk](http://www.ico.org.uk) although edited and simplified. If further information is needed the ICO helpline should be used.

This policy is supported by procedures which cover the implementation of this policy. These contain further explanations of the principles of our data processing and guidance on how to apply the policy in practice. This policy is not a verbatim copy of the GDPR guidance. Where sections of the regulations are not applicable to True Food they have been omitted.

## True Food and Personal Data

True Food respects the privacy of individuals and is committed to the secure processing of all personal data received. True Food processes data from a variety of different groups of individuals for a range of business purposes.

## Scope

This policy applies to personal data as defined by the GDPR. The policy applies to all staff and members and all other volunteers who process personal data on behalf of True Food.

## Personal Data

Personal data is information relating to a person who could be identified from the information in question.

## Processing

Processing is the obtaining, recording, updating, storage, sharing, or other use of data.

This Policy and accompanying procedures will be reviewed annually to ensure they continue to meet the requirements of up to date legislation and regulation.

## Data Processing activities are guided by the following principles:

- Lawfulness, fairness and transparency
- Limiting the data collected to what is genuinely needed to run True Food.
- Having a lawful basis, defined by the GDPR, for all data processing
- Using data only for the specific purpose for which it is collected
- Ensuring that data is accurate.
- Reviewing the data processed to check it is truly needed
- Keeping data only as long as it is needed
- Having appropriate measures in place to ensure data is kept confidentially and securely.
- Taking responsibility for ensuring that all data processing activities are compliant with the GDPR

## Lawful Basis

There must be a lawful basis for the processing of any personal data. The GDPR sets out what those bases are. The lawful bases True Food relies on will be one of the following:

1. A person has given genuine and explicit consent for specific data to be processed
2. The processing is necessary to fulfil a contractual obligation with a person
3. The processing is necessary to comply with a common law or statutory obligation
4. Legitimate interest, except where such interests are overridden by the interests of the data subject

If none of these apply, the processing will be unlawful.

### Special Category Data

The GDPR defines the following as special category data: race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic and biometric data, health, sex life, sexual orientation, history of criminal offences.

It is prohibited to process this data unless there is:

- Explicit consent to process for specified purposes, or
- Processing is necessary for the carrying out of obligations as an employer, or
- Processing is necessary for the purposes of preventative or occupational medicine or assessment of the working capacity of an employee.

Of the special categories, True Food only collects a limited amount of health data. This is in circumstances where at least one of these grounds apply.

### Rights of the individual

True Food respects the rights of the individual and has procedures in place to cater for an individual's right to:

- **access** their personal data.
- have inaccurate personal **data rectified or completed** if it is incomplete.
- have personal **data erased**. The right is not absolute and only applies in certain circumstances.
- request **the restriction or suppression** of their personal data.
- **object** to the processing of their personal data in certain circumstances.
- **be informed** of the following 'privacy information'
  - Who is collecting the data
  - Why it is being collected & what will be done with the data
  - For how long it will be kept
  - With whom it will be shared

This privacy information is given to individuals at the time the personal data is collected, in the form of a Privacy Notice.

### Privacy Notices

Privacy Notices set out the privacy information above, and direct individuals to full copies of our Privacy Policy and retention schedule.

We provide individuals with privacy information at the time we collect their personal data. If we obtain personal data from a source other than the individual it relates to, we provide the

individual with the privacy information within a reasonable period of obtaining the personal data and no later than one month.

### Consent

If consent is the lawful basis then the data subject will be asked when the data is collected. Where this is the case, requests for data will specify what the data will be used for and seek consent in each case. Data will not be used for any other purpose than that specified.

### Accountability and governance:

True Food is not required to have a Data Protection Officer. A nominated member of staff is responsible for the day to day implementation of data protection activities. True Food's Management Committee is responsible for ensuring that True Food has enough staff and resources to discharge its data processing obligations.

### Contracts

Whenever an external body such as a supplier is used to process personal data on our behalf, there must be a written contract in place. The contract is important so that both parties understand their data processing responsibilities and liabilities.

### Data Asset Register

The Data Asset Register records all aspects of data processing activities. It includes:

- How captured
- Where stored and how
- What used for
- Who uses it
- Who shares it internally and externally
- On what lawful basis is it processed
- When it should be deleted
- Any risk associated with it

The Register will be kept up to date. The details of all new data processing activities will be logged on the Data Asset Register. If accurate the register can be used:

- As a tool to ensure that new data processing activities are implemented in line with this policy and the GDPR.
- As a reference for assessing risk
- To demonstrate compliance with documentation requirements

### Certification with the Information Commissioner's Office /Fees

The ICO has advised that True Food does not need to register with the ICO. This will be checked should True Food's activities change.

### Security

Personal data is securely processed by means of appropriate technical and organisational measures. This includes risk analysis, organisational policies, and physical and technical measures, including:

- Physical data storage guidelines
- Home working and Own Device Policy
- IT Security Policy & Procedure 2018

### Personal Data Breaches

In the event of a data breach the following steps will be taken:

- If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms the individuals affected will be informed without undue delay
- In some cases the ICO will be informed
- An investigation will be carried out

### Training

New staff, committee, any member or other volunteer having access to personal data receive briefing and guidance on their responsibilities in complying with this policy and the GDPR.

The Staff Team and the Committee review the policy annually, or if any risk or other concern is identified. Members & other volunteers are reminded annually or if risk or concerns are identified. Changes in legislation or best practice are fed into these reviews.

### Retention & Deletion Schedule

This is maintained and reviewed annually to ensure that it is accurate and up to date and in line with changes in legislation or best practice from ICO or Co-ops UK.