

Data Protection Policy

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Introduction

The records that Family Matters keep are covered by The Data Protection Act 1998.

Family Matters regards the lawful and correct treatment of personal information as very important to its successful operation and recognises the need to maintain confidence between those with whom it deals with and Family Matters. It also recognises the need to ensure that it treats personal information lawfully and correctly.

To this end, Family Matters fully endorses the principles of data protection, as contained in the Data Protection Act 1998 and is registered with the Information Commissioner.

The Act states that anyone processing personal data must comply with the eight enforceable principles of good practice. They say that data must be:

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequate, relevant and not excessive
- Accurate
- Not kept longer than necessary
- Processed in accordance with the data subject's rights.
- Secure
- Not transferred to other countries without adequate protection

Personal data covers both facts and opinions about an individual. It also includes information regarding the intentions of the data controller towards the individual, although in some limited circumstances exemptions will apply. **For the purposes of the Act, the Data Controller is Family Matters.**

The Records that Family Matters Keep

Family Matters keeps both paper and electronic based information on individuals with whom we have contact. All enquiries and requests for assistance are recorded, as is our response. Information about staff, volunteers, members, named donors and our business contacts are also kept. These records contain a variety of information depending on the need and circumstances. This could include personal information like:

- names and addresses, medical notes and financial circumstances,
- the number of enquiries, and what sort of enquiries they are, the outcome, any advice given, and actions taken.
- We will only ask for and keep information that is relevant.
- We will only forward to people information that in our opinion may be of benefit to them.

Family Matters recognises that this personal information must be dealt with properly however it is collected, recorded and used, whether on paper, in a computer, or recorded on other material.

We will keep all our records/case notes for at least 6 years from the close of the case. Some records must be kept longer¹. Records that no longer need to be kept are destroyed.

Sensitive Personal Data

The following class of information is classed as Sensitive Personal Data:

- Racial or ethnic origin
- Political opinions
- Religious beliefs
- Trade union membership
- Health
- Sexuality & Sex Life
- Offences and convictions. (See 4 below)

The Data Protection Act says we must have permission from an individual to keep a record of sensitive personal data; Family Matters will ask permission to keep such information. Permission is not needed if the information or data is not sensitive, though as principle permission is sought for all data we store which is identifiable to an individual.

Disclosure and Barring Service Records

All organizations using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the DBS Code of Practice. Family Matters Data Protection Policy fulfills this requirement.

As an organization using the DBS system to help assess the suitability of applicants for positions of trust, Family Matters complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

¹ For example where the document states a specific time i.e. large awards and negligence.

Disclosure information is kept securely, in a confidential with access strictly controlled and limited to those who are entitled to see it as part of their duties.

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorized to receive it in the course of their duties.

Family Matters maintains a record of all those to whom Disclosures or Disclosure information has been revealed and recognizes that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Disclosure information is only used by Family Matters for confirming the suitability of potential and current staff and volunteers.

Once a staff recruitment or volunteer placement decision has been made, FM does not keep Disclosure information for any longer than is absolutely necessary.

This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, Family Matters will consult the DBS about this and will give full consideration to Data Protection and Human Rights issues before retaining this information. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Once the retention period has elapsed, Family Matters will ensure that immediate destruction of the Disclosure information. Family Matters will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the individual, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment or placement decision taken.

Information usage

In order that Family Matters can operate its services and meet its legal obligations, it needs to collect and use personal data as defined by the Data Protection Act 1998 to:

- ensure that clients details, concerns and needs are accurately known,
- keep a full record of all contacts and activities undertaken on our client's behalf,
- report to clients on any research and/or responses we have received that concern them,
- measure quality and performance; support funding bids; assess staffing needs; identifying issues of general concern.
- Information, which could identify individuals, will not be included in any statistics, which are forwarded to a third party.

Rights to see information.

The Data Protection Act gives people the right to see information held about them that has been recorded or produced by Family Matters. It has always been the policy of Family Matters that its records are open to the people they concern. The Data Protection Act does not change this.

However, information obtained from third parties remains confidential to Family Matters, though an individual has the right to contact that third party for a copy of such information.

Requests to see information held by Family Matters should be made to the CEO.

Promotion

All staff will ensure that users of Family Matters services are advised of our policy on Data Protection through either the provision of Family Matters leaflet on Data Protection and Confidentiality or by the written or verbal use of our general confidentiality statement.

Confidentiality

This Data Protection Policy should be read in conjunction with Family Matters Confidentiality Policy.

Signed by:

Kurt Trevillion
CEO