



General Data Protection Regulation (GDPR) Policy – (V2 April 2023)

GENERAL GDPR POLICY

1 Data protection principles

1.1 Transom Trust is committed to processing data in accordance with its responsibilities under the GDPR. Article 5 of the GDPR requires that personal data is:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. Personal data may be:
 - stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;
 - and processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

2 General provisions

2.1 This policy applies to all personal data processed by Transom Trust. The Responsible Person shall take responsibility for the Trust's ongoing compliance with this policy.

2.2 This policy is reviewed **every 2 years**.

- 2.3 Transom Trust shall, if required, register with the Information Commissioner's Office as an organisation that processes personal data.
- 2.4 More detailed policy on Confidentiality with resident's information is set out in Transom Trust's Confidentiality policy.

3 Lawful, fair and transparent processing

- 3.1 To ensure its processing of data is lawful, fair and transparent, Transom Trust maintains a Register of Systems, which is reviewed **every 2 years** (see **Annex A**). Individuals have the right to access their personal data, and any such requests made to the Trust are dealt with in a timely manner.

4 Lawful purposes

- 4.1 All data processed by Transom Trust is done on one of the following lawful bases:
- consent;
 - contract;
 - legal obligation;
 - vital interests;
 - public task;
 - or legitimate interests ([see ICO guidance for more information](#)).
- 4.2 Transom Trust note the appropriate lawful basis in the Register of Systems (see **Annex A**).
- 4.3 Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent is kept with the personal data.
- 4.4 Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent is clearly available and systems are in place to ensure such revocation is reflected accurately in the Trust's systems.

5 Data minimisation

- 5.1 Transom Trust ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6 Accuracy

- 6.1 Transom Trust take reasonable steps to ensure personal data is accurate.
- 6.2 Where necessary for the lawful basis on which data is processed, steps are in place to ensure that personal data is kept up to date.

7 Archiving/removal

- 7.1 To ensure that personal data is kept for no longer than necessary, Transom Trust have put in place an archiving policy for each area in which personal data is processed and review this process annually.
- 7.2 The archiving policy takes into account what data should/must be retained, for how long, and why.

8 Security

- 8.1 Transom Trust ensure that personal data is stored securely using modern software that is kept-up-to-date.
- 8.2 Access to personal data is limited to personnel who need access and appropriate security is in place to avoid unauthorised sharing of information.
- 8.3 When personal data is deleted, it is done safely so the data is irrecoverable.
- 8.4 Appropriate back-up and disaster recovery solutions are in place via Google Drive.

9 Breach

- 9.1 In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Transom Trust shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

SPECIFIC GDPR ISSUES

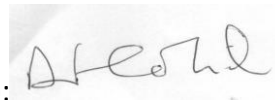
10 Privacy and Confidentiality

- 10.1 In addition to the general GDP policy above, Transom Trust has:
 - at **Annex B**, its **Privacy policy** statement for individuals;
 - at **Annex C**, its **Confidentiality policy** for dealing with information about, and from, its service users (residents).

Approved at Trustees meeting on: 27/06/23

Signature (on behalf of Sue Worthing, Chair of Trustees):

Date: 25/4/23



Next review date: 27/06/25

Transom Trust – Register of Systems for GDPR

	System	Lawful purpose	Use	Used by
1	Microsoft Office on Office PC (password protected): e-mails & e-versions of all resident paperwork & admin/support documents (including Trustee meeting minutes, policies etc)	Legal obligation Vital Interests	Daily management of Transom Trust & input to strategic issues dealt with by the Trustees	Operations Manager
2	Office filing cabinet (lockable inside secure building)	Legal obligation Vital Interests	As 1 – mainly contains paper files prior to November 2020. All key documents were scanned & saved as e-versions for contingency reasons	Operations Manager
3	Google Drive – password protected Transom Trust account	Consent Legal obligation Vital Interests	Maintaining & updating Contact Logs & Support Plans for residents – vital to provide evidence of supported accommodation for housing benefit purposes, Also Google Drive used to back-up & store all Office PC files	Operations Manager Pastoral Support Team Trustees
4	Microsoft Office (or equivalent system) on Home PCs (password protected)	Legal obligation Vital Interests	Weekly management of support for residents. Financial management of Transom Trust	Pastoral Support Team Trustees/Treasurer
5	Transom Trust website & Facebook page	Consent Public task Vital interest	Information about Transom Trust & its Trustees & Pastoral Support Team – mainly open to the public. Though guidance for PST is password protected	Public Transom Trust trustees, volunteers & staff

SPECIFIC PRIVACY POLICY STATEMENT (FOR INDIVIDUALS)

Transom Trust (TT) is committed to respecting your privacy and to complying with applicable data protection and privacy laws. You can visit our website without disclosing any personally identifiable information about yourself (although please note that we may use cookies and collect other non-personally identifiable information about your browsing activity – see below for more information).

If you do submit personal information you can be assured that we will use your personal information only to support your continuing relationship with TT and to keep you informed about future events and support opportunities etc.

We have provided this Privacy policy Statement to help you understand how we collect, use and protect your information when you visit our website and when you generally use the services of TT. We wish to help you make informed decisions, so please take a few moments to read the sections below and learn how we may use your personal information.

You should read this notice in conjunction with any Terms & Conditions of use for our website.

Personal Information Collection

We endeavour to collect and use your personal information only with your knowledge and consent and typically when you make enquiries, register for information or other services from the Trust, submit a job application or when you respond to communications from us (such as questionnaires or surveys).

The type of personal information we may collect could include, for example, your name and postal address, date of birth, gender, telephone and fax numbers, email address etc. If you choose to provide us with any other personal information it will only be used in support of the intended purposes stated at the time at which it was collected, and subject to any preferences indicated by you.

How will we use your information?

We may use your information for a number of purposes, which include administration (including administration of gift-aid), and sending you information about our service and any events.

You acknowledge that by providing data to us, you consent to the processing of your data in accordance with this Privacy Policy Statement.

However, you can contact us at any time to have your details removed from lists used by us, to update your information or to otherwise tell us how you would like to receive information about our services – the choice is yours.

To update your information please email the trust office (transomtrust@outlook.com) and quote your name and address in the body of the email and tell us what you want to do - ie:

- “opt-out Email” etc;
- or if (for example) you have previously objected to receiving information by email or post - but would now like to change your mind and receive information - then just say, “opt-in Email” in the subject header of your email.

When will we disclose your information to others?

We will not disclose any personal information to third parties unrelated to TT without your consent. We may, however, be obliged to disclose your personal information to meet any legal or regulatory requirements or obligations in accordance with applicable UK or European law.

Non-personal Identifying Information (Cookies)

We may use cookies to record details such as a user identity and general registration details on your PC. This helps us recognise you on subsequent visits so that you don't have to re-enter your registration details each time you visit the TT Website.

Depending upon the type of browser you are using, you may be able to configure your browser so that:

- (i) you are prompted to accept or reject cookies on an individual basis; or
- (ii) you may be able to prevent your browser from accepting any cookies at all.

You should refer to the supplier or manufacturer of your web browser for specific details about cookie security.

We may also collect non-personally identifying information about your visit to our website based on your browsing activities. This information may include the pages you browse for example. This helps us to better manage and develop our website to provide you with a more enjoyable service and experience in the future. From time to time, we may also use your information to contact you with information about the Trust and its related activities. We may contact you by email, phone, fax or mail.

Access to your Information

You can write to us at any time to obtain details of the personal information we may hold about you. Please write to: The Trustees, Transom Trust, The Hastings Centre, The Ridge, Hastings, TN34 2SA.

Please quote your name and address together with your telephone number or mobile number. We would be grateful if could also provide brief details of what information you want a copy of (this helps us to more readily locate your data).

We will take all reasonable steps to confirm your identity before providing you with details of any personal information we may hold about you.

Information Security

TT recognises that people are increasingly concerned about how personal information is protected from misuse and abuse and about privacy in general. TT is constantly reviewing and enhancing its technical, physical and managerial procedures and rules to protect your personal data from unauthorised access, accidental loss and/or destruction.

Please be aware that communications over the Internet, such as emails/web-mails, are not secure unless they have been encrypted. Your communications may route through a number of countries before being delivered – this is the nature of the Internet. TT cannot accept responsibility for any unauthorised access or loss of personal information that is beyond our control.

Privacy Support

TT reserves the right to amend or modify this Privacy Policy Statement at any time and in response to changes in applicable data protection and privacy legislation. If you have any enquiry about TT's data protection and privacy policy or practices, please write to: The Trustees, Transom Trust, The Hastings Centre, The Ridge, Hastings, TN34 2SA.

CONFIDENTIALITY POLICY for dealing with information about, and from, its residents

Policy statement

Transom Trust works on the principle that it has a duty of confidentiality to its residents. The Trust regards this as being of the upmost importance and key to building trusting and caring relationships where:

- residents are safe in the knowledge that their confidences will be kept;
- and where information about them will be protected safely.

It is Transom Trust policy that all the information we receive about, or from, residents is confidential, and that only those people who need to know the information will have access to it. Transom Trust will always seek the written permission of its residents prior to sharing personal information about them with anyone else.

This Confidentiality policy is part of Transom Trust's General Data Protection Regulation policy – a separate document, which covers the full range of GDPR issues.

Procedures

To comply with this policy – volunteers, Trustees and staff must ensure that all files or written information of a confidential nature are stored securely – eg:

- in a locked filing cabinet;
- or in a safe place in the home of a Trustee or Operations Manager;
- or on a password protected Personal Computer

... and are only accessed by Trustees, volunteers or staff who have a need and right to access them. Also see the paragraph on Record Keeping below.

There may be occasions where confidential information is shared by a resident concerning harm to others or to the person sharing the confidence. The resident should be advised that, in such circumstances, Transom Trust reserves the right for staff or volunteers to break their duty of confidentiality and to take the information to a Trustee.

In such circumstances:

- the resident will be informed of Transom Trust's position, and full details will be discussed with the resident;
- appropriate notes will be made in the resident's Contact Log, and these notes will be open to inspection by the resident;
- the information will only be given to those who absolutely need to know, and wider issues relating to the confidentiality of that information will still apply;
- the resident will be free to make a complaint through Transom Trust complaints procedure (set out in Schedule VIII of the License Agreement), if they consider that the information held about them has not been treated in the confidential manner they should expect.

Confidentiality statement

New and prospective residents are taken through the content of the statement at **Annex D**, and have it explained to them via the equivalent statements on their Referral Form and Supported Housing license. This is so that they can understand the content as fully as possible, and sign and date their Referral Form (Declaration of Referral on the last [page] and Supported Housing license (para 10, Occupation 11 on page 3, & para 11, Your Rights on page 5).

Requests for information

The **Trust** will not provide information to relatives, spouses, friends or advocates without the consent of the individual **resident**. If the **resident** is unable to give their consent, a decision will be taken in line with “best interests” procedures set by the Mental Capacity Act 2005.

All requests for information, including those from close relatives, should be referred back to the **resident** to seek their permission before disclosure. If the relative or person who seeks to have access to this information objects to the decision, they can make a formal written complaint, which will be addressed through Transom Trust’s complaints procedure.

As a supported housing provider, Transom Trust is required to provide reports to the **relevant Local Authority/Council’s** Housing Team. This information specifically relates to the support that a **resident** receives from Transom Trust.

Record Keeping

Transom Trust keeps files on all its **residents**, but only relevant information is kept to ensure the care and support offered is of the highest quality. The files are available to volunteers, staff and Trustees who need to access and use the information.

Transom Trust makes sure that:

- records required for the protection of **residents**, and for the effective and efficient running of the **Trust**, are accurate and kept up-to-date;
- **residents** have access to their records held by the **Trust**, and also have opportunities to help maintain their personal records;
- individual and care/support records are:
 - kept securely;
 - kept up-to-date and in good order;
 - and are constructed, maintained and used in line with the General Data Protection Regulations, and the Data Protection Act 2018, and other statutory requirements.

Transom Trust considers that access to information, security and privacy of data is an absolute right of every service user, and that **residents** are entitled to see a copy of all personal information held about them, and to correct any error or omission in it. Under the Data Protection Act 2018, the data user/controller for Transom Trust is:

The Operations Manager or a Nominated Trustee.

Training

All Transom Trust volunteers, staff and Trustees are required to read and understand policies on confidentiality and data protection as part of their induction. The nominated data user/controller for Transom Trust also needs to be trained appropriately in the Data Protection Act 2018.

Confidentiality statement

Sharing relevant and specific information about the support a resident needs to progress towards independent living is vital to the resident to engage with Transom Trust AND meet a key requirement of the resident's TT supported housing license – ie: *"to be honest and open in all dealings with TT"*.

It is Transom Trust policy that all the information we receive about, or from, the resident, is kept confidential and securely, and that only those people who need to know the information will have access to it.

To help Transom Trust make an assessment of the resident's needs, The Trust will need to ask the resident for personal information about their circumstances and to record this information on their **Contact Log and Support Plan**.

In certain circumstances, then Trust may need to share information in the resident's best interest, and may do so to fulfil our duty of care to keep the resident safe from risk of harm (as required by our Safeguarding Vulnerable Adults policy). For example:

- a copy of the **Contact Log and Support Plan** is shared with the Housing Benefit Team of the **relevant Local Authority/Council** as Transom Trust must provide evidence of supported accommodation for the purposes of claiming housing benefit for the **resident**;
- with Green Pastures - TT's national partners, who own the accommodation I live in, and I am supported in;
- with any agencies and organisations that provide additional support for me (eg: NHS; Probation Services; Seaview; CGL Hastings STAR; Bexhill HUG etc).

The information shared:

- must be relevant and specific to the support the resident needs to:
 - engage with under the terms of their supported housing license with Transom Trust;
 - progress towards independent living.
- with Transom Trust, the relevant local councils, and the agencies/organisations that also support the resident is in the form of safe and secure Contact Logs and Support Plans, which are both personal to the resident, who can ask to see their documents at any time;
- enables Transom Trust to:
 - provide the support the resident needs to progress towards independent living, as required by the Transom Trust supported housing license:
 - meet the requirements of the local council's Housing Benefit regulations.

However, Transom Trust will not share this information with anyone else, including friends and relatives, without the resident's agreement. This is unless they have legal authority as guardian or attorney. This information will be kept securely in a confidential file.

Routinely, only Transom Trust volunteers, staff and Trustees - with permission to see your file - will be able to access it. Brief notes from every contact with you will be recorded on your Contact Log and added to your file.

You may have access to your Contact Log and Support Plan at any time to see what information about you is being recorded.