# Cheddar Valley u3a

# Data Protection Procedure

## 1 Purpose

To provide detailed guidance on how Cheddar Valley u3a (hereinafter CV u3a) collects, stores, processes, retains and deletes the personal information of its members.

## 2. Main implications of data protection

CV u3a must comply with data protection legislation in managing the data of its members. The most recent legislation is the Data Protection Act 2018 which incorporates the requirements of the General Data Protection Regulation (GDPR). GDPR brought some key changes to the principles established for data protection which were mainly focused on the rights of **data subjects** (the individual whom the data relates to) and the accountability required by those who process data. The reference to **data** means the personal information that CV u3a gathers from its membership for membership applications, renewals and Gift Aid. One of the main changes from GDPR was that all organisations involved with processing data need to establish a **lawful basis** for doing so. Following legal advice the Third Age Trust has recommended that u3as adopt either **legitimate interest** or **contract** as their lawful basis for processing membership data. CV u3a has adopted **legitimate interest.**

## 2.1 Lawful Basis – legitimate Interest

CV u3a is a membership charity. In accepting membership applications the u3a has a legitimate interest in requesting and processing personal information from those who wish to join. In addition, CV u3a has a legitimate interest in communicating with existing members in order to inform them about activities relating to their membership. To meet the requirements of this lawful basis CV u3a has completed two legitimate interest assessments (LIAs) and holds them on file. The assessments set out how CV u3a meets the requirements of legitimate interest as a lawful basis for holding information. The two LIAs which CV u3a uses for data processing are in **Annex A** and **Annex B.**

## 2.3 The information that we collect

CV u3a collects personal data about its members. Personal data means any information relating to an identified or identifiable natural person. This includes the information needed for membership purposes, to include:

- A member's name
- Postal address
- Telephone number(s)
- Email address
- Gift aid information including title
- Emergency contact name and phone number

The collection and use of the emergency contact data will be covered by the **"Legitimate Interest Assessment – Emergency Contact" in Annex B.**

## 2.4 Photographs

Photographs constitute personal data and consent will need to be obtained for both taking and displaying photographs of the membership. If taking photographs, the photographer (whether a u3a member or somebody else) must explain exactly what the photographs will be used for and ask all concerned for their consent when the photographs are being taken. If anybody does not wish to appear in the photograph they must be asked to move out of the shot. If a member objects subsequently then the photograph will need to be removed from any publicity or display.

If any member wishes to ask for a photograph which includes them to be removed subsequent to its being taken, they should contact the Chair of CV u3a.

## 2.5 Third party processors

CV's Privacy Policy is available to all members on the website and identifies the instances where information is shared with a third-party processor (see Schedules 1 and 2 of the Privacy Policy). Consent is not required to provide information to third party processors as this comes under the lawful basis of legitimate interest. Members are informed when they first join and when they renew that they may opt out of receiving the magazine u3a Matters.

## 2.6 Special categories of personal data

Special categories of personal data include:

- The racial or ethnic origin of the individual.
- Political opinions.
- Religious beliefs, philosophical beliefs or other beliefs of a similar nature.
- Whether he/she is a member of a trade union.
- Physical or mental health or condition.
- Sexual life or sexual orientation.
- Genetic data and biometric data where processed to uniquely identify an individual.

CV u3a will not normally ask for any of these data. The only exceptions will be information pertaining to health and medical conditions which may be relevant to a member's participation in certain activities.

## 2.7 Data protection principles

Article 5 of the General Data Protection Regulation (GDPR) revises the Data Protection Principles established by the Data Protection Act. The principles stipulate how personal data should be processed:

### 2.7.1 Principle 1 - Personal data must be processed lawfully, fairly, and in a transparent manner relating to individuals.

**CV u3a will:**

1. Regularly review the data we process, including:
    a. What data do we hold?
    b. How do we hold it?
    c. Who has access to it?
    d. How long do we hold it for?

e. Do we need it?
f. What are the risks?
g. Do we use any third party processors and are they GDPR compliant?

2. Inform the membership about actions being taken by us in respect of data protection.
3. Include privacy statements on relevant paperwork and online forms, including membership and renewal forms.
4. Review the different ways that members are asked for their information to ensure that group convenors who are gathering information from their groups are aware of their responsibilities in respect of data protection.
5. Ensure that member information is retained securely.
6. Consider, record and keep under review who has access to full member information, who has access to partial member information and who needs access.

**2.7.2 Principle 2 - Personal data must be 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 is not incompatible with the initial purposes.**

**CV u3a will:**

1. Be specific about what we are using member information for, as set out in our Privacy Policy.
2. Not use members' information for sending on information for other organisations that could be considered as 'marketing'.
3. Ensure that group convenors are aware of their responsibilities under this principle when they communicate with their members.
4. Let members know that they should contact the Chair of CV u3a if they feel that they have received communications that are not what they have signed up for.
5. Provide a prompt and comprehensive response if members feel that they have received an inappropriate communication.
6. Be aware that some members may be more sensitive than others regarding data protection due to personal experiences.
7. Be as transparent as possible on how we operate in our communications with members.

**2.7.3 Principle 3 - The collection of personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.**

**CV u3a will:**

1. Consider and review on an ongoing basis what information the u3a needs and what purpose it is used for.
2. When investigating complaints that might require the u3a to request further personal information from a member be sure to record any meetings accurately.

**2.7.4 Principle 4 - Personal data held should be 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.**

**CV u3a will:**

1. Ask members to keep their information up to date and let members know they should contact the Membership Secretary to update their information.
2. Use membership renewal as an opportunity for members to update their personal information.

**2.7.5 Principle 5 - Personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for the 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 GDPR in order to safeguard the rights and freedoms of individuals.**

**CV u3a will:**

1. Retain member information on Beacon for no longer than 12 months after a member does not renew, resigns or dies.
2. Retain photographs for up to 3 years to allow research into the history of the u3a.
3. Not use member data for communication purposes beyond the period of their membership unless there is a specific and agreed need to.
4. Be aware of where we need to retain data for a longer period to meet any legal or statutory requirements and where this is the case inform the relevant member. C*lause 131 of the 2011 Charities Act says that "The trustees of a charity must preserve any accounting records made for the purposes of section 130 in respect of the charity for at least 6 years from the end of the financial year of the charity in which they are made."*
5. Keep Gift Aid member information in line with the timeframes specified by HMRC. *Currently 6 years.*

**2.7.6 Principle 6 - Personal data must be 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.**

**CV u3a will:**

- Keep personal data and special categories of personal data secure.
- Discuss and agree processing arrangements with any external organisations/third party processors such as venues, travel agents, Beacon.
- Consider who within the u3a committee needs access to the full membership information and restrict access to those who need it.
- Ensure that committee members/group conveners who hold information delete or return all data when relinquishing their roles.

- Inform members where information is to be passed to a third party and ensure that third party processors are GDPR compliant.

## 2.8 Individuals' rights

GDPR also requires organisations to be aware of individual's rights which are:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.

### 2.8.1 CV u3a will:

- Follow the key principles set out in section 2.7 and make every effort not to infringe the rights of its members.
- Inform members that they may make a 'subject access request' (a request to view the data that is held on them) by contacting the Chair and that we will respond as soon as possible and no later than one month from the date of the request, as required by law.
- Regularly review how we store and handle members' data.
- Discuss data protection within the committee and provide an induction for new committee members.
- Ensure group conveners are aware of expectations in relation to data protection.
- Liaise with National Office if we need further guidance about data protection.
- Look to access local or national training to help with awareness.
- Regularly review its data protection policy and privacy policy.

## 2.9 Data security and emails

### 3.9.1 CV u3a will:

- Use the membership database Beacon.
- Recommend that committee members use strong passwords – these are long (at least seven characters) and have a combination of upper- and lower-case letters, numbers and the special keyboard characters like the asterisk or currency symbols.
- Avoid sharing passwords.
- Encourage committee members not to keep passwords written down somewhere where they can be easily accessed and identified.
- Avoid leaving PCs with sensitive information on them in such a way that someone else could easily access that information.
- Not send confidential information by email.
- Avoid opening e-mail attachments from an unknown source.
- Purchase firewall software for committee members PCs if needed. This can be purchased and downloaded from the internet.
- Avoid keeping written records of negative comments about u3a members or suppliers.

- Where there is an issue between members, ensure that any recordings are factual and avoid recording opinion unless directly from an interview. For serious matters, we will contact National Office for support.
- Avoid sending emails that could be considered offensive or discriminatory.
- Avoid sharing email addresses or personal information via email without permission.
- Contact the Third Age Trust National Office if a laptop that holds a large amount of member information is stolen or lost.

## 2.10 Accountability principle

GDPR introduced an accountability principle that requires u3as to be able to demonstrate compliance with the data protection principles. The Committee of CV u3a will assume joint responsibility for how data is processed and managed.

### 2.10.1 CV u3a will:

- Review our current policies and data protection procedures and record this formally;
- Add data protection as a standing item to the agenda of committee meetings and ensure that all decisions are recorded in the minutes;
- Provide or access training on data protection for committee members;
- Put our Data Protection policy and procedure on our website to ensure what we do is transparent to all members;
- Include statements about privacy on our u3a paperwork and the website;
- Follow through on the things that the policy and procedure says we will do;
- Induct new committee members and group conveners in the principles of GDPR and how they apply in practice.

## 2.11 Breach notification

GDPR requires organisations to report certain types of data breaches to the relevant supervisory authority, and in some cases to the individuals affected.

### 2.11.1 CV u3a will:

- On discovering a breach, investigate the extent of the breach:
    - How many members does the breach potentially affect?
    - What personal information has been exposed?
    - How did the breach occur?
- Keep a record of actions taken since the breach was discovered and take any immediate actions needed to reduce any further breaches.
- Contact National Office to find out if the Information Commissioner's Office needs to be informed of the breach. Any breaches will be reviewed on a case-by-case basis.
- Report serious breaches (ie ones that could risk the rights or freedoms of individuals).
- Be aware of timelines for serious breaches as these need to be reported within 72 hours.
- Inform members, as required, if there has been a data breach and provide them with full information.

*Approved by the Trustees of Cheddar Valley u3a, November 2024*
*Reviewed 29_10_25, no changes needed, next review due November 2026.*

# Annex A

## Legitimate Interest Assessment - Membership

### 1 Introduction

This legitimate interest assessment has been compiled in order to set out the reasons why Cheddar Valley (CV) u3a processes membership information.

### 2 Purpose Test

CV U3A requests personal data is in order to be able to register individuals for membership of the u3a. The personal data provided will also be used to communicate with members regarding the activities of CV U3A and to keep members informed regarding any groups or activities that they undertake with CV u3a. Member information is shared with a third party processor for the supply of the Trust publication – u3a Matters. Each member has a choice as to whether they opt to receive this publication. CV u3a also uses a third party processor for distribution of the monthly newsletter. Other than this CV u3a does not share membership information outside of the u3a. Membership information is securely held and access is restricted to those who need to process data for membership purposes. Storage and processing of membership data is done in line with GDPR and safeguarding requirements. CV u3a operates with a data protection policy and privacy policy and follows Third Age Trust guidance on data protection.

### 3 Necessity Test

CV u3a requests minimal information from potential members which includes personal details and contact details. This information is proportionate to the requirements of the u3a fulfilling its responsibilities in relation to being able to communicate effectively with its membership. CV u3a will not be able to register members or process applications without the provision of a certain amount of membership information. CV u3a has a duty of care to its membership and needs to retain a certain amount of personal information in order to know who its members are and which members are paid up members of the u3a. This is necessary for meeting the requirements of the insurance provision for u3a members.

### 4 Balancing Test

The personal data requested is that which is needed for registering and processing individuals as members of CV u3a. The data requested is minimal personal data and that which is needed for communicating with members. All the data gathered is from individuals who provide the information as part of their application to join CV u3a. Membership is for a 12 month period at the end of which time members have the option as to whether or not they wish to renew as well as having the opportunity to update their personal information. The reasons for collecting personal information is explained to potential members at the point of joining. A copy of CV u3a's privacy policy is available to all members who wish to have further details about how their information is used and who it is shared with. Members who are unhappy about their data being shared with third party processors are able to opt out of receiving those publications for which a processor is used. CV u3a holds information securely and it will only be accessed by those who need to see it. Membership data will

not be processed for any purpose other than in connection with an individual's membership. Communications sent will be relevant and targeted to the individual's membership activities. u3a members will not be sent marketing materials or information that does not relate to CV u3a. CV u3a group leaders/convenors will be informed of the importance of restricting their communications with members to that which is needed for organisation of the group. All those who process membership information for the U3A will receive an induction into the requirements of GDPR and the restrictions around data processing. In addition, volunteers will be informed of the need to keep data secure and restricted to those who need access to it.

Through compilation of this assessment CV u3a considers that it has a legitimate interest to collect, hold and process membership information. This document will be held by the Committee and communicated to members as required. The assessment will be reviewed every 2 years to ensure that legitimate interest remains the most appropriate lawful basis for gathering membership information.

*Approved by the Trustees of Cheddar Valley u3a, November 2024.*

*Reviewed 29_10_25, no changes needed.*

*Next review due November 2026*

# Annex B

## Legitimate Interest Assessment – Emergency Contact

### 1 Policy

This legitimate interest assessment has been compiled to set out the reasons why Cheddar Valley (CV) u3a requests emergency contact details.

### 2 Purpose Test

The reason that CV u3a requests contact details for a member's emergency contact is so that the committee and/or group convenors know who to contact in the event of an emergency. CV u3a has a duty of care to its membership. In order to ensure their safety we need to be able to contact someone who can meet their welfare needs in the event of an incident/accident. CV u3a requests members to inform the person identified as their emergency contact that they have provided their details to the u3a. For certain events and trips we may need to provide these details to a third party. Members will be made aware of who this emergency contact information will be shared with if it is to be shared outside of the u3a.

### 3 Necessity Test

The emergency contact information provided by members will only be used in the event of a serious incident/accident. CV u3a will use the information to contact someone who may need to collect the relevant member, support the relevant member or liaise, on behalf of the relevant member, with a third-party provider such as a medical professional. CV u3a requests minimal information regarding members' emergency contact which includes a name, telephone number and the details of their relationship to the member (eg, family member, carer).

### 4 Balancing Test

The emergency contact data requested is minimal, limited to the information required to contact the individual in question. CV u3a relies on its members to provide emergency contact information and to make the individual aware that this information has been passed to the u3a and for what purposes it has been passed to the u3a. CV u3a will hold this information securely and it will only be accessed by those who need to see it. The information provided will only be used to contact the member's emergency contact where an incident or accident occurs that requires someone to take responsibility for the member in question. The data will not be processed for any other purposes.

Through compilation of this assessment CV u3a considers that it has a legitimate interest to collect, hold and process emergency contact information. This document will be held by the Committee and communicated to members as required. The assessment will be reviewed every 2 years to ensure that legitimate interest remains the most appropriate lawful basis for gathering this information.

*Approved by the Trustees of Cheddar Valley u3a, November 2024*
*Reviewed 29 October 2025 & 6 November 2026, no changes needed.*
*Next review due November 2028.*