

# **PERTH AND DISTRICT PIPE BAND CONFIDENTIALITY AND DATA PROTECTION POLICY**

Perth and District Pipe Band recognises that the handling of identifiable written and computerised information is necessary for its effective functioning.

## **1 AIMS:**

The main aims of this policy are to ensure that:

- information given in trust by Band Members and Volunteers is treated with respect
- information is protected through clarity about how it is to be stored and shared
- the boundaries of confidentiality are clearly understood by the Committee
- the Committee are all aware of their responsibilities for protection of confidential information
- the best interests of the Band and its members are protected
- all information held is accurate

## **2 PROTECTION OF MEMBERSHIP DATA**

- Only data relevant to the efficient running of the Band will be held
- All data associated with membership will be held by the secretary
- Paper versions of the information will be stored securely
- Electronic versions will be password protected. The assistant secretary will be given regular updates for backup purposes
- Members will be given an opportunity to ensure that the information held is accurate, normally on a yearly basis.
- Membership data will only be shared on a need-to-know basis within the band eg telephone numbers with the social convener for emergency telephone purposes
- As part of the maintenance of the Band's archive held by the AK Bell Library in Perth a list of current members' names may be supplied on an annual basis. So too, at the beginning of each year, are the all committee meeting minutes from two years earlier and the full band history for the year just come to an end
- Each member must agree to allow their name and photograph to be used in articles in the Band website, Branch website, RSPBA website and in the press in connection with Band engagements and activities

### **3 PROTECTION OF CONFIDENTIAL PERSONAL DATA**

#### **3A General Confidential Data**

Confidential information for some members will be held by the Band eg medical details necessary for specific action to be taken if a member becomes unwell.

- Access to confidential information, on paper or electronically, will be limited to the Committee Chairman and the Child Protection Officer
- Paper files will be stored in a locked filing cabinet or box; electronic ones in a password protected file or files
- Confidential information may be shared with the permission of the member (and parental member if under 16 years of age)
- Inappropriate disclosures will be treated as a disciplinary issue and initially investigated by the Committee Chairman unless he is involved when the matter will be taken up by the Pipe Major or Secretary. Any subsequent action will be decided by the Committee

#### **3B Confidential Data in Relation to the Protection of Vulnerable Groups**

##### **Introduction**

3B1 The Code of Practice (“the Code”) is published by Scottish Ministers under section 122 of Part V of The Police Act 1997 (“the 1997 Act”). The Code sets out obligations for registered bodies, countersignatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 (“the 2007 Act”).

##### **General Principles**

3B2 The Band will comply with the Code and the 1997 and 2007 Acts regarding the handling, holding, storage, destruction and retention of disclosure information provided by Disclosure Scotland. We will comply with the Data Protection Act 1998 (“the 1998 Act”). We will provide a copy of this policy to anyone who requests to see it.

##### **Usage**

3B3 The Band will use disclosure information only for the purpose for which it was requested and provided. Disclosure information will not be used or disclosed in a manner incompatible with that purpose. We will not share disclosure information with a third party unless the subject has given their written consent and has been made aware of the purpose of the sharing.

##### **Handling**

3B4 The Band recognise that, under section 124<sub>1</sub> of the 1997 Act and sections 66 and 67 of the 2007 Act, it is a criminal offence to disclose disclosure information to any unauthorised person. Disclosure information will only be shared with those authorised to see it in the course of their duties. We will not disclose information provided under subsection 113B(5)<sub>2</sub> of the 1997 Act, namely information which is not included in the certificate, to the subject.

##### **Access and Storage**

3B5 We will not keep disclosure information alongside an individual's personnel data. It will be kept securely, in lockable, non-portable storage containers. Access to

storage units will be strictly controlled and limited to authorised named individuals, who are entitled to see such information in the course of their duties.

### **Retention**

3B6 To comply with the 1998 Act, we will not keep disclosure information for longer than necessary. For the 1997 Act, this will be the date the relevant decision has been taken, allowing for the resolution of any disputes or complaints. For the 2007 Act, this will be the date an individual ceases to be a member of this organisation. We will not retain any paper or electronic image of the disclosure information. We will, however, record the date of issue, the individual's name, the disclosure type, the purpose for which it was requested, the unique reference number of the disclosure and details of our decision. The same conditions relating to secure storage and access will apply irrespective of the period of retention.

### **Disposal**

3B7 The Band will ensure that disclosure information is destroyed in a secure manner eg by shredding. We will ensure that disclosure information which is awaiting destruction will not be kept in an insecure environment.

## **4 EXCEPTIONAL DISCLOSURE OF INFORMATION**

Exceptional circumstances may occur where the protection of a Band Member must be ensured and to do so would involve disclosure of information, whether or not agreement had been reached. In this situation those involved should seek advice immediately from the Child Protection Officer or the Pipe Major in his absence.

The Secretary will conform to Health and Safety legislation by informing people of any notification received about contagious or notifiable disease suffered by any person with whom any member has had contact.

## **5 MONITORING AND REVIEWING THE POLICY**

The working of this policy will be monitored regularly, with a record of the number and nature of formal complaints being held by the Child Protection Officer for this purpose.

A review of this policy will take place within a year of its adoption to ensure its effective operation and approximately annually after that.