

# **MBC News Data Protection Policy and Procedures**

Adopted by the editorial team on 30th June 2018

MBC News recognises its responsibility to comply with the Data Protection Act 1998 (DPA) and the General Data Protection Regulation 2018 (GDPR). The act and regulation regulate the use of personal data, which can be as little as a name and address.

The document sets out how the MBC News complies with the DPA and the GDPR when holding personal data.

## **The Information Commissioner's Office: Data protection fee and Registration**

The Information Commissioner's Office (ICO) is the independent supervisory authority set up to promote and oversee compliance with data protection legislation in the UK.

The GDPR introduces a new data protection fee which replaces the requirement to 'notify' (or register), which is in the DPA. However, under section 5<sup>1</sup> of the guidance there is an exemption when processing data for 'Not-for-profit purposes'.

It is believed MBC News does not need to pay the data protection fee nor register with the ICO.

## **Data Protection Officer**

The team member in charge of delivery has the responsibility of fulfilling the role of Data Protection Officer (DPO).

## **Lawful Basis for Processing Personal Data**

Guidance from Information Commissioners' Office<sup>2</sup> identifies a number of options for having a lawful basis for processing personal data. In summary these are; consent, through a contract a person is party to, compliance with a legal obligation, protecting vital interests of the data subject, carrying out a public interest, performing legitimate interests by the controller. The MBC News can rely on the categories 'Consent' and 'Contract' as the lawful basis to process personal data.

## **Information the MBC News team holds**

The MBC News team holds the following categories of information:

1. Contact details, such as name, telephone, email and address for:
  - MBC News distributors
  - Advertisers, past and present
  - Members of the public and representatives of organisations who contact the MBC News on a specific topic or submit an article.
  - MBC News editorial team
2. Financial information associated with payment of expenses, invoices for advertising and work undertaken by other organisations and businesses and similar transactions.

## **Collecting data and Consent**

MBC News recognises its responsibility to be open with people when collecting personal details from them. In some cases, specific consent of the individual will be required and this consent will be recorded. The consent must make clear for what purpose the data will be used.

## **Where information is held and access**

- MBC News email system
- MBC News pages on Cults, Bielside and Milltimber (CBM) Community website
- Computers of individual members

The following rules apply:

- All computer systems holding MBC News data must be protected, ideally by a password and passwords changed on a regular basis.
- Data held on a member's private computers:
  - Where possible and practicable the data should be held separately from the private data of the member e.g. distinct folders.
  - The member must ensure the security of MBC News data.
- BCC should normally be used when emailing large groups (but include a list of recipients at start of email when appropriate).

The DPO must hold and keep updated a Data Register – Appendix 1.

## **Processing, Accuracy and Retention of Data**

When dealing with personal data, the DPO and members must ensure that:

- It is processed for specified purposes only
- It is relevant to what it is needed for - data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- It is accurate and kept up to date, if it is not it should be corrected.
- It is not kept longer than it is needed
- It is processed in accordance with the rights of individuals - this means that individuals must be informed, upon request, of all the information held about them.

## **Individuals' rights and Privacy Notice**

The GDPR includes the following rights, with exceptions, for individuals:

- the right to be informed;
- the right to rectification;
- the right of access;
- the right to erasure.

The MBC News has a Data Privacy Notice (Appendix 2) which is available on the MBC News section of the CBM Community website.

All MBC News editions will include the wording, or similar, saying: **The MBC News Team is committed to following correct data protection practices and respecting your privacy. Our new privacy notice explains how we collect and use personal data for the purposes of preparing and delivering the MBC News and provides the data processing information required. The Data Privacy notice can be found on the MBC News page at [www.cbmcommunity.org.uk/mbc-news-team/](http://www.cbmcommunity.org.uk/mbc-news-team/)**

**Right to access.** Any individual has a right to know what data is held on them by MBC News. Any request received will be responded to within once month by the DPO or Editor and any request that their data is rectified or erased must be dealt with in accordance the GDPR.

### **Disclosure**

- Editorial team members have the choice as to which of their contact details are made public (e.g. MBC News and website) and which can be shared with other team members.
- Any disclosure to persons or individuals outside the normal activities of the MBC News requires the consent of the individuals.

### **Confidentiality**

- All members must respect the confidentiality of personal data held by MBC News (which includes MBC News data held on the private computers of members).

### **Review of this Policy and Procedure and Personal Data held.**

This policy and procedure and personal data held will be reviewed by the DPO and the MBC News team annually. The DPO may recommended changes outside this annual review.

### **Notes**

1. The data protection fee: A guide for controllers. Information Commissioner's Office. 2018.
2. The Guide to the GDPR. Information Commissioner's Office. See <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

## Appendix 1

### MBC News

#### Personal Data Register, Article 30 Record of Processing Activities and Article 6 lawful basis for processing data

<b>Function</b>	<b>Data</b>	<b>Used for</b>	<b>Host</b>	<b>Length data held</b>	<b>Legal Basis</b>	<b>Release /Shared with</b>
MBC News business	Contact details of Editorial Team	Distributing information and work of team.	CBM Community website MBC News Email system. Members personal computers	Until person no longer involved with MBC News	Consent	1. Internally amongst editorial team. 2. Externally with public.
MBC News business	Contact details of Delivery Volunteers	Distributing copies of MBC News and passing on information	Members personal computers	Until person no longer involved with MBC News	Consent	Internally amongst editorial team. Externally with lead distributors
MBC News business	Advertisers and contacts in other organisations which the MBC News has dealings with.	Invoicing and general correspondence.	MBC News Email system. Members personal computers.	Until the advertiser is no longer in business.	Contract, Consent	Internally amongst editorial team
MBC News business	Members of public who contact MBC News	Dealing with issue raised by member of public	MBC News Email system. Members personal computers.	3 years after conclusion of matter raised	Consent	Internally amongst members
MBC	Contact details of	Distributing	CBM Community	Reviewed every 3	Consent	Internally

News business	Persons not covered above.	information about MBC News activities	website MBC News Email system. Members personal computers.	years		amongst members
Expenses, Invoices, Payments to MBC News.	Contact details and in some cases bank details	Payment of expenses and invoices of services provided to MBC News	Treasurer's personal computer	Financial information for accounts Held for 6 years.	Legal obligation	
Contracts	Contact details and in some cases bank details	Accounts of MBC News	Treasurer's personal computer	Financial Information for accounts. Held for 6 years.	Contract Legal obligation	

## Appendix 2

### MBC News DATA PRIVACY NOTICE

#### **1. Your personal data – what is it?**

Personal data relates to a living individual who can be identified from that data.

Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation 2018 (GDPR).

#### **2. Who are we?**

The MBC News team is the data controller (contact details below). This means it decides how personal data is processed and for what purposes.

#### **3. How do we process your personal data?**

The MBC News complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

- To enable us to carry out our primary function of preparing and distributing the community newsletter to residents in the Cults, Bielside and Milltimber area;
- To attract advertisers and promote the interest in MBC News;
- To maintain our accounts and records;

#### **4. What is the legal basis for processing the personal data we hold?**

The lawful basis for processing of data is primarily the category 'Consent' but also 'Contract' and 'Legal obligation' for certain activities.

#### **5. Sharing personal data**

Personal data will be treated as strictly confidential and will only be shared with those who need to know to carry out the activities of MBC News.

#### **6. How long do we keep your personal data?**

Data is kept in accordance with the guidance in 'Data Protection: Policy and Procure' document of the MBC News which is available on the CBM Community website:

[www.cbmcommunity.org.uk/mbc-news-team/](http://www.cbmcommunity.org.uk/mbc-news-team/)

#### **7. Your rights and your personal data**

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of your personal data which MBC News holds about you;
- The right to request that MBC News corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the MBC News to retain such data;

- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data;
- The right to lodge a complaint with the Information Commissioner's Office.

### **8. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

### **9. Further Information and Contact Details**

The MBC News 'Data Protection: Policy and Procedure' document is available on the CBM Community website [www.cbmcommunity.org.uk/mbc-news-team/](http://www.cbmcommunity.org.uk/mbc-news-team/)

To exercise all relevant rights, queries or complaints please contact the Data Protection Officer, MBC News, by emailing [mbcnews@cbmcommunity.org.uk](mailto:mbcnews@cbmcommunity.org.uk)

If your complaint is not satisfactorily dealt with then you can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.