



**YOUTH
ACTIVE**
INSPIRING YOUNG PEOPLE

Data Protection Policy

This policy will be reviewed every three years, or sooner where changes in government legislation or statutory guidance require it.

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1. Introduction

Youth Active CIC holds and processes information about staff, young people and other individuals for administrative and operational purposes. When handling this information, Youth Active CIC, and everyone who processes or uses personal information on its behalf, must comply with UK data protection law, namely the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

In summary, this means personal data must be:

- Processed lawfully, fairly and in a transparent way.
- Collected for specified, explicit and legitimate purposes, and not processed in a way that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary for the purpose it is collected for.
- Accurate and, where necessary, kept up to date.
- Not kept for longer than is necessary for the purpose it is processed for.
- Processed in a way that respects the rights of the person the data belongs to.
- Kept secure, protected against unauthorised or unlawful processing, and against accidental loss, damage or destruction.
- Not transferred outside the UK unless the receiving country has an adequate level of protection for personal data, or appropriate safeguards are in place.

2. Definitions

- **Data controller:** Youth Active CIC is the data controller. Further information is available from the Data Protection Officer, Mohammed Ahmed.
- **Staff, young people and other data subjects:** these terms may include past, present and potential members of those groups.
- **Other data subjects and third parties:** may include contractors, suppliers, contacts, referees, friends or family members.
- **Processing:** any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

3. Notification of Data Held

Youth Active CIC will let all staff, service users and other relevant individuals know what types of data are held and processed about them, and why. Details of the information currently held and the purposes it is processed for are set out in the organisation's record of processing activities.

Where processing is introduced for a new or different purpose, the individuals affected will be informed and the record of processing activities will be updated accordingly.

4. Staff Responsibilities

All staff must:

- Make sure that any personal information they provide to Youth Active CIC in connection with their employment is accurate and up to date.
- Tell Youth Active CIC about any changes to their information, such as a change of address.
- Check any information Youth Active CIC makes available to them from time to time, whether written or electronic, and let Youth Active CIC know of any errors, or follow the correct procedure for updating computer records where appropriate. Youth Active CIC cannot be held responsible for errors it has not been told about.

Where staff hold or process information about young people, colleagues or other data subjects, for example files, references from other youth organisations, or details of personal circumstances, they must follow Youth Active CIC's data protection guidelines. Staff must make sure that:

- All personal information is kept securely.
- Personal information is never disclosed, whether orally or in writing, accidentally or otherwise, to any unauthorised third party. Unauthorised disclosure may be treated as a disciplinary matter, and in some cases may be considered gross misconduct.

Where staff supervise young people carrying out work that involves processing personal information, they must make sure those young people understand the data protection principles, particularly the need to obtain consent from the data subject where appropriate.

5. Young People's Responsibilities

All young people using Youth Active CIC's services must:

- Make sure that any personal information they provide to Youth Active CIC is accurate and up to date.
- Tell Youth Active CIC about any changes to that information, such as a change of address.
- Check any information Youth Active CIC makes available to them from time to time, whether written or electronic, and let Youth Active CIC know of any errors, or follow the correct procedure for updating records where appropriate. Youth Active CIC cannot be held responsible for errors it has not been told about.

Where young people use Youth Active CIC's IT facilities and process personal information as part of an activity, for example research, they must notify the relevant Data Controller, who will provide further guidance.

6. Rights to Access Information

Staff, young people and other data subjects have the right to access any personal data Youth Active CIC holds about them, whether on computer or in structured, accessible paper files. This right can be exercised by submitting a written request to the appropriate designated data controller.

Youth Active CIC aims to respond to requests for access to personal information as quickly as possible, and will always provide the information within one calendar month unless there is good reason for delay. Where a delay occurs, the designated data controller will explain the reason for it in writing to the person who made the request.

7. Subject Consent

In some cases, such as when handling sensitive information or processing research data, Youth Active CIC may only process personal data with the consent of the individual concerned. Agreeing to Youth Active CIC processing certain specified categories of personal data is a condition of a young person joining any project, and a condition of employment for staff.

Youth Active CIC may process sensitive information about a person's health, disabilities, criminal convictions, race or ethnic origin. For example, some roles or activities bring staff or volunteers into contact with children and young people, and Youth Active CIC has a duty under the Children Act 1989 and related legislation to make sure staff are suitable to work with them, and that young people are suitable for the activities offered. This information may also be needed to administer sick pay, manage absence, or apply the Equality and Diversity Policy.

Youth Active CIC also asks for information about particular health needs, such as allergies to specific medication, or conditions such as asthma or diabetes. This information is only ever used to protect the health and safety of the individual concerned, for example in a medical emergency. Consent will always be sought from the data subject before any sensitive data, as defined by data protection law, is collected.

8. The Data Controller and Designated Data Controllers

Youth Active CIC is the data controller under UK data protection law, and the Chief Executive is ultimately responsible for making sure the organisation complies with it. Day to day responsibility is delegated to individual projects through designated data controllers. Information and advice about holding and processing personal information is available from the Data Protection Officer, Mohammed Ahmed.

9. Assessment Records

Young people are entitled to information about their own assessment records, although this may take longer to provide than other types of information. Youth Active CIC may withhold enrolment, awards, certificates, accreditation or references where money is owed to the organisation.

10. Retention of Data

Youth Active CIC will keep different types of information for different lengths of time, depending on legal, operational and safeguarding requirements.

11. Compliance

Everyone who uses Youth Active CIC's services, and all members of staff, are responsible for complying with data protection law. Any deliberate or reckless breach of this policy may lead to disciplinary action and, where appropriate, legal proceedings. Any questions or concerns about how this policy should be interpreted or applied should be raised with the Data Protection Officer, Mohammed Ahmed.

Anyone who believes this policy has not been followed in relation to their own personal data should raise the matter with the designated data controller in the first instance. If the matter is not resolved, it should be referred to the staff Grievance Procedure or the Complaints Procedure, as appropriate.

12. Monitoring and Review

This policy will be reviewed every two years, or sooner where changes in government legislation or statutory guidance require it. It should be read alongside Youth Active CIC's Safeguarding Policy, Complaints Procedure and Equality and Diversity Policy.