****

**4**

|  |
| --- |
| Bishop’s Stortford and District Explorer Scouts |

**Note from Bishop’s Stortford and District Scouting**: *this policy has been drafted to make Explorer Scout Leader aware of their obligations under the new General Data Protection Regulation (GDPR) from 25 May 2018.*

*Young People have their own rights under data protection law including the right to be informed about how their personal data is used. Parents usually exercise this right on their behalf where they are too young to understand their rights, GDPR now provides for a specific age (13 in the UK) when certain types of consent should be exercised by the young person. For pragmatic purposes, it is recommended that this consent be formalised on transfer to the Explorer Scouts by the new ES Leader*

*This does not apply to every type of consent e.g. a parent may consent on the child's behalf to receive medical treatment - 18 in most of the UK. There are times when a young person’s consent may conflict with that of a parent – for example if the Explorer consents for their photo to be published, a parent may not want this as they have a Court order in place to stop the other parent from identifying and tacking down the child. Common sense discussions are needed in such situations.*

*The general principle in law is that a young person’s data is their own to control, as far as their legal rights allow. A parent may be entitled to receive certain information about their child but it remains the case that for a Subject Access Request, it is the Explorer Scout who can only exercise that request provided they are mature enough to realise the consequences.*

*This document* provides a template for the District to use.

****

Bishop’s Stortford and District Explorer Scouts

How we use your information

Privacy Notice for Explorer Scouts

# Introduction

This Privacy notice helps you understand why and how we collect your personal information and what we do with it. It also outlines decisions you can make about your own information in Scouting. We are giving you this notice because you are old enough to make decisions about your personal information. If you have any questions about this, please talk to your Leader.

What is "personal information"?

Personal information is information that identifies you as an individual. This includes information such as your name, date of birth and address as well as things like progress on awards and any medical details. We may also record your religion or beliefs or your ethnic group which we may require for the Scout headquarters annual census.

How and why do we collect and use personal information?

Our key reason for using your personal information is so we can give you a great Scouting experience.

We set out below some examples of the differing ways we use personal information and where it comes from. We get details from any Scouting admissions form, your parents and sometimes other Explorers. If you were a Scout, your Scout Leader also gave us information about you. We collect this information to help Scouting run properly, safely and to let others know what we do here. Here are some examples:

* We need to tell the Leaders and helpers if you have any health issues or are allergic to something.
* We might need to tell your Leaders if you have special needs or need extra help with some tasks.
* We may need to give some of your information to the District, County or Headquarters
* Depending on where you go when you leave us, we may need to provide your information to the Scout Network or another Explorer Scout Unit.
* If anyone makes a complaint, we may need to use your information to deal with the properly e.g. if your parents complain that you did not like something at camp.
* We may need to share some information with our insurance company to make sure we have the right insurance cover.
* We may need to share information with others such as the Scout County or Headquarters if something goes wrong or to help with an inquiry. For example, if an Explorer was is injured on a Unit activity.
* We will only share your information with other people and organisations when we have a good reason. Exceptionaly, we may need to share it more widely than we would normally.
* We may use videos or images of you for the District website, social media and other promotional materials. This is to show prospective members what we do. We may use these photographs and videos after you have left us.
* We sometimes may use companies to handle your personal information such as On Line Scout Manager.

**Your personal data that we collect will generally remain within Scouting and will be handled only by adults who have a real need to know the details.** Again, if you have any concerns about any of the above, please contact your Leader.

The legal bit - our legal grounds for using your information

This part contains legal information about the legal grounds we rely on when handling your information as described above.

***Legitimate interests***

This means that we are using your information when this is necessary for our legitimate interests. We rely on this ground for a number of the ways, specifically in:

* Providing you with a Scouting programme.
* Looking after you and other Explorers.
* Telling people about Scouting and what we do e.g. we may use images of you in our materials, website or in our social media.
* Improving Scouting e.g. if we want to raise money for new equipment to make sure that we are providing you with a good Scouting experience.

Also, your personal information may be processed for the legitimate interests of other people such as investigating a complaint made by one of your fellow Explorer Scouts. If you object to us using your information where we are relying on our legitimate interests as explained above please speak your Leader.

***Vital interests***

In rare situations we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

***Consent***

We may ask for your consent to use your information e.g. taking photos. If we ask for your consent you can take it back at any time. Any use we have made of your information before you withdraw your consent will still remain valid.

There are some limited circumstances where your request to withdraw consent can’t always be accepted. For example where we have to comply with Headquarters obligations to keep certain data.

***Legal claims:***

We are allowed to use your information in the case of any to legal claims – this would allow us to share details with our insurers and Headquarters.

We must also comply with additional conditions where we process **special categories of personal information**. These special categories include personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation. This information is kept securely and normally only available to your Explorer Scout Leader.

Sending information to other countries

 We may have to send your information to countries without the same level of protection for personal information as there is in the UK e.g. a Scout event overseas. The European Commission has produced a list of countries which have good data protection regulations. Details can be found [here](http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm).

If the country we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then, it might not have the same level of security for personal information as there is in the UK. In such cases we will provide you with details about the safeguards we will put in place in this situation.

Keeping your information

We will keep your information for as long as we need to provide a Scouting programme and look after you. We may keep some information after you have left the Unit, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer than usual, but we would only do so if we had good reasons and only if we are allowed to do so under data protection law.

We can keep your information for a long time or even indefinitely if we need it for archival records or statistical purposes. The table below shows for how long we keep different types of information.

|  |  |
| --- | --- |
| **Information type** | **Normal retention period**  |
| Accident and medical treatment records | Date of birth plus 25 years.  |
| Complaints with Scouting | 10 years and then reviewed. |
| Your progress record | 5 Years. |

What decisions can you make about your information?

Data protection legislation coming into force in May 2018 gives you rights about your information. Some of these are new whilst others build on your existing ones. Your rights are:

* you can ask for us to delete information we hold about you in certain circumstances e.g. where we no longer need it;
* if information is incorrect you can ask for a correction;
* you can ask what information we hold about you and be provided with a copy;
* you can ask us to send you certain types of information about you in a format that can be read by computer;
* our use of information about you may be restricted sometimes e.g. if you inform us the information is inaccurate we can only use it for limited purposes while we check its accuracy.

Further information and guidance

This notice explains how we look after your personal information. Please ask to speak to your Leader if you would like us to update your information or you would prefer that certain information remains confidential. If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office: [ico.org.uk](https://ico.org.uk/).

Date policy AGREED:

Next REVIEW date