



Review Sheet



Last Reviewed
11 Mar '21



Last Amended
11 Mar '21



Next Planned Review in 12 months, or
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

Each organisation should ensure that the Fair Processing Notices are suitable and tailored for their service. The policy has been reviewed and the definition of GDPR updated, with a new definition of UK GDPR incorporated. "Underpinning Knowledge / Reference" links have been checked and remain current.

Relevant legislation:

- Data Protection Act 2018
- UK GDPR

Underpinning knowledge - What have we used to ensure that the policy is current:

- Author: ICO, made available by UK Government, (2018), *Guide to the General Data Protection Regulation*. [Online] Available from: <https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation> [Accessed: 11/3/2021]
- Author: Information Commissioner's Office (ICO), (2018), *Right to be informed*. [Online] Available from: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/> [Accessed: 11/3/2021]
- Author: The European Parliament and the Council of The European Union, (2018), *General Data Protection Regulation*. [Online] Available from: <https://gdpr-info.eu/> [Accessed: 11/3/2021]

Suggested action:

- Encourage sharing the policy through the use of the QCS App
- Ensure the policy is discussed in planned supervision sessions with relevant staff
- Ensure relevant staff are aware of the content of the whole policy

Equality Impact Assessment:

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



1. Purpose

1.1 To provide Inspiring Aspirations Plus Ltd T/A Inspiring Support with two template fair processing notices - one for use with employees and one for use with external Data Subjects, including Service Users. This policy also explains why fair processing notices are required and the purpose of a fair processing notice.

1.2 By using the template fair processing notices provided within the 'Forms' section of the GDPR suite, Inspiring Aspirations Plus Ltd T/A Inspiring Support will meet one of the key requirements of GDPR in terms of the provision of information to a Data Subject.

1.3 To support Inspiring Aspirations Plus Ltd T/A Inspiring Support in meeting the following Key Lines of Enquiry:

Key Question	Key Lines of Enquiry
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?

1.4 To meet the legal requirements of the regulated activities that {Inspiring Aspirations Plus Ltd T/A Inspiring Support} is registered to provide:

- | Data Protection Act 2018
- | UK GDPR



2. Scope

2.1 The following roles may be affected by this policy:

- | All staff

2.2 The following Service Users may be affected by this policy:

- | Service Users

2.3 The following stakeholders may be affected by this policy:

- | Family
- | Advocates
- | Representatives
- | Commissioners
- | External health professionals
- | Local Authority
- | NHS



3. Objectives

3.1 To enable Inspiring Aspirations Plus Ltd T/A Inspiring Support to circulate fair processing notices to its Data Subjects to ensure compliance with one of the key elements of GDPR.

3.2 To ensure that all Data Subjects understand the ways in which their personal data is processed by Inspiring Aspirations Plus Ltd T/A Inspiring Support.



4. Policy

- 4.1** Inspiring Aspirations Plus Ltd T/A Inspiring Support understands that GDPR requires organisations to provide certain information to all Data Subjects about how Inspiring Aspirations Plus Ltd T/A Inspiring Support processes personal data.
- 4.2** Inspiring Aspirations Plus Ltd T/A Inspiring Support has determined that the simplest and most effective way to provide the required information is by issuing fair processing notices.
- 4.3** Inspiring Aspirations Plus Ltd T/A Inspiring Support understands that the processing of personal data it carries out in respect of its staff and employees will differ from the processing of personal data it carries out in respect of external clients, contacts and Service Users. Inspiring Aspirations Plus Ltd T/A Inspiring Support will, therefore, produce and circulate at least two fair processing notices, one to employees and another to external contacts and Service Users.



5. Procedure

5.1 Inspiring Aspirations Plus Ltd T/A Inspiring Support will review the following Template Privacy Policies located in the 'Forms' section of the GDPR suite within the QCS management system and adapt them before circulating them to the relevant Data Subjects:

- ┆ GDPRF05 - Template Privacy Policy - Employees
- ┆ GDPRF06 - Template Privacy Policy - External

Inspiring Aspirations Plus Ltd T/A Inspiring Support will ensure that all aspects of the fair processing notices are relevant and reflect the ways in which Inspiring Aspirations Plus Ltd T/A Inspiring Support processes personal data. If Inspiring Aspirations Plus Ltd T/A Inspiring Support has any concerns or queries in relation to the fair processing notices, it will seek legal advice.

5.2 Inspiring Aspirations Plus Ltd T/A Inspiring Support will consider whether it would benefit from producing more than two types of fair processing notice. For example, Inspiring Aspirations Plus Ltd T/A Inspiring Support may deem it necessary to modify the fair processing notice provided to Service Users so that they can be used with other external contacts and suppliers.

5.3 Inspiring Aspirations Plus Ltd T/A Inspiring Support may be of the opinion that the personal data it processes in respect of various types of Data Subjects differs to the extent that an additional fair processing notice is required. Inspiring Aspirations Plus Ltd T/A Inspiring Support acknowledges that it may be able to use the template fair processing notices provided within the 'Forms' section of the GDPR suite within the QCS management system as a template for a further fair processing notice, but Inspiring Aspirations Plus Ltd T/A Inspiring Support will seek legal advice if necessary.

5.4 Inspiring Aspirations Plus Ltd T/A Inspiring Support understands that the fair processing notices cover the processing of personal data that has been obtained other than through its website. Collection of personal data via the website will be governed by the Website Privacy and Cookies Policy and Procedure of Inspiring Aspirations Plus Ltd T/A Inspiring Support.



6. Definitions

6.1 Data Subject

- | The individual about whom Inspiring Aspirations Plus Ltd T/A Inspiring Support has collected personal data

6.2 Data Protection Act 2018

- | The Data Protection Act 2018 is a United Kingdom Act of Parliament that updates data protection laws in the UK. It sits alongside the General Data Protection Regulation and implements the EU's Law Enforcement Directive

6.3 GDPR

- | **General Data Protection Regulation (GDPR)** (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union. It was adopted on 14 April 2016 and, after a two-year transition period, became enforceable on 25 May 2018. References to GDPR include references to the UK GDPR

6.4 Personal Data

- | Any information about a living person including but not limited to names, email addresses, postal addresses, job roles, photographs, CCTV and special categories of data, as defined below

6.5 Process or Processing

- | Doing anything with personal data, including but not limited to collecting, storing, holding, using, amending or transferring it. Inspiring Aspirations Plus Ltd T/A Inspiring Support does not need to be doing anything actively with personal data - at the point Inspiring Aspirations Plus Ltd T/A Inspiring Support collects it, it is processing it

6.6 Special Categories of Data

- | Has an equivalent meaning to "Sensitive Personal Data" under the Data Protection Act 2018. Special categories of data include but are not limited to medical and health records (including information collected as a result of providing health care services) and information about a person's religious beliefs, ethnic origin and race, sexual orientation and political views

6.7 UK GDPR

- | The **UK GDPR** is the retained EU law version of GDPR that forms part of English law



Key Facts - Professionals

Professionals providing this service should be aware of the following:

- | The fair processing notices set out the ways in which Inspiring Aspirations Plus Ltd T/A Inspiring Support processes personal data



Key Facts - People affected by the service

People affected by this service should be aware of the following:

- | The fair processing notice sets out the ways in which Inspiring Aspirations Plus Ltd T/A Inspiring Support processes personal data provided to it



Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

Please find the forms listed below in the 'Forms' section of the Data Protection suite, within the QCS Management system:

- | **GDPRF05 - Template Privacy Policy - Employees**
- | **GDPRF06 - Template Privacy Policy - External**



Outstanding Practice

To be 'outstanding' in this policy area you could provide evidence that:

- | The wide understanding of the policy is enabled by proactive use of the QCS App
- | Inspiring Aspirations Plus Ltd T/A Inspiring Support has modified the template fair processing notices to ensure that they include all information relevant to the processing of personal data by Inspiring Aspirations Plus Ltd T/A Inspiring Support
- | Inspiring Aspirations Plus Ltd T/A Inspiring Support confirms satisfaction with all parties regarding fair processing
- | There is evidence of a high level of awareness regarding fair processing and Inspiring Aspirations Plus Ltd T/A Inspiring Support shares understanding and knowledge with others



Forms

Currently there is no form attached to this policy.