



**UNIFIED**  
**BASMOM**  
**& COMPANIONS**

Registered Charity No: 1103567  
OSCR: Office of the Scottish Charity Register No: SC040124

-AND-

**GRAND PRIORY**  
**OF BLESSED ADRIAN**  
**FORTESCUE OF THE**  
**ORDER OF MALTA**  
**TRUST**

Registered charity no. 1166645

**DATA PROTECTION**  
**POLICY**

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## **Data Protection Policy**

<b>POLICY REFERENCE</b>	
<b>Function</b>	For information and guidance
<b>Status</b>	Approved & issued
<b>Scope</b>	Trustees, Members, Volunteers, Guests
<b>Owner</b>	Chancellor
<b>Version</b>	1.0
<b>Date approved by board</b>	24 January 2018
<b>Date for review</b>	23 May 2018

### **Introduction**

1. This data protection policy is applicable to and governs the activities and conduct of each of the following organizations (referred to hereinafter separately and collectively as the Charity) and all those persons who volunteer or otherwise work on behalf of the Charity:
  - 1.1 British Association of the Sovereign Military Order of Malta (BASMOM) an incorporated charity registered under the name BASMOM and number 1103567 its committees and affiliates. BASMOM has sole charge of the hospitaller activity in England, Scotland & Wales of the Sovereign Military Order of Malta a lay religious order, including, for example, pilgrimages to Lourdes and Walsingham, care of the elderly, supporting the homeless, organising soup kitchens, contributing to international hospitaller initiatives and so forth.
  - 1.2 The Companions of the Order of Malta (the CoM) is constituted as part of BASMOM and supported by subscriber members known as Companions. The CoM is dedicated to delivering the charitable work of BASMOM through the voluntary work of Companions and those who volunteer to work with us. The main aims of the CoM are the care of the marginalised and homeless, the poor and the elderly, as well as supporting BASMOM pilgrimages and religious services.
  - 1.3 The Grand Priory of Blessed Adrian Fortescue of the Order of Malta Trust, (the Grand Priory) a registered charity under no.1166645, (the Grand Priory) is primarily concerned with the religious and spiritual life of the Order in this country but also supports the hospitaller work of BASMOM.
2. Data Protection legislation imposes strict obligations on the British Association of the Sovereign Military Order of Malta including its volunteer group the CoM and the Grand Priory that are designed to protect the rights of individuals with regard to the safeguarding of their personal data.
3. The Vice-Chancellor of BASMOM/CoM has been appointed as the Data Protection Officer (“the DPO”) and has direct responsibility for ensuring that all these obligations have been fulfilled with the support of the trustees.
4. A breach of this policy represents serious misconduct and may be the subject of disciplinary action.

5. This policy applies to the directors/trustees of the Charity and to all the Charity's volunteers. The BASMOM Trustees must ensure that the contents of this policy are communicated to all the Charity's Members, Companions and Volunteers. This communication must be evidenced in writing and refreshed on an annual basis. The Charity must publish this Policy on its website.

## Definitions

Authorised Locations	A place approved by the DPO for the storage of Personal Data.
BASMOM Committees	Finance, Investment and Risk Committee, Candidates and Honours Committee, Communications Committee, Disciplinary Committee ,Foreign Aid Service Committee, Hospitaller Committee, Lourdes Committee, Safeguarding Committee, Scotland Committee and the members of those committees.
Companions:	All individuals who are listed as members of the Companions of Malta.
Data Access Request	A formal request from a Data Subject to access Personal Data. These do not need to be in writing and there is a limited time period under law to respond to them.
Data Subject	The individual to whom the Personal Data relate. External Data Processors Third party organisations or individuals that provide the MAT with data processing services. These may include: <ul style="list-style-type: none"> <li>• Data archiving/destruction</li> <li>• Website hosting services</li> <li>• Courier and dispatch services</li> <li>• Confidential waste destruction</li> <li>• Management Information Systems ("MIS")</li> <li>• Any outsourcing activity</li> </ul>
Members	All those listed in the BASMOM Nominal Roll
Personal Data	Any data that relate to and can, whether on their own or in conjunction with other information, specifically identify an individual living person. Personal data include, for example, names and addresses, e-mail addresses, as well as personal, health or performance records. They also include opinions about individuals as well as facts and also apply to corporate contacts. Personal data include data held electronically on a computer or network, data held in hard copy paper format and web-based data.
Processing	This is a wide-ranging term that, in practice, covers any use of Personal Data, including:

- Obtaining, recording, holding and carrying out any operation(s) on the Personal Data
  - Organisation or alteration of the Personal Data
  - Retrieval, disclosure or use of the Personal Data
- All such data processing activities will constitute Processing within the meaning of data protection laws.

Sanctions	Disciplinary measures defined in the Disciplinary Committee Term of Reference.
Sensitive Personal Data	Any information about an individual's physical or mental health, racial or ethnic origin, sexual life, politics, religion, trade union membership, or any information about alleged or committed criminal offences.
Volunteer	Any person who attends a designated BASMOM, CoM or Grand Priory activity in a voluntary capacity.

## Policy

- Stephanie Pissarro (Vice-Chancellor) is responsible for the implementation and operation of this policy and performs the role of Data Protection Officer (DPO). The trustees commit to providing the necessary training and support.
- Data must not be held longer than is necessary.
- Personal Data must only be stored at authorised locations, as determined by the DPO
- Personal Data must be kept accurate and up to date, and must be adequate, relevant and not excessive.
- Reasonable steps must be taken to ensure the accuracy and quality of Personal Data and to prevent it from becoming out of date. Periodic reviews of the information held should be completed to ensure on-going accuracy. If Personal Data are found to be out of date or inaccurate, they must be corrected as soon as is reasonably possible.
- All processing of Personal Data must be adequate, relevant and not excessive for the specific purposes for which the data was obtained. The most appropriate time for informing the Data Subject of the purposes of collection is at the time the Personal Data are collected.
- Any processing of Personal Data must be necessary to achieve the purpose for which it was collected. The Data Subject must not be misled or deceived with regards to the purposes or extent of the processing of their Personal Data.
- Trustees, Members of the BASMOM Advisory Panel, BASMOM Committees, CoM Council, Grand Priory Chapter, Member, Companions and volunteers must not process or store Sensitive Personal Data unless this is necessary and then only if the individual has explicitly consented. A record of that consent must be retained and be available

for inspection for at least two years after the Sensitive Personal Data are no longer being processed or stored.

14. Personal Data must be stored and managed securely and all staff must take precautions against physical loss or damage. They must also ensure that both access to and of Personal data is restricted as appropriate. In particular:
  - i. Personal Data must not be disclosed, either orally or in writing or otherwise, to a authorised third party without a clear “need to know” reason being identified prior to disclosure and in accordance with the notice provided to the Data Subject.
  - ii. When physical Personal Data are left unattended, they must be secured – for example within locked office furniture. Personal Data in electronic form must be inaccessible when left unattended.
  - iii. Files containing Personal Data must not be left in open view. Personal Data stored on laptop computers and mobile ‘phones are subject to the provisions of this policy.
15. Data Subject must be given notice of the purposes for which their Personal Data is being processed. Personal Data must only be processed for these purposes.
16. Data Subjects have the right, subject to certain exceptions and procedural requirements, to access Personal Data that is being processed about them, through the means of a Data Access Request. The Board of Trustees of the Charity is required by law to respond to such a request within 40 days, either by providing the data or explaining why it is subject to a relevant exemption
17. Any director/trustee, Member of the BASMOM Advisory Panel, BASMOM Committee, CoM Council, Grand Priory Chapter, Member, Companion or Volunteer receiving a Data Access Request must immediately forward it to the DPO. Under no circumstances should anyone respond directly to a Data Access Request unless they are specifically requested to do so by the DPO.
18. A Data Access Request may be received in any number of forms, including a telephone call, email or letter. In the case of a telephone call, the data subject should be requested to submit the Data Access Request in writing to the DPO. The DPO should be notified of the request and of your response.
19. Data Subjects have the right to require the Board of Trustees of the Charity to correct any inaccurate data held about them. The Board of Trustees is legally required to espond to such a Request within 21 days of receiving it. Any requests for inaccuracies to be corrected must be immediately forwarded to the DPO. The Board of Trustees has a legal obligation to comply with such requests provided that the Data Subject has been satisfactorily identified. The person receiving the request should take reasonable steps to identify the Data Subject before forwarding the request to the DPO.
20. Data Subjects’ rights must be observed and directors/trustees, members of the BASMOM, Advisory Panel, BASMOM Committee, CoM Council, Grand Priory Chapter, Members, Companions and volunteers must take all reasonable steps to ensure that they are aware of and respect these rights. These rights include:

- i. Right to prevent damage – an individual can take steps to prevent the processing of data that may cause substantial damage or distress.
  - ii. Right to prevent automated decisions – individuals can request that decisions made about them by automatic means be retaken manually.
  - iii. Right to request an assessment – individuals can ask the relevant data protection authority to assess whether or not, in a particular instance, data are being processed in accordance with data protection laws by the Charity.
21. No director/trustee, member of the BASMOM Advisory Panel, BASMOM Committees, CoM Council, Grand Priory Chapter, Member, Companion or Volunteer is authorised to deal with an External Data Processor without the approval of the DPO, who must ensure that they adopt appropriate technical and organisational security measures to safeguard Personal Data and that these measures are managed appropriately.
  22. Accessing, deleting or otherwise using any information that is not part of the duties of a director/trustee, member the BASMOM Advisory Panel, BASMOM Committee, CoM Council, Grand Priory Chapter, Member, Companion or Volunteer or without prior authority is a serious disciplinary offence.

### **Disputes**

23. Anyone who has a concern or complaint regarding the application of this policy should contact the DPO. In the event that the DPO cannot address the concern, the concern or complaint should be referred to the Chairman of the Board of Trustees of the Charity. This does not impact or override any legal remedies available.

### **Review**

24. The policy owner must keep up to date with relevant legislation and government guidance and update this policy whenever necessary. The Board of Trustees of the Charity must approve the revised version.
25. The policy owner must review the policy at the end of October each year and either submit a revised policy for board approval or confirm in writing to the Chairman of the Board of Trustees that the current version of this policy is still fit for purpose.
26. The Board of Trustees must formally review and re-approve this policy every five years.