

# RCN Group Data Protection Policy

**Who does this policy apply to?**

This policy applies to all personal data the RCN Group processes regardless of

Date of implementation: 1 March 2023

Date of next review: 30 September 2026

- 1.1 The RCN Group obtains, uses, stores and processes personal data relating to potential/current/former staff and RCN members, RCNi customers, beneficiaries and supporters of RCN Foundation funding, RCN Foundation Donors, contractors, website users and contacts. These parties are collectively referred to in this policy as data subjects. When processing personal data, the Group is obliged to fulfil data subjects' reasonable expectations of privacy by complying with the General Data Protection Regulation (GDPR) and other relevant data protection legislation such as the UK Data Protection Act (2018), which govern the lawful and correct treatment of the above personal and sensitive data.

Personal data is defined as 'any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, financial, cultural or social identity of that natural person'

The handling of such data is an integral part of the RCN Group's functions, a vital element of which is compliance with the above legislation. This ensures the Group acts properly and lawfully and maintains the confidence of all data subjects. The Group takes its responsibilities very seriously with regard to the requirements of the GDPR and the Data Protection Act. This policy sets out how the Group manages those responsibilities.

In GDPR terminology, and in context of this policy the RCN Group is the Data Controller.

- 2.1 This policy applies to all personal data the RCN Group processes regardless of where the personal data is stored (i.e. which devices) and regardless of the data subject. All staff and others processing personal data on the Group's behalf are required to read this policy. A failure to comply with this policy may result in disciplinary action.
- 2.2 All senior managers and Senior Regional officers are responsible for ensuring that all staff and members within their area of responsibility comply with this policy. Appropriate practices, processes, controls and training must be followed to ensure that compliance.

Types of personal data

2.3 Personal information/data relates to a living individual who can be identified from the information and includes:

3.1 The handling of personal data, as described above, is governed by the six principles of the GDPR. The RCN Group requires all data handlers to abide by these principles at all times.

The principles require personal data to be:

Processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency')

Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes

Adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed

Accurate and where necessary kept up to date. Every reasonable



(1) The right to be informed

This encompasses the RCN Group's obligation to provide "fair processing information" (typically through a privacy notice) and emphasises the need for transparency over how we use personal data

(2) The right of access

Under UK GDPR, any living person, who is the subject of personal information held and processed by the RCN Group, has a right to apply for access to that information. This is known as a







The Data Protection Officer shall have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purposes of processing

### 5.3 Data Owners

Directors and Seniors Managers are responsible for information held manually and electronically within their Directorate areas.

As Data Owners their responsibilities include:

- informing the Data Protection Officer of any changes in the processing of personal data
- identifying and justifying how sets of data are used
- identifying all personal data for which they are responsible
- agreeing who can have access to the data
- ensuring that Privacy Notices are issued and kept up to date
- ensuring that Data Processing Agreements are in place with third party data processors and kept up to date.
- ensuring that, where needed, that Data Protection Impact Assessments (DPIAs) are undertaken

### 5.4 All staff and members with access to personal data on behalf of the RCN Group

The RCN Group will take all necessary steps to ensure that everyone managing and processing personal data understands their legal and contractual responsibilities.

Individuals are responsible for maintaining confidentiality and adhering to data protection legislation in line with this responsibility.

Individuals include:

- all staff within the RCN Group, including but not limited to trainees, agency workers or consultants
- members with access to personal data including Council, committee and board

All individuals listed above are required to pass the UK GDPR training every 2 years.

observing all guidance and codes of conduct in relation to obtaining, using and disclosing personal data

observing all information sharing protocols in relation to the disclosure of information

obtaining and processing personal information only for specified purposes

only accessing personal information that is specifically required to carry out their work

recording information correctly in both manual and electronic records

ensuring any

- 6.1 Diversity and equality outcomes are measured, monitored and evaluated as standard business practice. The Data Protection Officer will monitor activity and outcomes of the Data Protection Policy for fairness and consistency and assess the effectiveness of its application.
- 6.2 Information to assess the effectiveness of the policy will be collected from sources such as the Learning Management System.
- 6.3 As part of the People & OD Performance Reports, the Executive Team and Partnership Forum will be provided with (appropriately anonymised) information on training completion from the HR monitoring process on a quarterly basis.
- 7.1 The RCN Group has procedures in place to deal with any suspected personal data breach and will notify data **subjects** or the ICO where we are legally required to do so.
- 7.2 Records of personal data breaches must be kept, clearly stating:  
the facts surrounding the breach  
the effects of the breach  
the remedial action taken
- 7.3 If you know or suspect that a personal data breach has occurred, you should immediately contact the Data Protection Officer and follow the instructions in the personal data breach procedure. You may contact the Data Protection Officer on 0142.58.7412 or Tf1.0909

- 9.1 It is the responsibility of the Associate Director of Group Technology to monitor and review this policy and ensure that any changes are presented to the RCN and RCNi Executive Teams and RCN Foundation for approval and negotiating changes with the respective recognised trade unions.

Title	RCN Group Data Protection Policy
-------	----------------------------------