



Brighter Futures

Data Protection and Retention Policy

Version number	Effective Date	Author	Brief Description of updates
V 1.1	01.11.24	Fiona Brennan	General updates
V1.2	26.01.26	Fiona Brennan	General Updates
V1.3	15.06.26	Fiona Brennan	General Updates

Contents

Purpose	3
Scope	3
Data protection principles	3
General provisions.....	4
Lawful, fair, and transparent processing	4
Lawful purposes.....	4
Data minimisation	5
Data duplication	5
Accuracy	5
Archiving/removal	5
Handling of Requests	6
Security	6
Breach	7
Data Retention	7
Retention requirements	8

Purpose

Brighter Futures seeks to ensure that it retains only data necessary to effectively conduct its program activities and work in fulfilment of its mission. The need to retain data varies widely with the type of data and the purpose for which it was collected. Brighter Futures strives to ensure that data is only retained for the period necessary to fulfil the purpose for which it was collected and is fully deleted when no longer required. This policy sets forth Brighter Futures guidelines on data protection and retention and is to be consistently applied throughout the organisation.

Scope

This policy covers all data collected by Brighter Futures and stored on Brighter Futures owned or leased systems and media, regardless of location. It applies to both data collected and held electronically (including photographs, video, and audio recordings) and data that is collected and held as hard copy or paper files. The need to retain certain information may be mandated by the Data Protection (Jersey) Law 2018.

The Data Protection Lead (DPL) for Brighter Futures is Viktoria Wojcik.

Data protection principles

The Organisation is committed to processing data in accordance with its responsibilities under the Data Protection (Jersey) Law 2018.

DPJL 2018 requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals.
- b. 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 not be considered to be incompatible with the initial purposes.
- c. adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased, or rectified without delay.
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate

technical and organisational measures required by the DPLJ 2018 in order to safeguard the rights and freedoms of individuals; and

f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.”

General provisions

- a. This policy applies to all personal data processed by the Organisation.
- b. The DPL shall take responsibility for the Organisation’s ongoing compliance with this policy.
- c. This policy shall be reviewed annually by DPL and CEO
- d. The Organisation shall register with the Jersey Office of Information Commissioner (JOIC) as an organisation that processes personal data.

Lawful, fair, and transparent processing

- a. To ensure its processing of data is lawful, fair, and transparent, the Organisation shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.

Lawful purposes

- a. All data processed by Brighter Futures must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests (see JOIC guidance for more information).
- b. Brighter Futures shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in/out consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in Brighter Futures systems.

Data minimisation

a. Brighter Futures shall ensure that personal data are adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.

Data duplication

Brighter Futures seeks to avoid duplication in data storage whenever possible, though there may be instances in which for programmatic or other business reasons it is necessary for data to be held in more than one place. This policy applies to all data in Brighter Futures possession, including duplicate copies of data.

Accuracy

a. Brighter Futures shall take reasonable steps to ensure personal data the Charity use and hold is accurate, complete, kept up to date and relevant to the purpose of which it was collected

b. Personal Data must be corrected or deleted without delay when inaccurate.

Archiving/removal

a. To ensure that personal data is kept for no longer than necessary, Brighter Futures shall put in place an archiving policy for each area in which personal data is processed and review this process annually.

b. The archiving policy shall consider what data should/must be retained, for how long, and why.

Data subject rights

Data Subjects have rights when it comes to how the charity handles their personal data. These include rights to:

Right to Access

Individuals have the right to request confirmation as to whether their personal data is being processed and, if so, to obtain a copy of that data along with relevant information about its use.

Right to Rectification

Individuals have the right to request the correction of inaccurate or incomplete personal data held about them.

Right to Erasure

Individuals have the right to request the deletion of their personal data where there is no lawful reason for its continued processing, including where consent has been withdrawn or the data is no longer necessary for the purpose collected.

Right to Restriction of Processing

Individuals may request that the organisation restricts the processing of their personal data in certain circumstances, such as where the accuracy of the data is contested.

Right to Data Portability

Where processing is based on consent or contract and carried out by automated means, individuals have the right to receive their personal data in a structured, commonly used, and machine-readable format, and to have that data transmitted to another organisation where technically feasible.

Right to Object

Individuals have the right to object to the processing of their personal data where it is based on legitimate interests or for direct marketing purposes.

Rights in Relation to Automated Decision-Making

Individuals have the right not to be subject to decisions based solely on automated processing where this produces legal or similarly significant effects, unless permitted by law.

Handling of Requests

- All data subject rights requests must be forwarded promptly to the designated DPL or CEO
- The organisation will respond to all valid requests within **one month**, unless an extension is permitted under applicable law.
- The identity of the requester will be verified before any information is disclosed.
- Requests will be handled free of charge unless they are manifestly unfounded or excessive, in which case a reasonable fee may be applied or the request refused.
- A record of all requests and responses will be maintained.

Security

a. Brighter Futures shall ensure that personal data is stored securely using modern software that is kept up to date.

b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of

information.

c. When personal data is deleted this should be done safely such that the data is irrecoverable.

d. Appropriate back-up and disaster recovery solutions shall be in place.

Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Brighter Futures shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the JOIC and in certain instances to the Data Subject (more information on the JOIC website - <https://jerseyoic.org/>).

If Charity Personnel know or suspect that a Personal Data Breach has occurred, or been attempted, they must immediately contact the Chief Executive Officer.

Data Retention

Brighter Futures retains only that data that is necessary to effectively conduct its program activities, fulfil its mission and comply with applicable laws and regulations.

Reasons for data retention include:

- Providing an ongoing service to the data subject (e.g., sending a newsletter, publication or ongoing program update to an individual, ongoing training or participation in Brighter Futures programs, processing of employee payroll and other benefits)
- Compliance with applicable laws and regulations associated with financial and programmatic reporting by Brighter Futures to its funding agencies and other donors
- Compliance with applicable labour, tax, and immigration laws
- Other regulatory requirements
- Security incident or other investigation
- Intellectual property preservation
- Litigation

Retention requirements

Brighter Futures has set the following guidelines for retaining all personal data as defined in the Institute's data privacy policy.

- Website visitor data will be retained as long as necessary to provide the service requested/initiated through the Brighter Futures website
- Contributor data will be retained for the year in which the individual has contributed and then for 10 years after the date of the last contribution. Financial information will not be retained longer than is necessary to process a single transaction
- Event participant data will be retained for the period of the event, including any follow up activities, such as the distribution of reports, plus a period of 5 years
- Program participant data (including sign in sheets) will be retained for the duration of the grant agreement that financed the program plus any additional time required under the terms of the grant agreement
- Personal data of subgrantees, subcontractors and vendors will be kept for the duration of the contract or agreement
- Financial data, including invoices will be kept for 10 years
- Accidents and Incidents reports will be kept for a minimum of 6 years

Employee data will be held for the duration of employment and then 10 years after the last day of employment.

- Data associated with employee wages, leave and pension shall be held for the period of employment plus 10 years except for pension eligibility and retirement beneficiary data which shall be kept for 12 years
- Volunteer records will be held for the period of volunteering plus the recommended 6-year period
- Recruitment data, including interview notes of unsuccessful applicants, will be held for 6 months after the closing of the position recruitment process
- Consultant (both paid and pro bono) data will be held for the duration of the consulting contract plus 5 years after the end of the consultancy. If applicable, if the consultant was involved in significant, high-value projects it is advisable to hold these for up to 10 years, in line with common commercial practices for contract retention
- Board member data will be held for the duration of service on the Board plus for 10 years after the end of the member's term
- Operational data related to program proposals, reporting and program management will be held for the period required by the Brighter Futures donor, but not more than 5 years

Next review date 30/10/2027