



# CEN DATA PROTECTION POLICY

## Introduction

Communities Empowerment Network (**CEN**) a charity, number 109911, is legally required to comply with the General Data Protection Regulations (**GDPR/the Regulations<sup>1</sup>**). CEN is committed to information security within its organisation and this document sets out the major terms of such policy.

This notice tells you what you can expect CEN to do with your personal information when you make contact with us or use one of our services.

## Data protection principles

CEN follows the principles in the Regulations requiring that all data are:

- fairly and lawfully processed.
- processed for limited purposes.
- adequate, relevant and not excessive.
- accurate.
- not kept longer than necessary.
- processed in accordance with the data subject's rights.
- secure; and
- not transferred to any other party without adequate protection.

Under the Data Protection Act 2018 (**the Act**) a person has the right to find out what information relating to them CEN has in its possession. These include the right to:

- be informed about how such data is being used
- access such personal data
- have incorrect data updated
- have data erased
- stop or restrict any processing of such data by CEN
- data portability (allowing a client to receive and reuse such for different services)
- object to how such data is processed in certain circumstances

CEN complies with the Regulations.

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<sup>1</sup> Data Protection Act 2018 and EU regulations 2016/679 as amended

**CEN: ICO Reference: ZB561150**

To view the organisation details and get a copy of our certificate please visit [www.ico.org.uk/register](http://www.ico.org.uk/register) Click on 'Search the Register' and enter the above reference number to download our registration certificate.



## **Safeguarding information**

CEN's functions are to support, advise, represent and reintegrate pupils excluded from school back into full-time, mainstream education and to support parents to play an empowered role for the successful education and progress of their children. CEN therefore requires certain personal data from its clients in order to act for the client in questions, and thus asks for client consent to CEN holding such personal information (subject at all times to GDPR), prior to acting for the client. Clients are requested to complete a Support Enquiry Form (**SEF**) whereby they are asked to tick a box providing consent for their information to be collected and stored. The wording on the SEF is as follows:-

*'Your personal information is required by CEN to enable us to support you. Please indicate your consent for us to request and retain your information for this purpose. All information CEN collates is protect in line with its GDPR policy which is available on request.'*

Additionally, client consent is sought prior to sharing their data with partnering organisation. Clients participating in CEN's research projects must agree to the use of their personal data via the completion of a consent form returned to CEN via email.

The IT provisions for CEN are provided by Totality Services Limited (**Totality**). Emails are hosted under licence with Microsoft 365. For CEN employees who are provided with a computer, the encryption management system is Sophos, anti-virus protection is provided by Webroot SecureAnywhere and there is unlimited retention backup under Datto SaaS Protection which provides a comprehensive recovery and backup for Microsoft 365. This includes protection for Exchange, Calendar, OneDrive, SharePoint, and Teams data with 3x daily backups.

## **Data Protection**

For the purposes of this agreement, and for the duration of the agreement, data shared with ShoNet will not be shared outside ShoNet and will be securely deleted at the end of the agreement.

ShoNet warrants that any primary data obtained will remain confidential. ShoNet will ensure that the provisions of GDPR are complied with in relation to any data processed under the terms of the contract.

All email accounts are retained within the CEN IT system, but on an employee leaving the employment of CEN or ceasing to be a volunteer advocate, they are blocked from accessing their emails and CEN (Salesforce). There is an annual IT security review between CEN and totality.

Because CEN advocates represent clients relating to school exclusions and/or related difficulties, personal information will be accumulated about the student in question in order to properly advise and represent the family, including information received under, but not limited to, subject access requests (SAR) made to the school or any relevant authority, bundles of information relating to the dispute in question received from the school and/or



relevant authorities, and generally personal information provided by the family to the CEN advocate.

All CEN personnel abide by its policies on client confidentiality, about which all personnel and volunteers are trained annually. This includes prohibition of discussing any case in any way whatever with non-CEN employees. However, advocates will discuss and be advised on cases with their CEN supervisors who in turn may confer with CEN employees about cases and related matters. Such discussions will at all times be anonymised, referring to the case number and not details of the client.

CEN policy is to destroy such information when the case is closed, with the procedure as follows:-

1. following conclusion of the case, the advocate will formally close the case (file closure) and will write to the client telling them this (closure letter)
2. the advocate will destroy all information received about the client during the course of the case, informing the client of this in the closure letter but advising the client to retain their copies
3. the procedure for the advocate involves deletion of all documents received in whatever form, deleting all attachments to emails received from or about the client
4. deletion of information will be effected not later than 2 weeks following file closure and CEN records on the case file will confirm this

On case closure the Advocate's emails with the client concerned will be transferred from his or her CEN account at 'cenlive.org' to CEN's Customer Relationship Management system (**CRM**) where it will be accessible only by CEN employees for audit purposes and held for a period of six years from the date of the file closure. The client's case details will be stored under its case number and will include the notification of the case closure and other relevant information about the case, written up by the advocate in anonymised form. These details will be destroyed six years from the date of case closure.

### **Subject Access Requests**

Any individual whose data is held by CEN may make a '**subject access request**' namely a request to see what data is actually held about them by CEN. All such requests should be addressed in writing to [infor@cenlive.org](mailto:infor@cenlive.org) with the words '**SAR request**' in the subject heading. CEN's CEO will ensure that such request will be properly complied with.

### **Security of data**

- CEN shall ensure that all data in its possession and under its control is kept secure in respect of all computer facilities.
- CEN policy is not to keep paper files relating to client data, and any paper files held by volunteer advocates during the lifetime of a case will be either destroyed by the advocate or returned to the client.



- Upon a case being closed the client will be informed that all external documentation received by CEN relating to the case will be deleted from CEN's system and the advocate concerned will so delete such files.
- All personnel employed by CEN as well as unpaid advocates and all other persons involved with CEN must comply with such policies as are from time to time notified to them in respect of CEN computer systems, and in particular must observe secrecy in respect of any password or username and under general rules of confidentiality.
- Access to any part of CEN's network will never be given to any unauthorised person.
- In the event any person is working for CEN away from its premises there are measures agreed with CEN for storage of any data held by CEN within a secure and protected area of the off-site computer's memory.

*CEN employees work remotely, and its registered office is to receive mail only. CEN uses outside IT experts to assist with its IT requirements .*

*All contracts entered into by CEN contain a confidentiality clause ensuring that any third party does not share information they may have relating to CEN with any other party.*

## **Complaints**

CEN complaints policy is contained in the attachment and will be promptly sent to the individual in question on receiving notification of them being dissatisfied with a service offered by CEN.



## CEN Complaints Policy

Communities Empowerment Network (**CEN**) is committed to providing a high-quality of service to its clients. However sometimes things may not go as planned or there may be a misunderstanding and therefore, when a client who is using our services is not satisfied with them, this policy and the following procedure shall apply.

If a client has a complaint with CEN, in the first instance they could contact the chief executive officer (**CEO**) of CEN in writing as a matter of priority after the issue has arisen in order for the CEO to consider and resolve the issue. CEN will be unable to consider a complaint later than six months after the client becomes aware of the issue.

### Complaints procedure

1. On receiving any written complaint by a client, CEN will send a written acknowledgment, and which shall ask for confirmation of some of the details behind the complaint. This correspondence is likely to be made via email and will be sent to the complainant within **five working days** of receipt of the complaint being received by the CEO.
2. Depending on the nature of the complaint the CEO or another member of CEN staff will contact the complainants by email and will organise a telephone conversation where the issues can be discussed, and further details can be recorded by CEN.
3. On receipt of a complaint a file will be opened relating to the complaint, recording details and the issues discussed as referred to in paragraph 2 above. Depending on the issues behind the complaint either the CEO or a nominated member of CEN will consider the complaint further and follow up with a letter setting out CEN's position relating to the complaint – the complainant should receive this **within 14 business days** from the date of receipt by CEN of the complaint.
4. The client will be requested to respond to this letter within a reasonable period but not later than 21 working days following his or her receipt of the detailed reply from CEN.
5. If a resolution is not agreed or appears to be unlikely, the CEO, with the client's written agreement, will ask a member of the governing board of CEN to investigate the complaint and report to the CEO within a reasonable time period or alternatively request an individual experienced in the matter which is the subject of the complaint, to review the file and make suggestions for resolving the complaint or alternatively make a determination. The client will be copied in on all related correspondence between CEN and that alternative individual. Anyone involved with complaint handling with the CEN organization will act at all times with objectivity, integrity, confidentiality, and independence.
6. If at this stage if a client remains dissatisfied, he or she should contact the board of trustees of CEN again in writing, setting out proposals to solve the issue, which shall be carefully considered and responded to within 10 business days by a member of the



board of trustees. The client is entitled to request a meeting with a member of the trustees (in person or via zoom whichever is most convenient to both parties). Following the meeting the trustee shall make their determination relating to the complaint and shall write to the client explaining their reasoning and set out their conclusions.

7. In the event the client's complaint is upheld by the governors they will contact the individuals involved setting out their reasoning, and requirements, if they so decide, changes to be made within CEN; and provide the complainant with an apology from CEN.
8. In the event the client's complaint is not upheld by the trustees (following the recommendation of the individual trustee who reviewed the matter), they shall inform the client of any further actions the client may take, such as making a complaint to the Charity Commissioners or equivalent relevant organization.
9. As dealing with complaints is an integral part of CEN's procedures and practices any cost of handling a complaint shall not be charged to its clients.
10. In rare cases where CEN considers at any time during the complaints process that the complainant is behaving in a manner which is manifestly unreasonable, a trustee, at all times acting fairly, objectively and reasonably, will write to the complainant relating to the behavior and in such cases, in the event the unreasonable behavior persists, CEN will be entitled to close the complaint file.

