

Guiding Conversations



WE DISCOVER, WE GROW

Girlguiding

Exploring the key principles of GDPR

Introduction

The General Data Protection Regulation, known as GDPR, came into effect on 25 May 2018. The Regulation has been incorporated into the Data Protection Act 2018, which has replaced the UK Data Protection Act 1998. It gives you more control over how your data is used and how you're contacted. It also means that organisations like us, at Girlguiding, had to make some changes to how we manage your personal data and, in turn, how you manage girls' or volunteers' data. It affects everyone, from volunteers and staff at a national level, to all volunteers' involvement at a local level.

How to use this Guiding Conversation

As a commissioner, you can use this practical tool to:

- Explore your leaders' understanding of what GDPR is and how they can embed it within their role.
- Tell them where they can find information on GDPR and where to go if they have a question.
- Help them identify if there is anything they need to be doing now to be GDPR compliant and how to go about this.

This document includes different scenarios related to GDPR practice, which you can use to start a discussion at district or division meetings. Simply choose one or more topics (broken down as the seven principles of GDPR) most relevant to the volunteers present and use the talking points (key questions) after each scenario to get a conversation flowing. You're likely to get most out of these types of conversations if you have them after volunteers have completed the Keeping Information Safe online e-learning module. But, this isn't essential, as the conversation is more about drawing their attention to the topic and getting them to think about the part they play regarding GDPR.

A range of training resources on GDPR and data protection are available for Girlguiding trainers. So, when coming to the end of your conversation, think about whether or not it would be helpful to arrange a follow-up training session on GDPR and data protection

The seven GDPR principles

As part of GDPR, there are seven key principles surrounding the use of personal data to ensure data is collected, kept and disposed of safely and securely. These are the

The seven GDPR principles

- 1 Processed lawfully, fairly and in a transparent manner.
- 2 Collected for specified, explicit and legitimate purposes.
- 3 Adequate, relevant and limited to what is necessary for the purpose for which it was collected.
- 4 Accurate and, where necessary, kept up-to-date.
- 5 Not kept for longer than is necessary.
- 6 Processed in accordance with the rights of the data subject.
- 7 Compliant with the data security principles set out in the updated GDPR legislation.

core actions we must take to comply with the law. All Girlguiding volunteers have a responsibility to comply with these principles by being vigilant, understanding the policies and following the processes.

Each principle is outlined below, framed through Girlguiding scenarios and key follow-up questions provided to start a discussion. Below each principle is a link to where you can find more information about this topic on the Girlguiding [GDPR webpages](#).

- 1 Processed lawfully, fairly and in a transparent manner.

We need a lawful basis to collect, hold and use any personal data. We must let people know what we're holding about them and how we plan to use it, as well as if we're going to share it and how long we will keep it. GDPR means that we need to be more 'transparent' and give people more information on how we're going to use their personal data. The Privacy notice on the website explains how we can use personal data for legitimate interests when a member or volunteer registers with Girlguiding.

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Legitimate interest

Legitimate interest means Girlguiding being able to use an individual's personal data for guiding purposes, which is necessary for their participation within Girlguiding - for example, texting all parents/carers that a meeting is cancelled due to a problem with the venue. Legitimate interest is also relevant to Girlguiding when emailing members with essential information. For example, regarding your role, as commissioner, in guiding, such as an update on Girlguiding policies and procedures, providing volunteer care and support, managing guiding activities, and making sure the right care is in place for activities.

Our Privacy notice explains what Girlguiding does with this information. It tells members and volunteers how we gather, use, disclose and manage their personal data. Non-essential use of data requires additional written consent. Gaining consent for sending marketing information is managed via the preference centre within GO.

Scenarios

As a volunteer, you have regularly been sending out e-newsletters to parents/carers, members and volunteers, which contain information on offers available to members, information about local events and other information on what the unit is doing over the coming weeks.

AND/OR

You have consent to collect and use photo for all of the girls in your unit, except one, through their Starting forms. Therefore, when your unit goes on outings and does activities, you ensure all photos taken don't include this girl. The unit will soon be attending a county event, and you are concerned photos may be taken that will include this girl. What are your options? What should you be aware of?

Key questions

- Is this OK? If yes, why and what should you be aware of? If no, why?
- In what ways can you use personal data based on 'legitimate interest'?
- What do you do if a parent/carer comes to you and wants to change the consent for her daughter (for example, to withdraw photo consent)?

Links to further information

[Privacy notice](#)

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Collected for specified, explicit and legitimate purposes.

Collected for specified, explicit and legitimate purposes and will not be used for any other purpose. This means we can't collect members' or volunteers' personal information for one reason, and then use it for something else. When members and volunteers join Girlguiding, we tell them that the data they give us is for administration and managing their membership through our Privacy notice. We can't use it for anything else, unless we tell them about this new purpose. That means no marketing or fundraising emails, unless they decide to change their opt-in preferences through their GO account settings.

Consent

We must gather written 'consent' for things like trips and events - for example, to take girls on a residential or a trip to a local attraction.

We ask for consent to collect and use media content at a unit level when members and volunteers join Girlguiding. We must be explicit about how we plan to use the data - for example, using photos for Girlguiding publicity or sharing them with news outlets.

Finally, we must have consent to communicate anything electronically about marketing and fundraising - members and volunteers control this by setting their preferences on GO. Marketing refers to things like letting members know about a discount offer or non-essential event (for example, Big Gig). We don't need consent when communicating in person verbally or for printed communications (for example, letters/newsletters).

Scenarios

You belong to several unofficial Facebook groups for guiding where you chat, share details on event and discount offers related to guiding with members, parents/carers and other volunteers. You also use WhatsApp with other leaders and parents/carers to discuss guiding activities.

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AND/OR

You have a great group photo of some of your girls on a summer camp. You collected permission from all of them at the time to use the image on a recruitment leaflet. Since then, you've received a request from one of the girls' parents/carers to no longer use any images of her.

AND/OR

Your unit is preparing to go on a residential camp and the venue has asked for a list of all the girls and volunteers who will be attending. It has also asked if there are any specific accessibility or dietary requirements.

Key questions

- Is this OK? Do you need to do anything? If yes, why and what should you be aware of? If no, why?
- What other things should you be aware of in terms of gathering content?
- What electronic communications do you currently send out, which are considered marketing or fundraising and would therefore require consent?

Links to further information

[Privacy notice](#)

[Information And Consent For Event/Activity form](#)

[FAQs on consent](#)

3 Adequate, relevant and limited to what is necessary for the purpose for which it was collected.

We must only collect the minimum amount of personal information necessary for the reason we require it. This is why all our forms are carefully designed, so that we only capture the right data for each situation.

As long as you're using the right form, it's easy to comply with this principle. To make sure you're using the right forms, always download them from the website. This is because they may have been updated since the last time you used them.

Scenarios

As a Guide leader, you collect and use a generic activity/event notification and consent form for all girls at the start of each year to cover all smaller events, such as visits to the park, for your unit. You do this as it saves on time and ensures it's easy to find and save in one place.

AND/OR

You tend to collect feedback from attendees/volunteers at events/training events you organise locally to help identify what went well and what could be improved. You do this in a variety of ways - for example, through SurveyMonkey, emails or using physical forms, sometimes including the collection of personal data.

Key questions

- Is this OK? Do you need to do anything differently? If yes, why and what should you be aware of? If no, why?
- What information is available from Girlguiding for you on this?
- What do you need to be aware of in terms of collecting personal data?

Link to further information

[Handling Personal Data - Collecting Personal Data](#)

4 Accurate and, where necessary, kept up-to-date.

Any personal data we collect must be checked regularly to make sure it's not wrong or out of date. GO is the one and only place to store personal information about members and young members. It's important to update it regularly, so you should prompt parents/carers at least once a year to tell you if anything has changed.

Storing data

Personal data ideally should all be stored on GO. If you must download or print personal data (for example, for a trip), ensure it's kept securely. This simply means it's kept where it can't be seen by people who shouldn't have access to it - for example, in a lockable cupboard

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or closed folder in your bag when you're travelling. You need to know where it is at all times - if not, this would be considered a breach.

Disposing of data

Because forms are designed for a specific purpose, when that purpose is finished you must securely destroy the form by shredding or tearing it up so that it can't be put back together and read. You mustn't put whole documents into your bin, as this isn't secure.

Disposing of electronic data means ensuring the data has been erased permanently from anywhere where it exists. So, be aware of where it might be backed up, such as the trash folder, your download folder or iCloud.

When must I keep a form/data, and NOT destroy it?

If there's an accident or incident at an event or activity, you must copy the relevant documents (accident/incident form, health form, risk assessment form, for example) and send the originals to the Insurance department at Girlguiding HQ:

insurancesupport@girlguiding.org.uk

You will need to keep a copy of the forms until Girlguiding HQ confirms that they've received the originals. Then destroy your copies.

If there's a safeguarding allegation, disclosure or concern, you must send the relevant documents (witness forms, photographs, handwritten notes, for example) to the Safeguarding team at Girlguiding HQ immediately.

Scenario

You have a large amount of data you are storing as an archive to keep a record of your unit (for example of its 10-year anniversary celebration event). You don't currently hold written consent for a lot of this.

Key questions

- Is this OK? Do you need to do anything?
If yes, why and what should you be aware of?
If not, why?
- What else should you be aware of in terms of archiving?

AND/OR

During an event you held with your unit last weekend, one of the girls took a nasty bang to the head and had to go to hospital. Now that it's over, you and the other volunteers are sorting through all of the paperwork.

Key questions

- What paperwork from the event will you keep? What will you destroy, and when?
- How should you destroy personal data?
- What information is available from Girlguiding for you on this?

Links to further information

[FAQs including on archiving and storage](#)

[Destroying data](#)

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Not kept for longer than is necessary.

We can only keep data for as long as we need it. No longer. For example, a consent form filled in by a parent/carer for an activity doesn't need to be kept once that activity is complete because the form has served its purpose.

Retention

We only keep data for as long as we need it. Most Girlguiding forms are used for a specific purpose, like parental/carer consent for a trip to the zoo. Once the trip is over, the document should be destroyed by tearing it up or putting it through a shredder.

However, there are a few types of data that, by law, we must keep for longer.

Scenarios

A Brownie slipped and fell on a weekend trip away and has minor grazing. She had first-aid treatment at the time and is fine now. As the unit leader, you now have all the event paperwork, including the completed incident/accident form.

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AND/OR

You have returned from a county event you helped organise and run on Saturday. The event included volunteer training, activities for members and a Girlguiding shop. It was a successful event and there were no accidents or incidents.

Key questions

- What paperwork/data should you keep? For how long and in what manner?
- What paperwork/data should you dispose of? When and in what manner?
- What are the key things to be aware of in terms of data retention?

Links for further information

[Retention And Destroying Data](#)

6 Processed in accordance with the rights of the data subject.

We all have legal rights, which we can use to limit, restrict or prevent organisations using our personal data. This means that if someone acts on one of these rights, we must have procedures in place to respond.

Rights of the individual

Show me! We all have the right to find out what information an organisation is holding about us. This is known as a subject access request or SAR. If someone makes this request, we have to confirm what data we are holding and using about them and provide copies of the information we hold about them (subject to a few exceptions) within 30 calendar days. If you receive such a request, contact the Data Protection team right away and they'll take care of it.

Update it! It's important to keep all the data we hold up to date and correct. We have a legal responsibility to keep personal data updated and ensure it's correct.

Delete it! Sometimes, people may want us to delete their data. If you get a request like this, seek advice from the Data Protection team. Not all requests are valid - sometimes, we have to keep data for legal reasons.*

Limit it! Some people may want to restrict how their data is used. They might be happy to sign up as a member, but choose to opt in or out of receiving marketing/fundraising emails at any time. Volunteers can change this whenever they like through their GO account, but parents/carers and members will also need to contact Girlguiding HQ.*

Move it! People can also ask to transfer their data from one organisation to another, but only when certain conditions apply. If you receive any request like this, you need to refer it to Girlguiding HQ.*

Scenarios

A parent/carer in your unit asks to see what medical information we're holding about her daughter. She suspects it's out-of-date. The parent is the named primary contact on GO for the girl.

AND/OR

A volunteer explains they'd like you to give them the data Girlguiding has on them and then to delete it from Girlguiding's records. They explain that this is their right and would like this done as soon as possible.

Key questions

- What action do you take (if any)?
- What information is available from Girlguiding for you on this?
- What might the impact be if you do/don't take action?

Links to further information

[Personal Data Requests procedure](#)

[Personal Data Request forms](#)

*These rights have exemptions allowing Girlguiding to refuse the request if certain circumstances apply.

7 Compliant with the data security principles set out in the updated GDPR legislation.

The law states we must keep members' and volunteers' information secure while it's under our control. We must keep all the data we hold secure. That's one reason why we suggest you don't print out anything unless you really

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have to. It applies to all data, including online data and information you print out. If you lose anything that contains personal data, whether it's a phone, laptop or a printout of your unit's contact details, report it as soon as possible because it could lead to a data breach.

Data breaches

From time to time, mistakes can happen. A 'data breach' is when personal data has been lost, stolen or shared inappropriately. It's important you act quickly. So, if you identify a possible breach, report it to the Data Protection team at Girlguiding HQ immediately, but within a maximum of 48 hours.

If in doubt, report it! Complete a data breach report form from the GDPR webpages and email it to Girlguiding HQ at dataprotection@girlguiding.org.uk. If you can't find the form, email or call the Data Protection team (020 7834 6242, extension 3060).

Scenarios

You're a busy leader, and well into your 30-minute drive home from Rainbows when you remember that you absent-mindedly left the unit register (with girls' names and emergency contact details) in the church hall in the unit equipment box. You return to the church to retrieve it and notice that the hall is now filled with another evening's community group meeting.

AND/OR

You have had your bag stolen with your phone in it, which has the phone numbers for other volunteers. You have password protected your phone.

Key questions

- Is this a breach and do you need to report it?
- Is there anything else you should do?
- How can you report the breach? And, how quickly do you have to do it?

Links to further information

[Reporting a Data Breach procedure](#)

Remember...

data protection is simple. It's about taking these small steps, which are often just common sense. They help ensure the personal data of all volunteers and members is kept safe and secure, and handled with care. It's about all of us being mindful about what we do with data, who we share it with and knowing when to ask for help. There is a lot of information out there, so if you have any questions, get in touch with Girlguiding HQ.

Top tip

What if you are unsure about how to answer a question, or an issue raised during a discussion? Provide a 'question box' for participants to use. This will allow you time to respond accurately and appropriately to any queries. It could also help you to identify any training needs for your area.

Further information

The most up-to-date information on GDPR is on the Girlguiding website, including:

- [GDPR resources](#) (including policies and procedures and the Keeping Information Safe leaflet).
- [FAQs on GDPR](#)
- [GDPR trainer resources](#) (including scenarios and answer sheet).
- [Keeping Information Safe online e-learning module.](#)

Email your questions to dataprotection@girlguiding.org.uk

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Keeping information safe

D - Destroy / Delete any data that is no longer required securely.

U - Update GO - keep information up to date and accurate.

C - Collect only data that is required.

K - Know what a breach is and who to report it to as soon as possible.

S - Stop and think before sharing data. Only share what is required and only if you have consent.

