



British Sign Language  
Enabling Service

## **BSL ENABLING DATA PROTECTION POLICY**

### **1. Introduction**

1.1. This Policy sets out the obligations of BLS Enabling data regarding data protection and peoples' rights in respect of their personal data under the General Data Protection Regulation ("GDPR").

1.2. GDPR defines "personal data" as any information relating to an identified or identifiable natural person; 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, cultural, or social identity of that natural person.

1.3. This Policy sets out the procedures that are to be followed when dealing with personal data.

1.4. The BSL Enabling places high importance on the correct, lawful, and fair handling of all personal data, respecting the legal rights, privacy, and trust of all individuals with whom it deals.

1.5. The Information Commissioners Office (ICO) can investigate complaints, audit BSL Enabling's use or other Processing of Personal Data and can take action against the organisation for breach of these laws.

### **2. The Data Protection Principles**

This Policy aims to ensure compliance with GDPR. GDPR sets out the following principles with which any party handling personal data must comply. All personal data must be:

Processed lawfully, fairly, and in a transparent manner in relation to the data subject;

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;

Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;

Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, is erased or rectified without delay;

Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed;

personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes

### **3. Lawful, Fair, and Transparent Data Processing**

GDPR seeks to ensure that personal data is processed lawfully, fairly, and transparently, without adversely affecting the rights of the person. GDPR



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states that processing of personal data shall be lawful if at least one of the following applies:

**Consent** - the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

**Contractual** - processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract;

**Legal Obligation** - processing is necessary for compliance with a legal obligation to which the controller is subject;

**Vital Interests** - processing is necessary to protect the vital interests of the data subject or of another natural person;

**Public Interest** - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

**Legitimate Interests** - processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data

Processed for Specified, Explicit and Legitimate Purposes BSL Enabling only processes personal data for the purposes for which we process personal data will be informed to data subjects through the publication of Privacy Notices.

### **Adequate, Relevant and Limited Data Processing**

BLS Enabling will only collect and process personal data for and to the extent necessary for the specific purpose(s) informed to data subjects

### **Accuracy of Data and Keeping Data Up to Date**

BSL Enabling shall ensure that all personal data collected and processed is kept accurate and up-to-date. The accuracy of data shall be checked when it is collected and at regular intervals thereafter. Where any inaccurate or out-of-date data is found, all reasonable steps will be taken without delay to amend or erase that data, as appropriate.

### **Timely Processing**

BSL Enabling shall not keep personal data for any longer than is necessary taking into account the purposes for which that data was originally collected and processed. When the data is no longer required, all reasonable steps will be taken to erase or will be securely disposed without delay.

## **7. Secure Processing**

BSL Enabling shall ensure that all personal data collected and processed is kept secure and protected against unauthorised or unlawful processing and against accidental loss, destruction or damage.

### **The Rights of Data Subjects**

The data that we keep is the data subject's data and we ensure that we keep it confidential and that it is used appropriately. These are the rights of data subjects

The right to request a copy of all of the data that is kept about the data subject. Generally, we will not charge for this service;

The right to ask for correction to any data about the data subject which is inaccurate. A request can be made that we restrict all processing of data while consideration is given to the rectification request;

The right to request that we erase any of the data subject's personal data which is no longer necessary for the purpose we originally collected it for. Data will be archived safely for 6 years after conclusion and will only be reviewed should a safeguarding or complaint arise. Or should a service user return to BSL Enabling.

The right to request that we restrict processing if we no longer require the personal data for the purpose we originally collected it for,

The right for data to be erased. Consent can be withdrawn at any time—please contact us to do so.

If we are processing data as part of our legitimate interests as an organisation or in order to complete a task in the public interest, there is the right to object to that processing. We will restrict all processing of this data while we look into any objection.

## **9. Keeping Data Subjects Informed – Privacy Notices**

BSL Enabling shall ensure that information is provided through the publication and sharing of Privacy Notices.

## **10. Data Subject Access**

10.1 A person may make a subject access request ("SAR") at any time to find out more about the personal data, which the BSL Enabling holds about them. It will normally required to respond to SARs within one month of receipt (this can be extended by up to two months in the case of complex and/or numerous requests, and in such cases the data subject shall be informed of the need for the extension).

10.2 BSL Enabling does not charge a fee for the handling of normal SARs, but reserves the right to charge reasonable fees for additional copies of information that has already been supplied to a data subject, and for requests that are manifestly unfounded or excessive, particularly where such requests are repetitive.

## **11. Rectification of Personal Data**

If a person informs the BSL Enabling that personal data held is inaccurate or incomplete, requesting that it be rectified, the personal data in question shall be rectified, and the data subject informed of that rectification, within one month of receipt of the data subject's notice (this can be extended by up to two months in the case of complex requests, and in such cases the data subject shall be informed of the need for the extension).

## **12. Erasure of Personal Data**

12.1 Data subjects may request that the BSL Enabling erases the personal data it holds about them in the following circumstances:

It is no longer necessary for the BSL Enabling to hold that personal data with respect to the purpose for which it was originally collected or processed;

The data subject wishes to withdraw their consent to BSL Enabling holding and processing their personal data

The data subject objects to BSL Enabling holding and processing their personal data (and there is no overriding legitimate interest to allow it to continue doing so);

The personal data has been processed unlawfully;

The personal data needs to be erased in order for BSL Enabling to comply with a particular legal obligation.

12.2 Unless BSL Enabling has reasonable grounds to refuse to erase personal data, all requests for erasure shall be complied with, and the data subject informed of the erasure, within one month of receipt of the person's request (this can be extended by up to two months in the case of complex requests, and in such cases the data subject shall be informed of the need for the extension).

## **13. Restriction of Personal Data Processing**

13.1 A person may request that BSL Enabling ceases processing the personal data it holds about them. Unless BSL Enabling has reasonable grounds to refuse, all requests shall be complied with and shall retain only the amount of personal data pertaining to that data subject that is necessary to ensure that no further processing of their personal data takes place.

## **14. Data Portability**

14.1 Where a person has given their consent to the BSL Enabling to process their personal data in such a manner or the processing is otherwise required for the performance of a contract between the BSL Enabling and the data subject, data subjects have the legal right under GDPR to receive a copy of their personal data and to use it for other purposes



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## **15. Objections to Personal Data Processing**

15.1 Where a person objects to BSL Enabling processing their personal data based on its legitimate interests, it shall cease such processing forthwith, unless it can be demonstrated that it has legitimate grounds for such processing override the data subject's interests, rights and freedoms; or the processing is necessary for the conduct of legal claims.

## **16. Automated Decision-Making**

16.1 In the event that BSL Enabling uses personal data for the purposes of automated decision-making and those decisions have a legal (or similarly significant effect) on data subjects, a person has the right to challenge to such decisions under GDPR, requesting human intervention, expressing their own point of view, and obtaining an explanation of the decision from BSL Enabling.

16.2 This right does not apply in the following circumstances:

The decision is necessary for the entry into, or performance of, a contract between BSL Enabling and the data subject;

The decision is authorized by law; or

A person has given their explicit consent.

## **17. Data Protection Measures**

17.1 BSL Enabling will ensure that all data is kept securely and handled with care and confidentiality at all times.

17.2 BSL Enabling will undertake audits to ensure compliance with this policy and the GDPR to ensure that all guidance and support is kept up to date.

## **18. Organisational Measures**

BSL Enabling shall ensure all parties working on behalf of the organization will ensure all appropriate measures are taken with respect to the collection, holding, and processing of personal data.

## **19. Data Breach Notification**

19.1 If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage, or other significant social or economic damage), the Information Commissioner's Office must be informed of the breach without delay, and in any event, within 72 hours after having become aware of it.

19.2 An investigation will be undertaken to determine the course of action needed and to limit the impact of the incident

19.3 Individuals whose Personal Data have been affected by the incident will be notified to enable them to take steps to protect themselves. The notice will include a description of the breach and the steps taken to mitigate the risks.



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19.4 Complaints will be dealt with in line with BSL Enabling complaints policy. Please be aware that complaints can be made to the ICO where information relating to Personal Data is concerned.

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

<https://ico.org.uk/global/contact-us/>

## **20. Policy Circulation**

This Policy will be published on the BSL Enabling website

[www.bslenabling.co.uk](http://www.bslenabling.co.uk)