**Buses Worldwide - Data Protection Policy – v1**

**1. PURPOSE**

To define the Buses Worldwide (BWW) approach to data protection in general and, specifically, the General Data Protection Regulation (GDPR).

**2. LEGAL DISCLAIMER**

The information and advice contained herein is based on the General Data Protection Regulation (GDPR) 2018 and is correct to the best of our knowledge, at the time of publication. It remains the member’s responsibility to ensure compliance with the legal requirements of their own particular circumstances, if necessary seeking professional advice.

**3. APPLICABILITY**

All Committee Members and Standard Members

**4. GUIDANCE**

Definitions(as specified in the Regulation)

Owner, owner of data This refers to the individual person;

Personal Data Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier;

Data Controller The organisation collecting the information (in this case the BWW) that determines the purposes and means of processing personal data;

Data Protection Officer This role is not required by BWW

Legal Requirements

From 25 May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation 2018. Whilst this Regulation derives from EU legislation, the UK Government has stated that it will be implemented and carried forward into United Kingdom National Law from March 2019 irrespective of ‘Brexit’. Failure to comply with the regulation may lead to financial penalties.

Principal Requirements

All individuals who give their Personal Data to organisations have the right to determine how it should be used. Organisations collecting personal data, for whatever reason must state the reason why it is being collected and seek the individual’s permission to use it in those ways.

This legislation applies to all personal data records either paper or computer based and to all organisations irrespective of whether they are, or need to be, registered with the Information Commissioner.

Achieving Compliance

The BWW needs to follow the following steps to demonstrate compliance:

* Create a Data Protection Policy;
* Obtain Consent where required;
* Keep the data provided secure.
1. **Data Protection Policy**

This should include the following items:

* Type of data being collected;
* How data is stored;
* Use of data, (e.g. to administer the organisation, to circulate items of interest);
* Who data is shared with outside of the organisation;
* Who data is shared with inside the organisation (e.g., membership lists);
* When data is deleted for example when a member resigns or after non-payment of membership fees, how a member chooses how their data is used;
* What the process is for ensuring any information held is up to date. The data held should be the minimum necessary for the organisation to discharge its business.

There is nothing in the Regulation which precludes data from being used purely for the administration of the organisation, e.g., sending notification of meetings, or membership renewal falling due, but see section ‘C’ below regarding e-mails.

1. **Obtaining consent**

It is a fundamental requirement of the Regulation that the person has to give positive consent as to how their Personal Data is used. Presenting the person with a pre-ticked box for them to untick is not acceptable. They may be presented with a menu to choose from, or boxes they have to complete.

Having made their choice, it is their responsibility to vary the permissions; the organisation is under no obligation to seek permission periodically and if statements of preferences, compliant with this Regulation are already held, they may continue to be relied upon.

The BWW Permission request wording is shown in Appendix A.

1. **Data Security**

The organisation, as Data Controller, has a general duty to ensure the security of all personal data. Whilst BWW is the Data Controller, there needs to be a specific responsibility on one of the BWW Committee Members for data protection. Unless notified elsewhere, this will be the Membership Secretary.

Society Membership lists

It is common practice for some societies to circulate detailed membership lists giving postal and e-mail address amongst their members. For a variety of reasons, BWW has historically chosen to forbid such distribution. Continuing this policy will ease compliance with GDPR.

Communication by e-mail

When the organisation is sending an e-mail to more than one addressee this must be done using the ‘BCC’ address line, unless the owner has specifically consented to their e-mail address being shared with other members.

Committe Members’ Consent

All Committee Members of BWW have given their agreement to their details being publicised, whether in BWW publications, the website or official BWW e-mails.

Disclosure of information

The organisation is required to disclose all data held on an individual should they request it.

Deletion of Information

Individuals have the ‘right to be forgotten’, i.e., the ability to request their details be deleted from wherever held. A process needs to be in place for this.

In parallel, data may only be kept for as long as it is required, whether for practical or legal reasons. As such, data deletion processes (e.g., after membership expiry) must be in place.

Accuracy of Information

All data held must be accurate (or accurate to the best of the Society’s knowledge in that a member cannot expect us to know of changes without being told!).

Contact Details on Websites

Any information put on a website such as the name and contact details of persons within the organisation requires the specific agreement of those individuals. This does not apply if only a nonspecific e-mail address is shown such as membership@busesworldwide.org

Storage of Information

All personal information, physical or electronic, must be held securely.

Given the sensitivity of data stored by the BWW, standard home security should be sufficient. As this may depend on other occupiers, a guide might be to keep the data as secure as your cheque book.

Use of USB ‘thumb’ drives for electronic data is not recommended due to the ease of loss.

Most mainstream Cloud storage solutions should be sufficiently secure as long as the access security has been set-up securely (which may not be the default setting of the product).

Financial Information

BWW does not collect or process Payment Card data, instead using third parties (e.g., PayPal) to process payments. BWW must not process or store Payment Card data as we would then be subject to PCI-DSS (Payment Card Information – Data Security Standard) requirements.

Should a member give us their card details for a specific transaction, the card details should be thoroughly destroyed after use including any electronic copy. However, members should be actively discouraged from giving this information.

Sales

A member or non-member may provide information (name, address, contact telephone number) to allow the processing of a purchase from BWW. Related financial information must be destroyed once the transaction is known to be complete (e.g., fully delivered and paid for). However, any information which may be required for tax / legal purposes may be kept until completion of the auditing process of the following financial year.

**5. POLICY**

Buses Worldwide (BWW) will comply with the requirements of the General Data Protection Regulation 2018.

**A. Type of data collected**

BWW will collect the following data for each member:

* Name of member;
* Postal address (requirement for distribution of one, two or all three magazines);
* E-mail address and telephone number if provided

BWW will collect the following data for each sales transaction:

* Name of purchaser (and recipient if different);
* Postal address of purchaser (and delivery address if different);
* E-mail address and contact telephone number.

**B. Storage of data**

The following data is held on Computer:

* Name of member, supplier, exhibitor or purchaser;
* Postal and e-mail address and telephone number.
1. **Use of data**

BWW uses the collected data to administer the organisation and provide services to the members.

* In addition, the e-mail addresses of the member are used to circulate notices of the digital edition of BWW if the member takes that magazine and has provided an e-mail address.
* BWW’s primary method of contact is by post.
1. **Sharing data outside of the BWW**

BWW does not share data outside of the BWW excepting as required for the printing and distribution of BWW, British Buses Abroad and MTN. In this case an edited list is sent, consisting only of a member’s name and address.

1. **Sharing data within BWW**

No membership list will be available outside the BWW committee. The following committee members, Chairman, Membership Secretary, Company Secretary, Webmaster and the Treasurer may have copies of the membership list, but other committee members will not usually receive copies. All committee members are required to destroy any membership lists in their possession (physically or electronically) when standing down from the Committee

1. **Deletion of Data**

A member may cease to belong to BWW either

(a) through non-renewal of their membership, or

(b) when a member resigns by giving notice to the Membership Secretary

BWW will use best endeavours to ensure data is removed from all e-mail lists, and all other live personal data records held by BWW within 3 months of one year after their resignation, ending or termination of their paid membership, whichever is the latest, excepting as may be required for tax / legal purposes.

Sales transaction information will be deleted following completion of the transaction (e.g., item delivered and payment received) excepting as may be required for financial reporting purposes.

1. **Payment Card Information**

BWW will not collect Payment Card Information. Instead, this will be processed by third-parties (e.g., PayPal on the BWW website) on our behalf. Members will be discouraged form sending such information to BWW, being directed to the BWW website.

1. **Member’s choice of use of Data**

Every member has the right to instruct BWW on how their personal data is used. On joining, each member will be asked for their information and be able to note which ways they may be contacted. The form will also explain how the data will be used.

This form is also available on the Members Area of the BWW website and they may change the permission at any time.

Additionally, a member may write to the Company Secretary or Membership Secretary to have their permissions changed.

1. **Ensuring Data Accuracy**

It is the responsibility of the member to ensure that they advise the Membership Secretary promptly of any changes to the data held by BWW.

BWW will, as part of the membership renewal process, undertake a full check of postal and e-mail addresses and telephone numbers of all members against the completed Renewal Form.

1. **Secure Data Storage**

Hard copy and electronic data must be stored securely. Given the sensitivity of data stored by the BWW standard home security should be sufficient for physical information and electronic storage mediums (e.g., external drives) including PCs.

This data must not be stored in a website (BWW or otherwise).

If Cloud storage solutions are used they must be configured securely to prevent unauthorised access (this may not be the default security setting).

1. **Data Protection Officer**

BWW does not have a Data Protection Officer.

However, the Membership Secretary is the officer who holds the responsibility for ensuring that this policy is complied with. The membership records are also maintained by the Membership Secretary and in the first instance he should be contacted at membership@busesworldwide.org

**6. FURTHER INFORMATION**

These guidelines have been drawn up following discussions with the Information Commissioner’s Office.

The following websites give further information:

https://ico.org.uk

https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr

**APPENDIX A**

**Use of data consent wording for membership forms.**

Buses Worldwide (BWW) holds information on all members which is used for the administration of your membership.

The data stored is limited to that which you are providing from each of the magazine’s renewal forms or online renewals (BWW, British Buses Abroad and MTN)

Your Name and Address are required so that we can process your membership and send you copies of our magazines, BWW, British Buses Abroad and MTN.

You may also give us your telephone number which would only be used to contact you in case of a query about your membership.

No information is passed outside Buses Worldwide, except that your Name and Address will be forwarded to the distributor of BWW and if elected to provide an e-mail address, this will be provided to our Digital magazine supplier for BWW editions only.

You have the right to determine how personal data is used by BWW. If you have any queries about how your data is used, you wish to check or amend your records, please contact the Membership Secretary either by e-mail at membership@busesworldwide.org or by post to the current address published in each magazine