

Data Protection and Confidentiality

1. Purpose

The Branch recognises that Welfare Assistance applications may require the processing of personal data, including special category data such as trade union membership, health information, disability information, financial hardship information and family circumstances. The Branch is committed to processing such information lawfully, fairly, transparently and securely in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and Unite policy requirements.

The Branch shall process personal data under an appropriate Article 6 lawful basis and, where applicable, an Article 9 special category condition identified and documented in accordance with this policy. Where special category data is processed, the Branch relies on the conditions contained within Article 9 UK GDPR, including processing carried out by a not-for-profit body relating to its members and processing necessary for social protection purposes where applicable.

2. Lawful Basis and Special Category Processing

The Branch shall identify and document the lawful basis for all processing activities connected with the Welfare Assistance Scheme before processing commences.

Where special category personal data is processed, the Branch shall also identify and document the applicable Article 9 UK GDPR condition and any relevant provisions of the Data Protection Act 2018.

The lawful basis and special category condition(s) used for the Welfare Assistance Scheme shall be recorded in the Record of Processing Activities (ROPA), Privacy Notice and any Data Protection Impact Assessment where applicable.

The Branch shall not process special category data unless an appropriate Article 6 lawful basis and Article 9 condition have been identified and documented.

The specific lawful basis and Article 9 condition relied upon shall be determined in accordance with Unite policy, guidance from the Data Protection Officer or other authorised data protection adviser.

3. Access Controls

Access to Welfare Assistance applications shall be strictly limited to authorised Branch Officers and any Welfare Assistance Panel members who require access in order to assess an application.

Access shall be granted on a need-to-know basis only.

Individuals authorised to access Welfare Assistance information must:

always maintain confidentiality;

use information solely for the purpose of administering the Welfare Assistance Scheme;

not disclose information to unauthorised individuals;

comply with applicable Unite policies and data protection requirements.

Application information shall not be shared more widely within the Branch unless required for the administration of the scheme or where required by law.

All Welfare Assistance Panel members and Branch Officers with access to application information shall sign an appropriate confidentiality declaration and complete relevant data protection awareness training.

4. Secure Storage Arrangements

Electronic records shall be stored within authorised and secure systems using appropriate technical and organisational measures to protect personal data against accidental loss, unauthorised access, disclosure, alteration or destruction.

Where documents are retained electronically:

- access shall be restricted to authorised users on a need-to-know basis;
- strong passwords shall be used and kept confidential;
- multi-factor authentication shall be enabled where available;
- devices used for processing shall be protected through security updates, anti-malware software and appropriate device security settings;
- welfare records shall only be stored within authorised storage locations approved by the Branch;
- personal email accounts and unauthorised cloud storage services shall not be used for Welfare Assistance information;
- information shall be encrypted where appropriate, particularly when stored on portable devices or transmitted electronically;
- welfare records shall not be shared through unsecured channels;
- access permissions shall be reviewed periodically to ensure they remain appropriate.

Any paper records shall be stored securely in locked facilities accessible only to authorised Branch Officers or other authorised individuals.

Where information is no longer required, it shall be securely deleted, destroyed or anonymised in accordance with the Branch Retention Schedule and Data Protection requirements.

5. Processing of Health and Hardship Information

Applicants may choose to provide information relating to:

- physical or mental health;
- disability;
- caring responsibilities;
- financial hardship;
- exceptional personal circumstances.

Such information shall only be requested where necessary to assess eligibility for Welfare Assistance.

The Branch shall:

- collect only information that is relevant and necessary;
- ensure information is treated as confidential;
- avoid excessive collection of personal information;
- restrict access to those involved in assessing the application;
- securely dispose of information when it is no longer required.

6. Retention and Deletion

The Branch shall retain Welfare Assistance information only for as long as necessary to administer the scheme, comply with legal obligations, manage reviews and appeals, and maintain appropriate financial and governance records.

For the purposes of this policy, an application shall be considered closed when:

- a final decision has been made;
- any payment has been completed;
- any review or appeal process has concluded; and
- there is no ongoing administrative requirement connected to the application.

The Branch shall maintain and periodically review the following retention schedule:

Record Type	Retention Period
Application forms and correspondence	Six years after closure
Decision records and award determinations	Six years after closure
Payment and accounting records	Six years after the relevant financial year or longer where required by Unite financial rules
Review and appeal records	Six years after conclusion of the review or appeal
Equality monitoring information	Retained separately wherever practicable and deleted when no longer required for monitoring purposes
Supporting health, disability, medical or financial evidence	Deleted as soon as it is no longer required for verification, review, appeal or audit purposes and normally no later than six years after closure unless a documented justification exists

At the end of each retention period the information shall be securely deleted, destroyed or anonymised unless there is a documented legal, regulatory or governance reason for continued retention.

7. Record of Processing Activities

The Branch Secretary, or another designated officer, shall maintain a Record of Processing Activities (ROPA) covering the Welfare Assistance Scheme.

The record shall include:

- categories of data processed;
- purpose of processing;
- lawful basis for processing;
- applicable special category conditions;
- categories of recipients;
- retention periods;
- security measures;
- details of any processors, service providers or third parties involved in the administration of the scheme.

The ROPA shall be reviewed **annually** and whenever significant changes are made to the Welfare Assistance Scheme, application process, data collection arrangements or supporting technology.

The Branch shall ensure that the ROPA remains accurate, complete and capable of demonstrating compliance with UK GDPR accountability requirements.

8. Accountability, Training and Confidentiality Declarations

Any person authorised to access Welfare Assistance information shall:

- sign a confidentiality declaration before being granted access;
- complete any data protection training required by Unite or the Branch;
- declare any actual or potential conflict of interest relating to an application;
- withdraw from consideration of applications where a conflict of interest exists;
- return, delete or securely destroy any working copies, notes or extracts when no longer required.

The Branch shall maintain appropriate records demonstrating compliance with these requirements.

9. Data Protection Impact Assessments

The Branch shall assess whether the Welfare Assistance Scheme or any significant change to the scheme requires a Data Protection Impact Assessment (DPIA).

The outcome of that assessment shall be documented and retained.

A DPIA shall be completed before introducing any processing activity that is likely to result in a high risk to the rights and freedoms of applicants.

Any recommendations arising from a DPIA shall be considered and implemented where appropriate.

Where a DPIA identifies a high residual risk that cannot be adequately mitigated, the Branch shall seek appropriate advice from Unite's Data Protection Officer before proceeding with the processing activity.

10. Applicant Rights

Applicants have the right, subject to applicable legal limitations, to:

- access their personal data;
- request correction of inaccurate information;
- request erasure where applicable;
- request restriction of processing in certain circumstances;
- object to processing where applicable;
- request information regarding the processing of their personal data;
- complain to the Information Commissioner's Office (ICO).

Information regarding these rights shall be provided within the Branch Privacy Notice and Welfare Assistance Privacy Notice.

Requests relating to personal data rights should normally be submitted to the Branch Secretary or other designated officer responsible for administration of the scheme.

The Branch shall acknowledge and respond to requests in accordance with the requirements and timescales set out in UK GDPR and applicable data protection legislation.

Applicants shall not be disadvantaged, treated less favourably or have an application refused solely because they have exercised a data protection right.