

Data Protection and Confidentiality Advice - for community groups using social media to promote and co-ordinate their activity

What is Personal Data?

Personal data is information about a person which is identifiable as being about them. This includes basic information such as names and addresses and other identifiable locations, such as schools, and sensitive information such as ethnicity, sexual orientation, and religion. It includes information held electronically or on paper. Photographic images are also considered to be personal data if the people featured are identifiable in them.

The Law and Your Obligations

The laws relating to data protection are covered by the following:

- Data Protection Act 1998 (DPA) (updated 2018 to recognise the changes brought in by the GDPR)
- General Data Protection Regulations 2018

Collectively they govern how people's personal information is collected, used and stored. It limits access to personal information to those who have a genuine need to know it. You should only collect store or use personal data if it is for a clear and specific purpose. If you provide support or services, in person or online it is essential that you protect people's privacy and are compliant with the law.

A plain English summary of [data protection responsibilities for small volunteer run community groups is available from the Resource Centre website](#).

The Domestic Purposes exemption in the DPA is often cited as a reason why informal community groups think they are exempt from data protection law, particularly in relation to their use and management of social media content generated on Facebook and WhatsApp. However, this is not the case.

The domestic purposes exemption covers personal data that is processed by an individual for the purposes of their personal or family affairs. **It does not apply** outside of what is your own personal data to share, and it does not cover organisational use of online forums.

If you are processing personal data for non-domestic purposes then you are subject to the requirements of the DPA. Organisations, including unconstituted groups or informal groups of volunteers collectively represented by a Facebook page or using WhatsApp to communicate or co-ordinate with their audience are, therefore, subject to data protection laws in the normal way.

Further information is available in the guidance from the Information Commissioners Office (ICO) - [Social networking and online forums – when does the DPA apply?](#)

Data Protection and Safeguarding Risks

When an organisation or individual acting for non-domestic purposes posts personal data on a social networking site, message board or blog they will need to ensure they have complied with the DPA. The same applies if they download data from a social networking site and use it for non-domestic purposes. To not manage personal data safely is enabling access to information that may allow others to cause harm. Effective and compliant management of personal data is essential to reduce the risk of harm to beneficiaries, volunteers and other individuals involved in the organisation's work. Safeguarding risks include:

Personal information such as names, locations and personal circumstances are shared and used inappropriately, allowing for uncontrolled access which may result in:

- Grooming
- Exploitation including financial and material abuse
- Hate crime and harassment
- Stalking
- Identity theft

For more information on safeguarding visit:

- for Children: [NSPCC Safeguarding for voluntary and community sector groups](#)
- for Adults at Risk: [The Ann Craft Trust](#)

Prepared by Heather Mathew

Children and Young Peoples Voluntary Sector Strategic Lead Manager
Richmond CVS

heatherm@richmondcvcs.org.uk

May 2022