

MAG POLICIES

- Safeguarding
- Financial Crime
- Modern Slavery
- IAPG – code of conduct
- Data Protection

MAG SAFEGUARDING STRATEGY

INTRODUCTION

This Strategy sets out how MAG will strive towards excellence in safeguarding practice. It outlines our vision, definition of safeguarding, how safeguarding relates to our values, our approach, standards and how we will implement and monitor progress.

In addition and to be read in conjunction with the Strategy, there is an organisational work plan, based on recommendations from the Review of MAG's Safeguarding Practice and Culture (conducted by GCPS Consulting between August to November 2018); enhanced requirements from donors; and reflections from across the sector throughout 2018 amidst renewal calls to raise standards around safeguarding and PSEA.

VISION

MAG's vision is a safe future for men, women and children affected by conflict and insecurity. We recognise that we must hold ourselves to account and ensure that we provide a safe and trusted environment for anyone that comes into contact with our work. This duty extends both inside the organisation and covers all staff, trustees, contractors; and outside the organisation which includes beneficiaries, communities, partners and other stakeholders.

Central to this is respect for the safety, wellbeing and rights of the communities we seek to serve. This means preventing harm and abuse caused by our organisation's staff, programmes or operations and includes zero tolerance on sexual exploitation, abuse or harassment in any form. We commit to creating a working environment that is free from harassment, abuse and discrimination, where the voices, rights and support of victims and survivors are at the heart of our approach and where change will be rooted in respecting and upholding the rights of the people we aim to serve, our partners, our staff, volunteers and trustees.

DEFINITION

MAG defines safeguarding as a framework and set of measures that are intended to safeguard everyone who works in, or comes into contact with, the organisation. The scope of this includes behaviour or any act that involves one person using their power or influence over another person; ensuring staff, operations and programmes do no harm to children and vulnerable adults, or expose them to abuse or exploitation, and includes protecting staff from inappropriate behaviour such as bullying and all forms of harassment.

Safeguarding therefore includes measures which:

- establish safe and respectful workplaces which are free from harassment, abuse, and discrimination,
- ensure the safety and protection of groups, including children and vulnerable adults, with whom the organisation is in contact
- ensure high levels of trust in MAG's reputation for good governance, accountability and sound management by preventing, addressing and learning from instances of wrongdoing.

VALUES

Our vision for Safeguarding through both our Approach and Framework directly aligns with MAG's Values.

DETERMINED: We work with purpose. We only exist to deliver positive change for people affected by and recovering from conflict and insecurity and we will pursue this with relentless determination.

EXPERT: Through excellence and expertise we build trust. We strive for excellence in everything we do.

INTEGRITY: We strive to do the right thing. We behave with integrity for the communities we work with and for each other.

COMPASSION: People come first in everything we do. Compassion means we care and that we are determined to fight injustice, effecting change to help those in need

INCLUSIVE: We are inclusive and we value diversity. Our voice is only one of many and we continue to learn from each other.

- **Expert** – we will develop internal expertise in safeguarding, draw on external resources where necessary and ensure that we are continuously learning from each other
- **Professional** – we will apply good practice and work towards meeting internationally recognised standards on safeguarding as they develop, by working with others across the sector to fulfil our obligations to both donors and communities
- **Enabling** – we will work towards building organisational (trustee, staff) and partner safeguarding capacity and capability so that we can meet our minimum standards and beyond towards excellence in safeguarding

APPROACH

Our approach will be survivor centred, within an organisational culture that aims to prevent harm and abuse from occurring, but which responds quickly and thoroughly when it does happen. We will learn from experience and share good practice throughout the organisation

We will work towards:

Survivor support and enhanced accountability

- Protecting the dignity and safety of the people our work serves
- Ensuring victims and survivors are central to our safeguarding response
- Being transparent and sharing progress
- Ensuring rigorous and inclusive reporting and complaints processes

Cultural change

- Driving cultural change and addressing structural inequalities from the top and consistency in approach
- Collaborating to improve employment practice

Minimum standards

- Applying internationally recognised standards and practices including the PSEA index of the Core Humanitarian Standard (CHS)
- Collaborating with other sectors to advance global safeguarding practice
- Ensuring policies and practice address the needs of vulnerable groups

Organisational capacity and capability

- Improving and sharing expertise of staff, trustees and partners and agencies with whom we work or collaborate
- Equalise relationships between organisations delivering and receiving aid
- Testing and scaling innovative technology solutions and as part of the wider sector

IMPLEMENTATION

MAG recognises that in order to excel in Safeguarding across the organisation that this will need to be done in stages and by adopting the following principles:

- **Organisational Culture:** done well, done everywhere, all the time
- **Leadership:** held to account and holding to account
- **Simplicity:** ensure accessibility to all
- **Communication and Training:** clear, continuous and consistent
- **Spread Good Practice:** empower champions, encourage ownership, replicate good practice

MAG has developed an organisation-wide framework which describes the activities required to meet its Safeguarding Standards. Each team and country programme will be supported to integrate deliverables and

activities into their regional and country planning. To determine progress with implementing the Safeguarding Standards, MAG has identified 2 levels of compliance:

- **Level 1: Essential safeguarding– all teams/offices must deliver on this**
- **Level 2: Excellence in safeguarding** – teams/offices delivering at this level will be able to demonstrate that they are actively working beyond compliance and are considered role models in safeguarding practice

MAG FINANCIAL CRIME POLICY

POLICY STATEMENT

The Board of Trustees and senior management of MAG recognise that financial crimes in all its forms are contrary to MAG standards of professionalism and undermine organisational effectiveness.

MAG is committed to the highest ethical standards and requires all staff, consultants, trustees, contractors, partners, agents and other associates to adhere to similar standards and make themselves aware of, and comply with, this policy.

MAG is committed to establishing a 'zero tolerance' culture across the organisation in which financial crime and all other forms of corruption and criminality are clearly viewed as unacceptable.

All financial crimes merit internal, and may merit external, reporting, investigation and possible local or international prosecution.

PURPOSE

The purpose of this policy is to prevent, deter, detect and investigate all forms of financial crime and other such irregularities whenever they are suspected, or committed against MAG. In addition, MAG reserves the right to pursue appropriate sanctions against all perpetrators of criminal activity towards the organisation, as well as seek suitable redress for any losses wherever viable.

SCOPE

The Financial Crime Policy applies to all MAG employees (internationally and nationally contracted including HQ), interns and volunteers, consultants, trustees, plus accompanying partners and family members of international staff. Where employees or staff are referred to in this document, these groups of people are included.

DEFINITIONS

Examples of financial crime

Theft: the illegal taking of someone else's property without that person's freely-given consent, with the intention of permanently depriving that person of it. Apart from the obvious theft of MAG physical assets such as computers and money, it includes:

- misappropriation of funds
- misuse of assets, including cash, stock and other assets, for example "borrowing" petty cash, use of photocopiers for private purposes
- theft from a client or supplier
- theft of intellectual property (e.g. unauthorised use of the MAG name/logo, theft of product / software designs and client data.

Bribery: this implies a sum or gift given that alters the behaviour of the person in ways not consistent with the duties of that person. It includes offering, giving, receiving or soliciting any item of value in order to influence an action. Both the person offering and the person requesting/accepting the bribe can be charged with an offence.

Corruption: this is a general concept describing any organised, interdependent system in which part of the system is either not performing duties it was originally intended to, or performing them in an improper way, to the detriment of the system's original purpose.

Deception: to intentionally distort the truth in order to mislead others. It would include obtaining property, services or pecuniary advantage by deception or evading liability. Deceptions include:

- misrepresentation of qualifications to obtain employment

- obtaining services dishonestly via technology e.g. where a credit card that has been improperly obtained is used to obtain services from the internet, or any other situation where false information is provided to a machine
- possessing, making and supplying articles for use in financial crime via technology e.g. computer programs designed to generate credit card details that are then used to commit or facilitate financial crime
- undeclared and unauthorized private and consultative work
- money laundering (see below).
- providing misleading information to donors in order to obtain funds, such as overstating activity (note that this is an example of a financial crime for the benefit of the MAG rather than to its detriment).

Forgery: this is the making or adapting objects or documents with the desire to deceive.

Extortion: this occurs when a person obtains money or property from another through coercion or intimidation.

Embezzlement: this is the appropriation by a person to their own use of property or money entrusted to that person's care but owned by someone else.

False Accounting: this is dishonestly destroying, defacing, concealing or falsifying any account, record or document required for any accounting purpose, with a view to personal gain or gain for another, or with intent to cause loss to another or furnishing information which is or may be misleading, false or deceptive. It includes:

- manipulation or misreporting of financial information
- fraudulent completion of official documents (e.g. VAT receipts)

Conspiracy: this is an agreement between two or more persons to break the law at some time in the future. It includes breaches of regulations.

Collusion: the term "collusion" covers any case in which someone incites, instigates, aids and abets, conspires or attempts to commit any of the crimes of financial crime.

Money laundering: this is the term used to describe the ways in which criminals process illegal or „dirty“ money derived from the proceeds of any illegal activity (e.g. the proceeds of drug dealing, human trafficking, financial crime, theft, tax evasion) through a succession of transactions and deals until the original source of such funds has been obscured and the money take on an appearance of legitimate or „clean“ funds.

There are three internationally accepted phases to money laundering:

- **Placement** – this involves the first stage at which funds from the proceeds of crime are introduced into the financial system or used to purchase goods. This is the time at which the funds are most easily detected as being from a criminal source. Such „dirty money“ will often be in the form of cash or negotiable instruments such as travellers cheques.
- **Layering** – this is where the funds pass through a number of transactions in order to obscure the origin of the proceeds. These transactions may involve entities such as companies and trusts (often offshore).
- **Integration** – this is when the funds are available via a legitimate source and allow the criminal to enjoy access to the funds again, with little fear of the funds being detected as being from a criminal source.

Terrorist Financing: the financial support, in any form, of terrorism or those who encourage, plan or engage in terrorism. Terrorist financing often involves a complex series of transactions, generally considered as representing three separate phases:

- **Collection:** funds are often acquired through seeking donations, carrying out criminal acts or diverting funds from genuine charities
- **Transmission:** where funds are pooled and transferred to a terrorist or terrorist group
- **Use:** where funds are used to finance terrorist acts, training propaganda etc.

MAG MODERN SLAVERY STATEMENT

Introduction

Global statistics demonstrate beyond dispute that slavery and exploitation is a reality in our world. Modern Slavery is the term commonly used to refer to illegal exploitation of people for personal or commercial gain. Victims often find themselves trapped, against their will, in situations of domestic servitude, sexual exploitation, forced marriage, forced criminality, and forced labour often as the result of coercion, bribery, deceit or human trafficking.

At MAG, we value not only our own people, but those whom we serve; our beneficiaries and their communities, and so must be vigilant in both our recruitment and supply chains.

Our Values are to be Determined, Expert, Professional, Enabling and Responsive and our response to modern day slavery lives out these values by:

- Raising awareness across our teams to bring forward any concerns about our supply chain activities
- Ensuring our employment and remuneration practices are fair and transparent across all territories
- Challenging and supporting our suppliers to lead the fight against slavery and exploitation

Our Structure and business

MAG is a charity limited by guarantee and is governed by a non-executive Board of Trustees, operating from a head office in Manchester and currently delivering activities in countries across Europe, Africa, the Middle East, South and South East Asia and Central America. We directly employ over 3,800 staff, 95% of whom are local nationals. We work in partnership with 6 international organisations and 12 national organisations to deliver our work.

Our work has helped more than 16 million people in conflict-affected communities in over 40 countries since 1989, giving them greater safety and the opportunity to rebuild their lives, livelihoods and futures. We provide landmine and unexploded ordnance clearance, risk education, emergency response, training and education, arms management and destruction (AMD) and contribute to the international mine action and AMD policy arena. Our turnover for the year ended 30th June 2018 was a little over £65 million.

Given that the majority of our work is delivered by our directly employed staff on the ground, with relatively small scale supply chains, we believe that the risk of slavery, human trafficking or exploitation having a connection with our business is relatively low, however, the policies and procedures outlined below further mitigate this risk, to the point that we are satisfied that we are compliant with the Modern Slavery Act 2015:

Recruitment and Selection Policy: This policy ensures that all recruitment decisions are made fairly and transparently; that processes are free from all types of unlawful or unfair discrimination and bias to ensure that equality of opportunity is maintained for all candidates and prospective candidates. Recruitment and selection initiatives will be carried out in line with relevant legislative obligations and best practice and appointments will only be made on the basis of the skills, experience and aptitudes required for the role.

Remuneration Policy: Seeks to ensure that we pay our people in line with the respective laws, cultures and market conditions of the relevant country context. MAG aims to provide remuneration packages that:

- attract, develop and motivate the calibre and mix of people required
- are fair, transparent and non-discriminatory
- are legally compliant with national legislative requirements, and in the UK is in line with the modern living wage

- are competitive and comparable with organisations of a similar nature
- are affordable to the organisation and ensure accountability to our donors.

Financial Crime Policy: We recognise that financial crime in all its forms is contrary to MAG Values of professionalism, transparency, accountability and can undermine organisational effectiveness. We are committed to the highest ethical standards and require all staff, consultants, trustees, contractors, partners, agents and other associates to adhere to similar standards and make themselves aware of, and comply with, this policy. We have established a 'zero tolerance' culture across the organisation in which financial crime and all other forms of corruption and criminality, including slavery, human trafficking and exploitation are unacceptable.

Safeguarding Framework: MAG is committed to safeguarding the health, wellbeing and human rights of all staff, partners, and beneficiaries and to provide a safe and trusted environment for anyone who comes into contact with our work. Within the Safeguarding Framework, MAG has a number of policies, procedures and guidelines in place to enable all individuals who are involved with or affected by our work to live free from harm, distress, abuse and neglect.

Our Safeguarding Framework was reviewed and updated in the period from February to May 2018. This included the review and update of the majority of the policies, procedures and guidelines that form part of it. Additions and amends were made to bring the policies in line with INGO best practice. Following this update, implementation and socialisation across the organisation included training sessions, which are currently being delivered to all staff in their local languages.

Reporting Malpractice (Whistleblowing) Policy: MAG will always strive to maintain the highest standards of openness, integrity and accountability in its work. The Reporting Malpractice (Whistleblowing) policy and procedure encourages employees and others who come into contact with our work who have serious concerns to voice those concerns. MAG is committed to ensuring that genuinely held concerns will be thoroughly investigated and those who raise them will be protected against victimisation and discrimination. This policy was updated in 2018, with the new version implemented in May 2018. Training on it is currently being provided to all staff, across the organisation.

Policy on Personal Conduct: Employees (to include trustees, consultants, volunteers and accompanied persons) are required to abide by MAG's policies and procedures, terms and conditions of employment, and to ensure that their personal conduct is in keeping with MAG's Aims and Values. By following the Policy on Personal Conduct, all staff should be aware what is expected of them and make the greatest contribution to achieving MAG's Mission and Vision. The Personal Conduct Policy sets out the expectations that MAG has of all employees, as well as providing examples of behaviours and actions that will always be unacceptable. The basis of this Policy is to ensure that professional and personal action does not bring the organisation into disrepute and to ensure that a positive working environment exists, which enables work of the best quality to be completed.

In particular, it requires staff to agree with the following statements:

- I will treat all people inside and outside of the organisation fairly, with respect and dignity
- I will not engage in any forms of humiliating, degrading or exploitative behaviour.
- I will refrain from any form of harassment, discrimination, physical or verbal abuse, intimidation or exploitation.
- I will not engage in any exploitative, abusive or corrupt behaviours or relationships during my employment with MAG.
- I will avoid involvement in any criminal activities, activities that contravene human rights or those that compromise the work of MAG.

- I will not knowingly participate in any illegal activities. In addition, this policy creates an obligation to report any concerns about the behaviour of other staff member. Any concerns will be treated with urgency, consideration and discretion. This policy was updated in 2018, with the new version implemented in February 2018. Training on it is currently being provided to all staff, across the organisation.

Protection of Children and Vulnerable Adults Policy: It's recognised that during the course of their work, MAG representatives may come into contact with children and vulnerable adults. MAG is committed to safeguarding these individuals from harm. Any form of abuse towards children or vulnerable adults by MAG representatives or other parties will not be tolerated. The Protection of Children and Vulnerable Adults Policy recognises that all MAG representatives have a duty of care to protect children and vulnerable adults from harm. We have measures in place to prevent and minimise the risk of abuse, protect staff and safeguard the reputation of the organisation. We will meet its commitment to protect children and vulnerable individuals from abuse through Awareness, Prevention, Reporting and Responding.

This policy creates a strict obligation on all staff to report any concerns they may have which involve children and/or vulnerable adults. Anyone who is found to have deliberately or accidentally withheld information or prevented full and thorough reporting to have taken place could face disciplinary action. This policy was updated in 2018, with the new version implemented in February 2018. Training on it is currently being provided to all staff, across the organisation.

Dignity at Work Policy: All staff should be free to carry out their work with dignity and respect in an environment that is free from discrimination, intimidation, harassment and bullying. In this policy, MAG sets out that it will take a zero-tolerance approach to any behaviours which compromise these basic rights. This policy was updated in 2018, with the new version implemented in April 2018. Training on it is currently being provided to all staff, across the organisation.

Procurement Policy (Transparency in Supply Chains (TISC) clause): We are committed to ensuring that all procurement activities adhere to the principles of value for money, transparency and fair and open competition. We will not trade with any suppliers which we have good reason to believe exploit people. Our procurement policy is clear that suppliers must comply with local laws and regulations and that all procurement activities are in accordance with MAG's Ethical Statement and Financial Crime Policy. MAG's Supplier Registration Questionnaire is used to identify any companies who do not meet our Code of Conduct for Suppliers and Ethics which includes the requirement to pay fair wages and the requirements to provide working conditions which are safe and hygienic and free from harsh or inhumane treatment. These standards are in line with the principles and values of the Inter Agency Procurement Group (IAPG) and specifically with the Suppliers' Code of Conduct for IAPG Agencies: <http://www.iapg.org.uk/vendors/>.

Ethical Statement: This protects MAG from engagement in relationships that have the potential to have severe negative impact on our perceived or actual integrity or reputation. Such relationships are those which we judge to be in conflict with our achievement, fulfilment or adherence to our stated vision, mission and values and the activities which institutions and individuals fund MAG to undertake. We take reasonable steps to undertake due diligence on providers of services and individuals and organisations providing financial and in-kind support. The Statement sets out our minimum ethical expectations of clients, suppliers, investors, companies, organisational and individual donors. We ensure reasonable due diligence steps to satisfy ourselves that each partnership complies with our Ethical Statement.

Training: In addition to the training on the MAG Safeguarding Framework, which is currently being delivered to all current staff in their local language as part of the implementation of our revised and updated Safeguarding Framework, as part of a comprehensive induction process, all new staff are given training on MAG policies and procedures, and are required to sign up to the Policy on Personal Conduct.

Future Developments

During the period from July 2018 to June 2019, MAG plans to further develop its approach toward combating modern slavery. Our plans for this period include:

- Reviewing and updating our Equal Opportunities Policy
- Reviewing and updating our Grievance Policy and Procedure
- Reviewing and updating our Recruitment Policy and Framework
- Providing further and ongoing training to our HQ and international managers on recruitment and Safeguarding
- Continuing the implementation of, and training on, our updated Safeguarding Framework for all staff globally.

In addition to these commitments, due to high profile reports about historical failings within the INGO sector, the Board and Global Leadership Team have agreed on the need to ensure that MAG is genuinely building a safeguarding culture and meeting the highest standards in this area. We have therefore commissioned an external review of MAG's policies and procedures by independent safeguarding experts. The Independent Safeguarding Review will assess current culture and practices. It will do this with a view to strengthening the framework and ensuring that a safeguarding environment of the highest standard is in place.

The review will cover the policies that are included in MAG's Safeguarding Framework, and engage with staff and communities, through a range of opportunities to determine how safeguarding is working in practice and how this can be strengthened.

The objectives of the independent review are to:

- Assess levels of awareness, understanding, attitudes and approaches towards safeguarding in the past and at present.
- Recommend how MAG can build a culture which sets and adheres to the highest standards of awareness, behaviour, investigation and sanction as well as documentation with respect to safeguarding across the organisation.
- Recommend how MAG amends its processes and procedures immediately and over the longer term, whilst taking into account other sector wide (humanitarian development sector) and sector specific (HMA/AMD) initiatives.
- In the event of specific unreported incidents being identified, recommend whether further investigation is required and to make recommendations to MAG management.

The review will be completed by September 2018 and its recommendations will form a key part of our workplan in this area through 2019.

Our Commitment

This statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes MAG's slavery and human trafficking statement for the financial year ending 30th June 2019. It has been approved by our trustees, who will review and update it annually.

CODE OF CONDUCT FOR IAPG AGENCIES AND SUPPLIERS

IAPG's Code of Conduct

The IAPG endorses the UN Global Compact and has adopted the ten principles as our Supplier Code of Conduct (<https://www.iapg.org.uk/vendors/>)

Human Rights

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and

Principle 2: make sure that they are not complicit in human rights abuses.

Labour

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour; and

Principle 6: the elimination of discrimination in respect of employment and occupation.

Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility; and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

For more information on the UN Global Compact and to sign up, please visit <https://www.unglobalcompact.org/participation>

Disclaimer

Individual suppliers entering into procurement and contracting processes with IAPG members will have to agree to organisation-specific terms and conditions, which supersede this code of conduct.

DATA PROTECTION POLICY

POLICY STATEMENT

In order to operate efficiently, MAG must collect information about people with whom we work. These may include members of the public, current, past and prospective employees, funding bodies and suppliers. In addition, we may be required by law to collect and use information in order to comply with the requirements of central government or of donor governments.

The Data Protection Policy below sets out MAG's commitment to protecting personal data (please see "definitions" below) as a data controller and how we implement that commitment with regards to the collection and use of personal data. MAG

MAG is governed by a range of legislations including (in Europe), the General Data Protection Regulation (GDPR), Data Protection Act 2018 and the Privacy and Electronic Communications Regulation 2003 (PECR). MAG considers that the correct treatment of personal data is integral to our successful operations and to maintaining trust of the persons we deal with. We fully appreciate the underlying principles of the data protection regulations and adhere to the provisions. MAG will seek to ensure that data processed by third parties is compliant with any relevant regulations. MAG will use the principles of the GDPR as a basis for responsible data-protection practices worldwide.

The GDPR is based on six key principles of lawful processing of data along with a further accountability principle which requires organisations to be responsible for and able to demonstrate compliance. Individuals have eight rights under GDPR placing certain obligations on organisations, a key one being transparency of data processing. An approach of privacy by design and default is required to meet these accountability and transparency requirements.

The PECR gives people specific privacy rights in relation to electronic communications such as text messages, phone calls and emails. There are specific rules on marketing calls and cookies which require organisations to obtain specific consent for certain unsolicited activities.

In the UK, MAG is registered with the Information Commissioners Office (ICO) to process personal data.

SCOPE

This policy applies to all staff (HQ, International & National), trustees, consultants and volunteers.

This policy is approved by the Board of Trustees.

DEFINITIONS

Data Protection Act 2018 (DPA) – the UK legislation that provides a framework for responsible behaviour by those using personal information.

EU General Data Protection Regulation (GDPR) – EU regulation that came into force on 25th May 2018.

Information Commissioners Officer (ICO) – the organisation responsible for implementing and overseeing the DPA and GDPR in the UK.

Data Protection Officer (DPO) – the DPO informs and advises on data protection, monitors compliance with law and internal policy, acts as point of contact with the ICO and must be allowed to act independently and report to the highest level of management.

Governance Nominations and Review Committee (GNRC) – Board Committee with responsibility for oversight of MAG’s data protection compliance.

Personal Data - Any information related to a natural person or ‘Data Subject’, that can be used to directly or indirectly identify the person. It can be anything from a name, a photo, an email address, posts on social networking websites, medical information, or a computer IP address.

Personal Data Breach - A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes.

Special Categories – Certain types of personal data which are particularly sensitive in nature and require additional care. This includes data relating to the following: racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, genetic and biometric data, health, sex life or sexual orientation.

Subject Access Request – An individual’s right to obtain a copy of the information that is held about them.

1. ACTIVITIES REGULATED BY THE GDPR

Data processing

Processing personal data by or on behalf of the controller.

Data controller

To determine the purpose, conditions and means of the processing of personal data. The controller shall be responsible for, and be able to demonstrate, compliance with data protection principles.

1.1 ORGANISATION OF DATA PROTECTION COMPLIANCE IN MAG

GOVERNANCE NOMINATIONS AND REVIEW COMMITTEE (GNRC)

The Governance Nominations and Review Committee (GNRC) takes delegated responsibility on behalf of the Board of Trustees for oversight of MAG’s data protection compliance. The committee reports to the Board as required.

MAG LEADERSHIP TEAM

The Leadership Team will:

- Ensure that MAG is compliant with the data protection regulations
- Promote awareness of data protection regulations throughout MAG
- Ensure that data protection arrangements are adequately resourced
- Provide exemplary leadership in all matters of data protection and promote a culture of privacy by design
- Ensure that a nominated representative within each HQ department is responsible for data protection compliance and provides a point of contact for all data protection issues within the team
- Ensure that each programme/region has a nominated in-country data protection representative who is responsible for data protection compliance and provides a point of contact for all data protection issues within the programme/region
- Report to the GNRC on all matters relating to data protection compliance
- Report all concerns and personal data breaches in line with the data breach process

MANAGERS

All managers in the UK and overseas will:

- Ensure that effective arrangements to deliver on MAG’s Data Protection commitments are established and implemented within the team/programme
- Ensure that Data Protection compliance is a standing item at team meetings in HQ and the field

- Provide exemplary management in all matters of data protection and promote a culture of privacy by design
- Provide adequate training within the team/programme for all staff responsible for or with access to personal data
- Ensure that everyone handling personal data within the team/programme knows where to find further guidance and understands their responsibilities to good data handling
- Ensure that queries about data protection, internal and external to the organisation, are dealt with effectively and promptly including dealing with Subject Access Requests in accordance with MAG's SAR Process
- Ensure that all personal data breaches are reported in accordance with MAG's Breach Reporting Process
- Regularly review data protection procedures and guidelines within the team/programme
- Report all concerns and personal data breaches in line with the data breach process

EMPLOYEES

All employees in the UK and overseas will:

- Ensure compliance with arrangements to deliver on MAG's Data Protection commitments including safe storage, deletion and data security as laid out in the MAG ICT Policy
- Make themselves aware of the legal obligations of applicable local laws and to seek information from the Data Protection Representative within the department/programme for advice or guidance
- Report all concerns and personal data breaches in line with the data breach process

DATA PROTECTION REPRESENTATIVES

- To act as the data protection focal point within departments/programmes and champion good data protection practices
- Deal with data protection issues and liaise with the DPO as required
- Assist the DPO with breach reporting
- Deal with subject access requests with support from the DPO

1.2 DATA PROTECTION PRINCIPLES

MAG will comply with the six data protection principles in the GDPR and will ensure that these are adhered to whenever processing any personal data. The Principles are:

1. The Transparency Principle – personal data shall be processed lawfully, fairly and in a transparent manner
2. Purpose Limitation – personal data shall be collected for specified, explicit and legitimate purposes. The purpose must be limited and lawful
3. Data Minimisation – personal data shall be adequate, relevant and limited to what is necessary for the purpose of the processing
4. Accuracy - personal data shall be accurate and, where necessary, kept up to date
5. Storage Limitation – personal data shall be kept for no longer than is necessary for that purpose or those purposes. Please see departments' individual guidelines for data retention periods.
6. Integrity and Confidentiality – personal data shall be processed securely with appropriate technical and organisational measures taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. As a data controller, MAG is responsible for and required to demonstrate compliance with these principles.

1.3 PERSONAL DATA BREACHES

MAG must report all personal data breaches to the ICO within 72 hours of becoming aware of the breach. The MAG Breach Reporting Process shall be followed when a breach has been identified.

When reporting a breach, the appropriate form obtained from the ICO must be used depending on the nature of the breach. The following information will be provided by the Data Protection Officer in liaison the Data Protection representative from the department/programme concerned and with their Line Manager if required:

- A description of the nature of the personal data breach including, where possible: the categories and approximate number of individuals concerned; and the categories and approximate number of personal data records concerned;
- The name and contact details of the Data Protection Officer or other contact point where more information can be obtained;
- A description of the likely consequences of the personal data breach; and
- A description of the measures taken, or proposed to be taken, to deal with the personal data breach, including, where appropriate, the measures taken to mitigate any possible adverse effects.

If the breach is likely to result in a high risk of adversely affecting individuals' rights and freedoms, MAG will inform those individuals without undue delay.

The Data Protection Officer will keep a record of any personal data breaches and will ensure that the Charity Commission are informed of all personal data breaches reported to the ICO

1.4 SUBJECT ACCESS REQUESTS

Under the GDPR, individuals have the right to obtain:

- Confirmation that their data is being processed;
- Access to their personal data; and
- Other supplementary information

The MAG Subject Access Request Process shall be followed as soon as an SAR is received.

MAG will acknowledge all subject access requests within five working days and provide a full response without delay and at the latest within one month of receipt. The nominated Data Protection Representative will manage requests for their department or programme in liaison with their Line Manager and the Data Protection Officer.