



Woodlarks Camp Site Trust

Exclusion Policy

2020

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1. Introduction

This is the 2020 version of Woodlarks Camp Site Trust Exclusion Policy. This policy was written after several incidents during 2013. The intention is that there is a set procedure for the Trust to follow, rather than treating each incident in isolation.

2. Why we have this policy

Woodlarks Camp Site Trust welcomes over a thousand visitors a year. As well as our visitors, we have considerable assets in the form of buildings and equipment. It is important that our visitors enjoy their visit and that our assets are well cared for.

Sadly, some visitors behave in such a way as to impair the enjoyment of the site for others and misuse our facilities.

Normally we expect unacceptable behaviour to be dealt with by camp leaders and working party leaders, but when the behaviour is extreme the Trust reserves the right to exclude perpetrators. This exclusion may be indefinite or may be for a fixed period.

Where the gravity of any incident is in doubt, Sarah, Nick or any member of the Management Committee must be informed.

3. Our policy

Exclusion may apply to an individual, several individuals or an entire group.

Anyone excluded from the site by the Trust will be excluded from all activities on site, not just the activity they were attending when the offending behaviour occurred.

In the event of exclusion other camp and working party leaders will be informed in confidence to ensure they are not approached by excluded individuals. Due regard will be taken of Data Protection issues when circulating information. See section on data protection on page 4.

Anyone wishing to report unacceptable behaviour should do so in writing through the relevant camp or working party leader, unless the leader is himself/herself the subject of the complaint, in which case the report should be made to Nick, Sarah or any Trustee.

The perpetrator(s) must be informed of the report and offered the right of reply.

The complaint must then be forwarded to the Trustees. It must contain



- Name(s) of the individual(s) involved
- give the date and time
- outline the incident including events leading up to it
- provide as much supporting evidence as possible

The evidence will be submitted to the review process outlined below.

4. Review process

The review process will be conducted by three Trustees, based on the following criteria:

- The nature, severity, timing and circumstances of the offence
- Our duty to provide a safe environment for children, vulnerable adults and volunteers
- Statement(s) made by the perpetrator(s)
- Possible effects on other events at Woodlarks or on Woodlarks' reputation
- Statement of victim if applicable
- Statement of any witnesses

Their final decision will be reviewed by all Trustees and then communicated to the person making the complaint and the perpetrator(s).

The perpetrator(s) have the right to appeal against the exclusion within 28 days, by writing to the Trustees.

Anyone excluded has the right after a period of exclusion to apply to the Trustees for permission to return to Woodlarks. Their application will be considered in the light of evidence provided by the camp leader, working party leader or others.

Anyone who is excluded must be made aware that information may be passed to other interested parties (for example, Camp Leaders) to enable them to maintain the exclusion. We will only pass on the minimum amount of information and reserve the right to withhold information, for example to protect innocent parties.



5. Data Protection Issues

There is a possibility that the sharing of information with other parties is a breach of data protection law. The Trust consulted the Information Commissioner's Office who gave the reply in italics below. The Trust would not normally pass on data, but after having read this advice the Trust believes it is acceptable to share data in the event of an exclusion. If a safeguarding issue arises from an exclusion, we are legally obliged to pass data to the Disclosure and Barring Service.

PROTECT

14 November 2013

Case Reference Number ENQ0519719

Dear Mr Jarrett

Thank you for your email of 7 November 2013, in relation to passing on information about individuals.

From your email I understand that your charity runs a campsite, and occasionally you need to ban people from the campsite and inform other groups of this.

The first principle of the Data Protection Act 1998 (DPA) would be relevant here. This principle states that personal data must be processed fairly and lawfully and with respect to one of the conditions outlined in the Act.

To clarify, this means that an organisation must:

- have legitimate grounds for collecting and using the personal data;*



- *not use the data in ways that have unjustified adverse effects on the individuals concerned;*
- *be transparent about how they intend to use the data, and give individuals appropriate privacy notices when collecting their personal data;*
- *handle people's personal data only in ways they would reasonably expect; and*
- *make sure they do not do anything unlawful with the data.*

In practice this means that at the point an organisation collects personal data from an individual, it needs to give 'fair processing' information to the individual concerned about how their data is going to be used. Fair processing information includes the identity of the organisation, the nature of the processing and any other relevant information. This is often given in the form of a 'Privacy Notice' (a written statement).

If an organisation intends to pass on personal data to a third party for any purpose, this should be outlined in the privacy notice supplied to the individual at the time the personal data is collected.

In this situation, if at the time people signed up to come on holiday, they were provided with information which explained how their personal data would be handled, including circumstances when it may be disclosed, and to whom a disclosure could be made, then it is likely that you would have met the requirements of the first principle, and hence you would be able to disclose such information. If the individuals had not been informed of this, making such a disclosure may raise a concern in relation to the first principle.

I have included a link to more information on our website about the first principle which may be of assistance to you:

[Principle 1](#)

In your email you also mention whether you would need to give reasons for the ban. The DPA would not specifically cover whether or not the individual would need to be informed of the reasons they were banned. However, individuals have a right under the DPA to request a copy of their own personal data (subject access). So if the individual requested information you held about their ban, it is likely you would need to provide that information to them unless an exemption applied.



I have included a link to more information on our website about subject access which you may find helpful:

[Subject access code of practice](#)

I hope this information is of assistance to you. If you require further information please contact me directly on 01625 545238.

Yours sincerely

*Amy Holmes
Case Officer
First Contact Group*

