

# Spode Music Week

## Data Protection policy

### Overview

#### Key details

- Policy prepared by: Charlie Morris
- Approved by committee on: 01.07.2019
- Next review date: 22.10.2022

#### Introduction

Spode Music Week needs to gather, store and use certain information about individuals in order to operate. This policy explains how we do this, in order to meet our data protection standards and comply with the General Data Protection Regulations (GDPR).

The policy also ensures that Spode Music Week protects the rights of our members, employees, contractors, suppliers, performers, volunteers, audiences (both actual and potential), business contacts and other people the group has a relationship with or regularly needs to contact. It also demonstrates our compliance with data protection law and protects us all from the risks of a data breach.

### Our Roles and Responsibilities

To whom does this policy apply?

This applies to *all* those handling data on behalf of Spode Music Week including:

- Committee members
- Employees, volunteers and performers
- Course members
- Contractors/3<sup>rd</sup>-party suppliers/venues

It applies to all data that Spode Music Week holds relating to individuals, including:

- Names
- Email addresses
- Postal addresses
- Phone numbers
- Any other relevant personal information held (e.g. financial, medical, dates of birth)

Spode Music Week is the Data Controller and will determine what data is collected and how it is used. The Data Protection Officer for Spode Music Week is Charlie Morris. The Data Protection Officer, together with the committee, is responsible for the secure, fair and transparent collection and use of data by Spode Music Week. Any questions relating to the collection or use of data should be directed to the Data Protection Officer.

*Everyone* who has access to data as part of Spode Music Week has a responsibility to ensure that they adhere to this policy.

## Data Protection Policies

### **a) How do we handle your data?**

We fairly and lawfully process personal data in a transparent way. We will only collect data where it is lawful and necessary for the running of the week.

A member's name and contact details will be collected when they first make a booking for the week. This will be used to contact the member regarding membership administration and their booking. Other data may also subsequently be collected in relation to their membership, including their payment details and relevant payment history. Where possible we will anonymise this data.

The name and contact details of volunteers, performers and contractors will be collected when they take up a position. This will be used to contact them relating to their role. Further information, including personal financial information and criminal records information may also be collected in specific circumstances, where lawful and necessary (in order to process payment to the person, or in order to carry out a DBS check).

An individual's name, contact details and other details may be collected at any time, with their consent, in order for Spode Music Week to communicate with them about and promote group activities. See 'How we get consent' below.

### **b) What is our legal basis for handling your data?**

**Legitimate interest** – In most situations, we need access to your data to pursue our legitimate interests in a way which might reasonably be expected as part of running the charity and which does not materially impact your rights, freedom or interests. For example we might use your contact details to keep you updated with important information relevant to Spode Music Week.

**Contractual Obligations** – In certain circumstances, we will need to process your personal data in order to comply with our contractual obligations, for example, completing tasks expected as part of a booking or performance.

**Consent** – In particular situations, such as email contact, we will ask for your specific consent to collect and process your data. For further information on this please refer to the section ‘How we get consent’.

**c) How much data do we gather?**

We only gather and use personal data for specific, explicit and legitimate purposes and will only use the data for the purposes specified. When collecting data, we will always provide a clear and specific privacy statement explaining to the individual why the data is required and what it will be used for.

We also ensure any data collected is relevant and not excessive and we will not collect or store more data than the minimum information required for its intended purpose. For example we need to collect telephone numbers from members in order to be able to contact them with regard to administration, but data on their marital status, sexuality, gender identity or race will not be collected, since it is unnecessary and excessive for the purposes of administration. However we do need to collect data about who their family members are in order to allocate accommodation.

**d) How do we ensure your data is accurate and up-to-date?**

We will ask members to check and update their data on an annual basis. Any individual will be able to update their data at any point by contacting the Data Protection Officer.

**e) How long do we keep your data for?**

We will keep records for no longer than is necessary in order to meet the intended use for which it was gathered (unless there is a legal requirement to keep records).

The storage and intended use of data will be reviewed in line with our Data Retention Policy. You can find this below. When the intended use is no longer applicable the data will be deleted within a reasonable period.

Retention periods vary depending on the way you’ve chosen to interact with us. For full details on our retention policies, please contact our data controller Charlie Morris.

**f) How do we keep your data secure?**

Electronically held data will be held within a password-protected and encrypted environment. Passwords for electronic data files will be reset each time an individual with data access leaves their role/position.

Physically held data will be stored in a locked cupboard. The Data Protection Officer will collect keys for locks securing physical data files from any individual with access if they leave their role/position. The codes on combination locks will be changed each time an

individual with data access leaves their role/position. Data will only be retained physically if it is unavoidably necessary.

Access to data will only be given to relevant trustees/committee members/contractors where it is clearly necessary for the running of the week. The Data Protection Officer will decide in what situations this is applicable and will keep a master list of who has access to data.

#### **g) Transfer to countries outside the EEA**

Although this has minimal relevance to us, we want to let you know that we will not transfer data to countries outside the European Economic Area (EEA), unless the country has adequate protection for your data privacy rights.

## **Your Rights as an Individual**

When Spode Music Week collects, holds and uses your personal data, you have the following the rights over that data. We will ensure its data processes comply with those rights and we will do our best to fulfil your requests in relation to those rights.

- a) Right to be informed - when we collect data we will provide a privacy policy explaining why it is being collected and how it will be used.
- b) Right of access - you can request to see the data we hold on you and to know how it is being used. Requests should be made in writing to the Data Protection Officer and will be complied with free of charge and within one month. If requests are complex or numerous, it may take two months.
- c) Right to rectification - you can request that your data be updated if it is inaccurate or incomplete. We will request that members, staff and contractors check and update their data on an annual basis. Requests for data to be updated will be processed within one month.
- d) Right to object - you can object to your data being used for a particular purpose. We will always provide a way to withdraw consent in all marketing communications. Where we receive a request to stop using data we will comply unless we have a lawful reason to use the data for legitimate interests or contractual obligation.
- e) Right to erasure - you can request for all data held on you to be deleted. Our data retention policy will ensure data is not held for longer than is reasonably necessary. If a request for deletion is made we will comply with the request unless there is a lawful reason to keep and use the data for legitimate interests or contractual obligation, or if there is a legal requirement to keep the data.
- f) Right to restrict processing - you can request your personal data to be 'restricted', that is, retained and stored but not processed further. For example, if you have

contested the accuracy of any of your data, Spode Music Week will restrict the data while it is verified.

It is unlikely to apply to the data processed by us, but we will also ensure that rights related to portability and automated decision-making (including profiling) are complied with where appropriate.

## **Inter-Member Contact**

We only share members' data with other members with the subject's prior consent. Spode Music Week encourages communication between members. To make this easier, members can request the personal contact data of other members in writing via the Data Protection Officer or Administrator. These details will be given, as long as they are for the purposes of contacting the subject, (for example an email address, not financial or health data), and the subject has consented to their data being shared with other members in this way.

## **How we get Consent**

We will sometimes gather information from consenting individuals to promote future events of Spode Music Week, updating them about news, activities and fundraising relevant solely to the charity. We will provide a method for users to show their positive and active consent to receive these communications in the form of a tick box.

We will also provide a clear explanation of what the data will be used for. For example, it might say 'Tick this box if you would like Spode Music Week to send you email updates with details about our forthcoming events, fundraising activities and opportunities to get involved'.

Every marketing communication will contain a method through which a recipient can withdraw their consent, in the form of an 'unsubscribe' link in an email. Opt-out requests such as this will be processed within 14 days. Also, we won't use email data in order to market 3rd-party products unless this has been explicitly consented to.

# Data retention policy

## Overview

### Introduction

This policy sets out how Spode Music Week will approach data retention and establishes processes to ensure we do not hold data for longer than is necessary.

It forms part of Spode Music Week Data Protection Policy.

### Our roles and responsibilities

Spode Music Week is the Data Controller and will determine what data is collected, retained and how it is used. The Data Protection Officer for Spode Music Week is Charlie Morris. The Data Protection Officer, together with the committee, is responsible for the secure and fair retention and use of data by Spode Music Week. Any questions relating to data retention or use of data should be directed to the Data Protection Officer.

## Data Review

A regular review of all data will take place to establish if Spode Music Week still has good reason to keep and use the data held at the time of the review.

As a general rule a data review will be held every 2 years and no more than 27 calendar months after the last review. The review will be conducted by the Data Protection Officer, the Administrator, and other committee members to be selected at the time of review.

The first review took place on 1 June 2019.

#### **a) Which data will be reviewed?**

Spode Music Week stores data on digital documents, stored on personal devices held by committee members. Physical data is stored at the homes of committee members.

#### **b) Under what circumstances will data be deleted?**

When you leave Spode Music Week permanently and all administrative tasks relating to your membership/work have been completed, any potentially sensitive data held on you will be deleted. This might include bank details or medical data. Unless consent has been given, data will be removed from all email mailing lists. If you opt out of a mailing list your data will be removed as soon as is practically possible. All other data will be stored safely and securely and reviewed as part of the next two year review.

**c) How will data be deleted?**

Physical data will be destroyed safely and securely, including shredding. All reasonable and practical efforts will be made to remove data stored digitally. Priority will be given to any instances where data is stored in active and shared lists and to sensitive data. Where deleting the data would mean deleting other data that we have a valid lawful reason to keep, (for example on old emails), then the data may be retained safely and securely but not used.

**d) How do we decide which data to retain?**

The table below shows how we will come to decision regarding your data retention.

Question	Response & Action	
	Yes	No
<b>Is your data stored securely?</b>	No action required	We'll update our data storage to be in line with our Data Protection policy
<b>Does the original reason for having your data still apply?</b>	We'll continue to use your data	We'll delete or remove your data
<b>Is your data being used for its original intention?</b>	We'll continue to use your data	We'll either delete/remove or explain lawful basis for use and get consent if necessary
<b>Is there a statutory requirement to keep your data?</b>	We'll keep your data at least until the statutory minimum no longer applies	We'll delete or remove your data unless we have reason to keep the data under other criteria.
<b>Is your data accurate?</b>	We'll continue to use your data	We'll ask you to confirm or update your details
<b>Where appropriate do we have consent to use your data? (This consent could be implied by previous use and engagement by the individual)</b>	We'll continue to use your data	We'll ask for your consent

<b>Can your data be anonymised?</b>	We'll anonymise your data	We'll continue to use your data as before
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### **Statutory Requirements**

Spode Music Week may retain data based on statutory requirements for storing data other than data protection regulations. This might include but is not limited to:

- Gift Aid declarations records
- Details of payments made and received, for example bank and accounting records.
- Trustee meeting minutes
- Contracts and agreements with performers and 3<sup>rd</sup> parties
- Insurance details
- Tax and employment records