



# Data Protection Policy

Policy last updated

October 2019

## Definitions

<b>Charity</b>	means Primary Shakespeare Company, a registered charity.
<b>GDPR</b>	means the General Data Protection Regulation.
<b>Responsible Person</b>	means Kirsty McCreddie
<b>Register of Systems</b>	means a register of all systems or contexts in which personal data is processed by the Charity.

### 1. Data protection principles

The Charity is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

## **2. General provisions**

- a. This policy applies to all personal data processed by the Charity.
- b. The Responsible Person shall take responsibility for the Charity's ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The Charity shall register with the Information Commissioner's Office as an organisation that processes personal data.

## **3. Lawful, fair and transparent processing**

- a. To ensure its processing of data is lawful, fair and transparent, the Charity shall maintain a Register of Systems (see Appendix 1).
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the charity shall be dealt with in a timely manner.

## **4. Lawful purposes**

- a. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The Charity shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Charity's systems.

## **5. Data minimisation**

- a. The Charity shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

## **6. Accuracy**

- a. The Charity shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

## **7. Data retention/Archiving /Removal**

- a. The Charity retains personal information where it has an ongoing legitimate business need to do so (for example, to provide a service requested or to comply with applicable legal, tax or accounting requirements).
- b. When the Charity has no ongoing legitimate business need to process personal information, it will either delete, archive or anonymise it.

## **8. Security**

- a. The Charity shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

## **9. Breach**

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

## APPENDIX 1: Register of Systems

### **Schools, Children, Photographs and videos**

The well being and safeguarding of children we work with is our main priority. As part of our festival projects, we may take photographs and record images of individuals for the purpose of recording the event and the work being done.

The Charity obtains opt in consent from relevant adults for:

- Audio visual media taken at any of our events involving children
- Qualitative evaluation
- Quotes and case studies

The Charity uses photographs:

- To promote the work of the Charity online, through its website and in newsletters sent to funders, donors and trustees and on promotional posters.
- Outside of the Charity through external agencies and partners such as local and national newspapers.

Consent can be refused or withdrawn at any time. If consent is withdrawn, the Charity will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

We do not knowingly collect or maintain personal information from persons under 16 years of age on our website and no part of the website is directed to persons under this age. We do not collect children's data in order to directly market to children.

### **Friends of The Primary Shakespeare Company/Private Donors**

On becoming a friend/donor of The Primary Shakespeare Company individuals are asked to complete an application form and to supply name and email address. If we are able to claim gift aid they may be asked to supply a residential address and telephone number.

This data is entered on to an Excel spreadsheet by the General Manager and updated as necessary (e.g. change of address/request to be removed).

Names and email addresses are also entered by the General Manager on a Mailchimp contact database in order to facilitate the dispatch/receipt of an online newsletter.

### **How the data is stored and who has access to them**

Only the General Manager, Artistic Director and Programme Director have access to the personal data held by the Charity

Any data on spreadsheets held by the Charity are password-protected and regularly backed up.

Paper application forms are passed to the General Manager once data has been entered on to the Excel spreadsheet and Mailchimp contact database and are stored in locked cabinets on the premises.

Online application forms are stored electronically and password protected.

We take the principles of data minimisation and removal seriously and have internal policies in place to ensure that we only ever ask for the minimum amount of data for the associated purpose and delete that data promptly once it is no longer required.

Where data is collected on the basis of consent, we will seek renewal of consent at least every three years.

### **Sharing the data**

The complete data set is shared solely between the officers as described above.

No sharing of personal data will be done without the agreement of the person/s concerned.

We will only pass your data to third parties in the following circumstances:

- you have provided your explicit consent for us to pass data to a named third party;
- we are using a third party purely for the purposes of processing data on our behalf and we have in place a data processing agreement with that third party that fulfils our legal obligations in relation to the use of third party data processors; or
- we are required by law to share your data.

In addition, we will only pass data to third parties outside of the EU where appropriate safeguards are in place as defined by Article 46 of the General Data Protection Regulation.

### **Purpose for which the data are used**

The data is processed on the basis of legitimate interest.

The data is used primarily as a vehicle for disseminating information about the Charity and its activities.

The membership application form specifically asks members to opt in to receiving information from the Charity

Each electronic newsletter provides the option to unsubscribe.

### **Data removal and archiving**

See main policy