

# Data Protection Policy

February 2021

## OVERVIEW

### Key Details

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Approved by Trustees: 10<sup>th</sup> February 2021

Next review date: 10<sup>th</sup> February 2022

### Introduction

In order to operate, Farnham Youth Choir (FYC) needs to gather, store and use certain forms of information about individuals.

These can include the choir members, parents, applicants, volunteers, music staff, contractors, employees, audiences and potential audiences, business contacts and other people the organisation has a relationship with or regularly needs to contact.

This policy explains how this data should be collected, stored and used in order to meet FYC's data protection standards and comply with the General Data Protection Regulations (GDPR).

### Why is this policy important?

This policy ensures that FYC:

- protects the rights of our members, volunteers and supporters
- complies with data protection law and follows good practice
- minimises the risks of a data breach

## ROLES AND RESPONSIBILITIES

### Who and what does this policy apply to?

This policy applies to all those handling data on behalf of FYC e.g.:

- trustees and committee members
- Operations Manager and volunteers
- music team
- 3rd-party suppliers

It applies to all data that FYC holds relating to individuals, including:

- email addresses
- postal addresses
- phone numbers
- video recordings
- photographic images
- audio recordings
- any other personal information held (e.g. health and dietary information, financial data)

## Roles and responsibilities

FYC is the Data Controller and will determine what data is collected and how it is used. For an organisation such as FYC, a Data Protection Officer is not required, so the responsibility for the secure, fair and transparent collection and use of data by FYC is the responsibility of the Trustees. Any questions relating to the collection or use of data should be directed in the first instance to the FYC Operations Manager.

Everyone who has access to data as part of FYC has a responsibility to ensure that they adhere to this policy.

FYC uses third party Data Processors (e.g. Google G Suite, TicketSource, MailChimp, YouTube) to process data on its behalf. FYC will ensure that all Data Processors are compliant with GDPR.

## DATA PROTECTION PRINCIPLES

### 1. We fairly and lawfully process personal data in a transparent way

FYC will only collect data where lawful and where it is necessary for the legitimate purposes of the group.

PERSONAL DATA WE MAY COLLECT	LAWFUL BASIS
<b>Member and parent data:</b> A choir member's name, date of birth and contact details (including those of the parents) will be collected when the choir member first joins FYC, and will be used to contact the parent/member regarding FYC membership administration and activities. Other data may also subsequently be collected in relation to their	<b>Contract</b> (the collection and use of data is fair and reasonable in relation to FYC completing tasks expected as part of the individual's membership).

<p>membership, including their payment history for 'subs'. Where possible FYC will anonymise this data.</p>	
<p><b>Auditionee and applicant data:</b> A prospective choir member's name, date of birth and contact details (including those of the parents) will be obtained at the point that a child applies to join FYC or attend an open rehearsal. These details will only be retained if the that child goes on to join FYC - data relating to other children will be deleted unless <b>active consent</b> is obtained.</p>	<p><b>Contract</b> (the collection and use of data is fair and reasonable in relation to FYC completing tasks expected as part of the booking)</p>
<p><b>Staff data:</b> The name and contact details of the music team, volunteers and employees will be collected when they take up a position, and will be used to contact them regarding group administration related to their role.</p> <p>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).</p>	<p><b>Contract</b> (the collection and use of data is fair and reasonable in relation to FYC completing tasks expected as part of working with the individuals)</p>
<p><b>Box office data:</b> An individual's name and contact details will be collected when they make a booking for an event. This will be used to contact them about their booking and to allow them entry to the event. Our box office is usually run by 3rd party suppliers (e.g. TicketSource or venue box office) and it is FYC's responsibility to ensure that they are GDPR-compliant.</p>	<p><b>Contract</b> (the collection and use of data is fair and reasonable in relation to FYC completing tasks expected as part of the booking)</p>
<p><b>Other individuals' data:</b> An individual's name, contact details and other details may be collected at any time (including when booking tickets or at an event), with their consent, in order for FYC to communicate with them about and promote group activities. See 'How we get consent' below.</p>	<p><b>Consent</b> (see 'How we get consent')</p>
<p><b>Cookies:</b> Pseudonymous or anonymous data (including behavioural, technological and geographical/regional) on an individual may be collected via tracking 'cookies' when they access our website in order for us to monitor and improve our effectiveness on these channels. See 'Cookies on the FYC website' below.</p>	<p><b>Consent</b> (see 'How we get consent')</p>
<p><b>Video:</b> The choir and other participants will regularly be videoed during performances and on other occasions and the contents will be posted on the FYC YouTube channel and/or on social media for marketing or publicity purposes. Videos may also be sent to potential fundraisers and used by the current members</p>	<p><b>Consent</b> (see 'How we get consent')</p>

in order to learn the choir repertoire.	
<b>Photographic images:</b> The choir and other participants will regularly be photographed during performances and on other occasions and the contents will be posted on on social media the FYC website and where necessary for marketing or publicity purposes.	<b>Consent</b> (see ‘How we get consent’)
<b>Recording:</b> Recordings of the choir will regularly be made during performances and on other occasions and the contents will be posted on the FYC YouTube channel and/or on social media for marketing purposes. Recordings may also be sent to potential fundraisers and used by the current members in order to learn the choir repertoire.	<b>Consent</b> (see ‘How we get consent’)

## **2. We only collect and use personal data for specific, explicit and legitimate purposes and will only use the data for those specified purposes.**

When collecting data, FYC will always provide a clear and specific **privacy statement** explaining to the subject why the data is required and what it will be used for.

## **3. We ensure any data collected is relevant and not excessive**

FYC will not collect or store more data than the minimum information required for its intended purpose.

## **4. We ensure data is accurate and up-to-date**

FYC will ask members, volunteers and staff 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 Operations Manager.

## **5. We ensure data is not kept longer than necessary**

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). In the case of video and audio recordings, these will often form part of a library of data which FYC will draw upon for a range of legitimate purposes including marketing/promotion of FYC, the learning of repertoire by FYC's members and other purposes integral to FYC's activities. FYC may wish to keep video and audio recordings indefinitely and will explain this when seeking

the consent of members' parent(s)/carers to the making of such recordings. In the case of all other data when the intended use is no longer applicable (e.g. contact details for a member who has left the group), the data will be deleted within a reasonable period. Such data will be retained for no longer than 5 years.

## 6. We keep personal data secure

FYC will ensure that data held by us is kept secure.

- electronically-held data will be held within a password-protected and secure environment (i.e. within the FYC Google G Suite account)
- personal data will not be stored on personal computers, with the singular exception of the computer managed by the FYC Operations Manager
- all email communications with FYC will be via FYC-managed email accounts within the fyc.org.uk domain so children and parents are confident that any data provided is securely stored within FYC's managed account
- personal email accounts of staff and volunteers will not be used to receive, send or store personal data
- passwords for electronic data files will be reset each time an individual with data access leaves their role/position
- physically-held data (e.g. membership forms) will be stored in a secure location

Access to data will only be given to relevant trustees/committee members/volunteers/music staff where it is clearly necessary and strictly on a "need-to-know" basis. For example, it is necessary to obtain dietary and health information regarding members who go on tour - however, that information will only be shared with the tour team adults, and not with other committee members.

## 7. Transfer to countries outside the EEA

FYC will not transfer data to countries outside the European Economic Area (EEA), unless the country has adequate protection for the individual's data privacy rights.

## ROLES AND RESPONSIBILITIES

When FYC collects, holds and uses an individual's personal data, that individual has the following rights over that data. FYC will ensure its data processes comply with those rights and will make all reasonable efforts to fulfil requests from an individual in relation to those rights.

### Individual's rights

- *Right to be informed*: whenever FYC collects data it will provide a clear and specific **privacy statement** explaining why it is being collected and how it will be used

- *Right of access*: individuals can request to see the data FYC holds on them and confirmation of how it is being used. Requests should be made in writing to the FYC Operations Manager
- *Right to rectification*: individuals can request that their data be updated where it is inaccurate or incomplete. FYC will request that members, staff and contractors check and update their data on an annual basis
- *Right to object*: individuals can object to their data being used for a particular purpose. FYC will always provide a way for an individual 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
- *Right to erasure*: individuals can request for all data held on them to be deleted. FYC's data retention policy will ensure data is not held for longer than is reasonably necessary in relation to the purpose it was originally collected. 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
  - there is a legal requirement to keep the data.
- *Right to restrict processing*: individuals can request that their personal data be 'restricted' – that is, retained and stored but not processed further (e.g. if they have contested the accuracy of any of their data, FYC will restrict the data while it is verified).

## Member-to-member contact

We only share members' data with other members with the subject's prior consent. As a membership organisation FYC encourages communication between members.

To facilitate this:

- members can request the personal contact data of other members from the Operations Manager. These details will be given, as long as they are for the purposes of contacting the subject (e.g. 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

FYC may collect data from consenting supporters for marketing purposes. This includes contacting them to promote performances, updating them about group news, fundraising and other group activities.

Any time data is collected for this purpose, we will provide:

- a method for users to show their positive and active consent to receive these communications (e.g. a 'tick box')

- a clear and specific explanation of what the data will be used for (e.g. ‘tick this box if you would like FYC to send you email updates with details about our forthcoming events, fundraising activities and opportunities to get involved’)

Data collected will only ever be used in the way described and consented to (e.g. we will not use email data in order to market 3rd-party products unless this has been explicitly consented to).

Every marketing communication will contain a method through which a recipient can withdraw their consent (e.g. an ‘unsubscribe’ link in an email).

## **Cookies on the FYC website**

A cookie is a small text file that is downloaded onto ‘terminal equipment’ (e.g. a computer or smartphone) when the user accesses a website. It allows the website to recognise that user’s device and store some information about the user’s preferences or past actions.

FYC uses cookies on our website [www.fyc.org.uk](http://www.fyc.org.uk) in order to monitor and record activity. This allows us to improve users’ experience of our website by giving us useful insight into how users as a whole are engaging with the website.

We will implement a pop-up box on [www.fyc.org.uk](http://www.fyc.org.uk) that will activate each new time a user visits the website. This will allow them to click to consent (or not) to continuing with cookies enabled, or to ignore the message and continue browsing (i.e. give their implied consent).

# Data Retention Policy

## OVERVIEW

### Introduction

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

It forms part of FYC Data Protection Policy.

### Roles and responsibilities

FYC is the Data Controller and will determine what data is collected and how it is used. For an organisation such as FYC, a Data Protection Officer is not required, so the responsibility for the secure, fair and transparent collection and use of data by FYC is the responsibility of the Trustees. Any questions relating to the collection or use of data should be directed in the first instance to the FYC Operations Manager.

## REGULAR DATA REVIEW

A regular review of all data will take place to establish if FYC 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.

### Data to be reviewed

- digital documents (e.g. spreadsheets) stored on Google G suite drives
- data stored on third party online services (e.g. Google Drive, Mail Chimp)
- any data stored on the Operations Manager computer
- physical data stored at the homes of volunteers or staff

### Who the review will be conducted by

The review will be conducted by the Operations Manager with other committee members to be decided on at the time of the review.

### How data will 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 lists (e.g. where it could be used) and to sensitive data
- where deleting the data would mean deleting other data that we have a valid lawful reason to keep (e.g. on old emails) then the data may be retained safely and securely but not used

## Criteria

The following criteria will be used to make a decision about what data to keep and what to delete.

Question	Action	
	Yes	No
Is the data stored securely?	No action necessary	Update storage protocol in line with Data Protection Policy
Does the original reason for having the data still apply?	Continue to use	Delete or remove data
Is the data being used for its original intention?	Continue to use	Either delete/remove or record lawful basis for use and get consent if necessary
Is there a statutory requirement to keep the data?	Keep the data at least until the statutory minimum no longer applies	Delete or remove the data unless we have reason to keep the data under other criteria.
Is the data accurate?	Continue to use	Ask the subject to confirm/update details

Where appropriate do we have consent to use the data. This consent could be implied by previous use and engagement by the individual	Continue to use	Get consent
Can the data be anonymised	Anonymise data	Continue to use

## Statutory Requirements

Data stored by FYC may be retained based in 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 (e.g. in bank statements and accounting records)
- Trustee meeting minutes
- contracts and agreements with suppliers/customers
- insurance details
- tax and employment records

## OTHER DATA RETENTION PROCEDURES

### Member data

- When a member leaves FYC and all administrative tasks relating to their membership have been completed any potentially sensitive data held on them 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
- All other data will be stored safely and securely and reviewed as part of the next two year review

### Mailing list data

- If an individual opts out of a mailing list their data will be removed as soon as is practically possible.

### Staff and volunteer data

When a member of staff or volunteer stops working with FYC and all administrative tasks relating to their work have been completed any potentially sensitive data held on them will be deleted

- unless consent has been given data will be removed from all email mailing list
- all other data will be stored safely and securely and reviewed as part of the next two year review

### **Other data**

All other data will be included in a regular two year review.