

Independent Arts GDPR Policy – 2021



Privacy policy

1. Introduction

- 1.1 We are committed to safeguarding the privacy of staff, volunteers, participants
- 1.2 This policy applies where we are acting as a data controller with respect to the personal data of our staff, volunteers, participants and newsletter users in other words, where we determine the purposes and means of the processing of that personal data.
- 1.5 In this policy, "we", "us" and "our" refer to *Independent Arts*

2. Credit

- 2.1 This document was created using a template from SEQ Legal (<https://seqlegal.com>).

3. How we use your personal data

- 3.1 In this Section 3 we have set out:
 - (a) the general categories of personal data that we may process;
 - (b) the purposes for which we may process personal data; and
 - (c) the legal bases of the processing.
- 3.2 We may process participant data for analysis, funding and evaluation purposes. The usage data may include participant contact details and self-completion evaluation forms. The source of the usage data is submitted as registration information and self-completion evaluation. This data may be processed for the purposes of analysing demographics, completing evaluations and applying for future funding. The legal basis for this processing is evaluation reporting OR legitimate interests, namely monitoring and improving our services OR for applying to future funding. All data will be anonymised before submitting to any evaluation or funder.
- 3.3 We may process participants data. The data may include contact information for participants and emergency contact details. It may also include ParQ and basic medical information forms. Data is self-

completed and submitted by participants on registration. The data may be processed for use in an emergency and for health and safety information. The legal basis for this processing is emergency use OR legitimate interests, namely safeguarding and health and safety of our participants.

- 3.4 We may process practitioner information. Data may include name, address, telephone number, email address, images, date of birth, employment details (CV), bank details and emergency contact details. This data may be processed for use in Human Resources. The legal basis for this processing is human resources OR our legitimate interests including payroll information and the health safety of our practitioners. The data storage forms part of the employment contract with Independent Arts.
- 3.5 We may process employee information. Data may include name, address, telephone number, email address, images, date of birth, employment details (CV), bank details and emergency contact details. This data may be processed for use in Human Resources. The legal basis for this processing is human resources OR our legitimate interests including payroll information and the health safety of our employees. The data storage forms part of the employment contract with Independent Arts.
- 3.6 We may process volunteer information. Data may include name, address, telephone number, email address, images, gender, date of birth, employment details (CV), bank details and emergency contact details. This data may be processed for use in Human Resources. The legal basis for this processing is human resources OR our legitimate interests including payroll information which may be shared with our accountant/bookkeeper.
- 3.7 We may process images for online marketing purposes. The data may be used for Facebook, Instagram, Twitter and Independent Arts website. The legal basis for this usage is consented by practitioner, volunteer or participants included in the image
- 3.8 We may process email addresses of subscribers to our newsletter. The data may be processed for the purposes of delivering the electronic newsletter and IA promotions. The legal basis for this processing is consented by the subscriber.
- 3.9 We may process practitioner application information. Data may include name, address, telephone number, email address, gender, date of birth, employment details (CV), This data may be processed for use in Human Resources. The legal basis for this processing is human resources. Data will be destroyed after a six year period, in line with guidelines.

- 3.10 We may process information for previous employees and volunteers. Data may include name, address, telephone number, email address, images, gender, date of birth, employment details (CV), bank details and emergency contact details. This data may be processed for use in Human Resources. The legal basis for this processing is human resources. This data may be shared with our accountant/bookkeeper. Data will be destroyed after a six year period, in line with guidelines.
- 3.11 We may process data of contacts for hall hire. This information will be used to contact these individuals in regard to hall usage. The legal basis for this processing forms part of the contact for hiring the space.
- 3.12 We may process data on Trustees. Data may include name, address, telephone number, email address, date of birth. The legal basis for this processing our legitimate interests including information required by Companies House and the Charity Commission.

4. Providing your personal data to others

- 4.1 We may disclose participant evaluation data to project funders and partners insofar as reasonably necessary for the purposes of evaluation, and on the legal bases, set out in this policy.
- 4.2 We may disclose participant evaluation data to future project funders and partners insofar as reasonably necessary for the purposes of grant funding applications and appeals on the legal bases, set out in this policy.
- 4.3 We may disclose personal data (bank details) to our bookkeeper/accountant insofar as reasonably necessary for the purposes of payment of payroll and expenses.
- 4.4 We may disclose participant data to practitioners insofar as reasonably necessary for the purposes of running groups safely and meeting our safeguarding obligations.

5. International transfers of your personal data

- 5.1 Personal data will not be transferred to countries outside the European Economic Area (EEA).

6. Retaining and deleting personal data

- 6.1 This Section 6 sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 6.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

- 6.3 We will retain your personal data as follows:
- (a) Personal data - Employee data will be retained for a minimum period of 1 year following employment, and for a maximum period of 6 years following departure from employment.
 - (b) Personal data - Volunteer and Trustees data will be retained for a minimum period of 1 year following employment in voluntary work, and for a maximum period of 6 years following departure from employment.
 - (c) Personal data - Participant data will be retained for a minimum period of 1 year following entry to project and for a maximum period of 2 years following project end.
- 6.4 In some cases it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based on the following criteria:
- (a) the period of retention of *evaluation data* will be determined based on *requirements of information to aid future grant funding*.
- 6.5 Notwithstanding the other provisions of this Section 6, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 6.6 Data will be stored securely. If held on a computer details will be stored behind a password. If physically stored items will be locked in a filing cabinet.

7. Amendments

- 7.1 We may update this policy from time to time by publishing a new version.
7. We will give notice of significant changes to this policy by email, post or via our group leaders.

8. Your rights

- 8.1 In this Section 8, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.
- 8.2 Your principal rights under data protection law are:
- (a) the right to access;

- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

8.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. You can access your personal data by contacting Independent Arts.

8.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

8.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.

8.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where

processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

- 8.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.
- 8.8 You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.
- 8.9 To the extent that the legal basis for our processing of your personal data is:
- (a) consent; or
 - (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract,

and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

- 8.10 If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.
- 8.11 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

8.12 You may exercise any of your rights in relation to your personal data by written notice to us in addition to the other methods specified in this Section 8.

11. Cookies used by our service providers

11.1 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.

12. Our details

12.1 We are registered in England and Wales Charity No. 297474 Company limited by guarantee No. 2147908 and our registered office is at 48/49 High Street, Newport, Isle of Wight PO30 1SE

12.2 Our principal place of business is at 48/49 High Street, Newport, Isle of Wight PO30 1SE

12.3 You can contact us:

- (a) by post, to the postal address given above;
- (b) using our website contact form;
- (c) by telephone, on 01983 822437
- (d) by email, using info@independentarts.org.uk

14. Data protection officer

14.1 Our data protection officer's contact details are:

Lisa Gagliani - Chief Executive of Independent Arts
48/49 High Street, Newport, Isle of Wight PO30 1SE
01983 822437