

## Shobana Jeyasingh Dance Data Protection Policy 2020

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<b>Related documents</b>	SJD Data Protection Procedures SJD Safeguarding Policy
<b>Governing Policy</b>	
<b>Legislation / Related Information:</b>	Data Protection Act 2018, General Data Protection Regulation (GDPR)
<b>Document owner</b>	Lise Smith, Company Manager
<b>Document approved by</b>	SJD Board of Directors
<b>Lead contact</b>	Lise Smith, Company Manager

### About this policy

The protection of personal data is of utmost importance for Shobana Jeyasingh Dance, for our service users and suppliers. Personal data means any information relating to an identifiable individual, such as

- a participant in our learning activities,
- an individual on our mailing list,
- a member of staff,
- someone who attends one of our shows]

It includes both electronic data and data in paper filing systems.

This policy is addressed to all SJD staff members, freelance contractors and volunteers working for the company who handle data in any form. The aim of the policy is to ensure that everyone handling personal data is aware of data protection

compliance issues, including consents, scope of use, security, retention and rights of individuals.

### **Why this policy exists:**

Shobana Jeyasingh Dance acts as a controller of personal data, meaning that it decides how and why it collects and uses personal data, and is subject to the requirements of data protection law.

This data protection policy ensures that Shobana Jeyasingh Dance:

- Complies with data protection law and follows good practice
- Protects the rights of service users, staff and partners
- Is transparent about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

### **Data protection law:**

The General Data Protection Regulation (GDPR) came into effect in the UK and across the EU from 25<sup>th</sup> May 2018. In the UK it is regulated by the Information Commissioner's Office. It requires that personal data shall be:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals;
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. 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;
5. 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;

6. Processed in a manner that ensures appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
7. The controller shall be responsible for, and be able to demonstrate, compliance with the above principles.

Please see the attached Data Protection Procedures document for information on:

- Categories of data we collect, store and process
- Security and Data Protection processes
- Information on data Sharing
- Information on data Retention

### **Special categories of data**

Data about: health, ethnic origin, religious or political opinions, sexual life, criminal convictions is identified by the GDPR as “special categories of data”, and this information requires additional conditions to be met before it can be processed.

We may collect and process such information in order to comply with legal obligations on equal opportunities monitoring, to comply with employment law, and for the purposes of running participatory activities safely.

When collecting and processing data in one or more of these special categories, we will outline the specific purpose of the data collection at the point of collection and seek explicit consent when collecting health information to be used to enable safe practice in the delivery of aerial workshops. Please also see Data Retention below.

### **Purposes of processing**

We process and store data only for the purpose specified when data is collected (see above). Customer/service user data is kept in order for us to keep users informed about our services; to monitor service users for reporting purposes (for which data will be anonymised); and to respond to enquiries and to market our services.

Participant medical information is collected only for the purpose of safe practice (see above) and is obtained with the written consent of the adult participant or the parent/guardian for participants aged under 12. Please also see Data Retention, below.

Participant, employee and business associate/partner financial information is kept for billing and accounting purposes, to allow us to make and receive payments.

We will never sell participant, employee, volunteer or trustee data to any third party. Please see Data Sharing below for further information.

## **Consent**

Other than information required for performance of contract and information required to comply with legal obligation (see examples above), we ensure that we have consent for the information we hold about people. This includes written consent for sensitive information (see below), and opt-in consent to mailing lists. A record of this consent will be stored and available for inspection by the Information Commissioner's Office. The notification statement detailing the intended use of personal information given at the point of collecting personal information will be stored alongside the consent, with the date consent was given and the channel used.

When obtaining data (including but not limited to postal address data, email and telephone contact data, personal and medical information) we will in each case make explicit what data is being collected and stored and for what purpose it will be used. Consent applies to this specified purpose only; should we require data for a different purpose we will seek and obtain specific consent again before doing so.

We make sure that everyone we hold information about knows what information we have and what we use this information for. An individual can request their record for inspection (please see Subject Access, below). Inaccurate or out of date information revealed in this manner will be immediately corrected or destroyed.

Mailing list members will be reminded that they have the opportunity to unsubscribe from further communications with every following communication.

### **Subject access**

All individuals who are the subject of data held by Shobana Jeyasingh Dance are entitled to:

- Ask what information the company holds about them and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how the company is meeting its data protection obligations

Individuals wishing to request a copy of their data record should contact the SJD Company Administrator.

Individuals wishing their details to be deleted from our systems (“the right to be forgotten”) should contact the Company Administrator.

### **Privacy notices**

Shobana Jeyasingh Dance aims to ensure that individuals are aware that their data is being processed, and that they understand:

- Who is processing their data (Shobana Jeyasingh Dance is the data controller)
- What data is involved
- The purpose for processing that data
- How to exercise their rights.

To these ends the company has a privacy statement, setting out how data relating to these individuals is used by the company, available for inspection at the point of data collection and permanently available to view on our website.

Mailing list members will be regularly reminded that they can do so.

### **Ongoing documentation of measures to ensure compliance**

Meeting the obligations of the GDPR to ensure compliance is an ongoing process.

Shobana Jeyasingh Dance undertakes to:

- 1) Maintain documentation of the privacy measures implemented as described above and ongoing records of compliance
- 2) Maintain records of data processed
- 3) Regularly test the privacy measures implemented and maintain records of both the testing and outcomes.
- 4) Use the results of testing, other audits, or metrics to demonstrate both existing and continuous compliance improvement efforts.
- 5) Keep records showing training of employees on privacy and data protection matters.
- 6) Assess data protection risk prior to any new activity undertaken by the company.

### **Responsibility**

Lead responsibility for compliance with the Shobana Jeyasingh Dance Data Protection Policy and Procedures rests with the SJD Board of Directors.

Implementation of these procedures will be carried out on a day to day basis by all staff, overseen by the Executive Director.

Approved at a meeting of the Shobana Jeyasingh Dance board

Date November 2020

To be reviewed June 2022