



Updated June 2017

DATA PROTECTION POLICY

**CARLISLE
FRINGE**

THE
WASHINGTON
PROJECT

Queer Haggis

HIGH
TEA
A VISUAL
EXPERIENCE

**TRANSFORM
DUMFRIES**

DUMFRIES

**YOUTH
THEATRE**

LE HAGGIS

DUMFRIES

**COMMUNITY
CHOIR**

Approved by board June 2017

Review date: July 2018

Electric Theatre Workshop Policy Statement

Electric Theatre Workshop is committed to compliance with the Data Protection Act (DPA). The organisation is committed to upholding the right to privacy for all personnel, participants, and customers/ other audience. Throughout the work of the Electric Theatre Workshop, personal information may be gathered through a variety of different ways for a range of different purposes. All persons associated with Electric Theatre Workshop have a responsibility to ensure that all data is protected and processed

This policy should inform the working practices of all personnel, paid or voluntary.

As such this policy will set out the Charities approach to collecting, storing and using data. It aims to make clear the principles for processing Data which underpins other policies relating to Protections of children and vulnerable groups, photography, Equalities Monitoring.

Legislation & Guidance

This Policy is written in accordance with Data Protection Act 1998 (UK) and guidance from Information Commissioner and the Independent Theatre Council.

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

<https://ico.org.uk/media/for-organisations/guide-to-data-protection-2-8.pdf>

*Future changes to legislation are scheduled. The General Data Protection Regulation (“GDPR”), a new EU data protection regime, will replace the Data Protection Act 1998 (“DPA”) in the UK from 25th May 2018. This includes changes relating to affirmed consent and information requests relating to personal data. The following policy is written in accordance with coming reforms.

Principles

There are eight basic principles on the processing and storage of personal data that are key to compliance with the Act and that should be adhered to by Electric Theatre Workshop personnel.

All data should be:-

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

Data Collection

Data referred to in this document is data that comes under the Data Protection Act. That is any information disclosed to the company that can be used to identify a person's identity and sensitive personal information relating to individuals. Guidance on identifying what data comes under the DPA can be found [here](#).

While the collection of data is essential to both day to day and strategic operations. It is not in the company's interest to collect vast quantities of data or information. Personnel should only collect data that is essential to the company's operations for the duration of time it is useful for.

Occasions when data is likely to be generated, and appropriately processed by applying the 8 principles identified, include and are not limited to;

- Registration and recording of activities; membership/ participant contact details, attendance register, incident reporting, photography
- Research, planning and development activities
- Marketing and advertising campaigns
- Recruitment and Employment Activities; CVs, application documents, equalities monitoring, contracting, supervision,
- Box office; Ticketing, Transactions, customer services & complaints

Before collecting ALL data, ensure that the individual or data subject;

- Aware that this data is being recorded.
- Understands clearly how this information will be processed
- Aware that they have a right to know what is being recorded and request that inaccuracies be changed.
- Can refuse to have their data recorded, or can opt out at any time.

Uses

Electric Theatre Workshop acknowledges that data collected must be used fairly and lawfully, and for the intended purpose it was collected for. It must be used in a manner that respects the data subject's rights to privacy and protection from harms as enshrined in law.

The intended use of data collected and how the data will be processed must be made clear to the data subject, and their permission to use their data in this way granted, prior to disclosure. For example, data collected during transactions may not be used for Marketing purposes later unless consented to before disclosure.

It is not permissible to alter or adapt data outwith the purpose or process without express permission to make changes from the data subject beforehand.

Storage

Every effort should be taken to protect data and sensitive personal information from inappropriate access and use.

ALL Data collected on behalf of Electric Theatre Workshop must be stored securely and for an appropriate length of time. Data is often time sensitive due to changing circumstances and

trends, and therefore the company seeks to only hold data for as long as is appropriate for purpose, except where records are required by law. i.e health and safety or employment regulation.

Data stored online must be protected by encryption with strong passwords. It it's the duty of Electric Theatre Workshop to ensure that any third party service providers are reputable, secure and compliant with the act.

Desktops, laptops or other handheld devices on which data is stored, must employ methods of encryption such as; individual logins on office PCs, security passwords, or other. And, have adequate protections from unauthorized access by persons onsite or remotely. Electric Theatre Workshop urges extra caution when accessing, processing or temporarily storing sensitive personal information on handheld devices due to the high risk of data loss or unauthorized access. The organisation does accept that in practice the likelihood of needing to use hand held devices in this manner is high given the benefits of smart technology to the charities outputs. These benefits however must be weighed against the risk to data security by storing sensitive information on hand held devices through damage, loss or theft. The company therefore stipulates this is only done when is absolutely necessary with the consideration of the 8 principals during all processes for each data subject.

Hardcopy or paper based data must be secured behind two locks. Access is only permissible to authorized persons.

After data has been stored for a maximum of 1 year it must be assessed as to whether that detail is still accurate, relevant, or should be archived for legal purposes or permanently destroyed.

Where data is to be destroyed, paper based data should be shredded and taken to civic waste dept to be processed immediately. The shredded material should not be put out for street side collection. The company requires personnel to be vigilant of documents (including handwritten notes and scraps of paper) put in waste paper bins and to only print when necessary. Desktop Pcs settings should be set to empty the recycle bin, clear caches frequently and personnel should adopt good practice of double deleting data that may contain sensitive information after use. Where a Desktop Pc, or other device is to be scrapped, the company must ensure all data is wiped from the machines hard drive before relinquishing ownership.

DATA DESTRUCTION

<i>Recruitment process Unsuccessful candidates personal data</i>	Destroyed immediately
<i>Data relating to selection process</i>	Retained for 1 year
<i>Personnel records</i>	Retained for at least 5 years
<i>Health and safety risk assesments, accident reporting, insurance documentation</i>	Up to 40 years
<i>Financial accounting</i>	6 years after the year the data was originally filed
<i>Customer data</i>	Destroyed immediately after consented transaction

Consent

Electric Theatre Workshop in compliance with the DPA requires consent from an individual before becoming a becoming a data subject, through the recording of identifying data or sensitive personal information. An individual's consent is required regarding what we record, how long we record it for, and what we use it for. Where consent is granted, it should be indicated by positive affirmation and not just assumed.

Data subjects can access, modify or withdraw consent to use their personal information at any time, instruction on how to do this must be made available to the data subject.

Young people under the age of 16 requires consent of a parent, guardian or appropriate adult.

Confidentiality

In our commitment to upholding the rights of the data subject any information disclosed to, or held by the company must be treated in the strictest confidence.

The processing of personal data often requires information being shared. All Electric Theatre Workshop personnel are considered data processors within the company but are not authorized to process all data. Authority is implied where it is appropriate to the function of the processors role. For example Box office information may only be accessed by box office staff and senior management, Group contact details only by appropriate group staff, customers sensitive financial information shared between box office staff member and card payments service provider. Implied Authority applies only for actives relating to the purpose agreed upon between the company and the data subject.

Electric Theatre Workshop will not share or sell data to third parties. It is not permissible to share any data relating to any data subjects with unauthorized persons or parties, that is a person not consented to by the individual, or authorized by senior management to process that data.

Confidentiality may only be broken if there is risk of harm or threat to individuals, public or property or other legal requirement.

Privacy Statement

Prior to data collection for any purpose telesales, project sign up, project evaluation, marketing, the data subject should be given the following statement either verbally or by checkbox acknowledgement.

Electric Theatre Workshop is committed to upholding the Data Protection Act 1998. In disclosing your personal information you agree to the collection, storage and processing of your personal information by us.

Your personal information will be used to [state purpose]

The type of information we will collect about you includes: [State what data will be recorded]

We will never collect sensitive information about you without your explicit consent.

The information may be used to process your transactions with us or for internal administration/analysis. It will only be disclosed to third parties in order to provide these services to you, or if we are required to for legal purposes.

Your personal information will not be passed to third parties for marketing purposes unless you have given specific consent.

The information we hold about you will be accurate and up to date. You can contact us to check this information. If you find any inaccuracies we will delete or correct them promptly.

Data Requests

Data Subjects have the right to access data that is recorded about themselves.

Data requests should be made by writing to the companies data controller (appropriate person identified by a senior manager). The data controller should seek to respond promptly to any data requests by following the guidelines available from the Information Commissioner. The response letter should be drafted by the data controller on the boards behalf and then authorized by a member of the board of trustees before being sent out.

The company reserves the right to charge appropriate administrative costs arising from any data requests from the data subject.