

PRIVACY NOTICE

The General Data Protection Regulation (GDPR) came into effect on 25th May 2018. It has been agreed that the Operations Director will be appointed as Data Protection Officer (DPO) and is therefore responsible for the safe storage of information relating to our students and parents. This Notice will provide information on how we, Chesterfield Studios are complying with this Regulation.

Purpose and Statement:

Chesterfield Studios is committed to ensuring the data processed by our organisation remains safe and secure.

This policy has been written in line with legislative change, including both the Data Protection Act (1998) and the EU's General Data Protection Regulation (GDPR).

Chesterfield Studios has determined the lawful reasons with which it processes personal data:

Legal obligation – GDPR Article 6(1)(c)

Legitimate interest – GDPR Article 6(1)(f)

Contract – GDPR Article 6(1)(b)

There is also some limited data we process with consent from the Data Subject; Consent – GDPR Article 6(1)(a).

While Chesterfield Studios avoids sharing data with third parties at most times, some data is shared in accordance with our business practices. The sharing of data with third parties will always be consensual with the data subject and/or their parent/guardian, and only if Chesterfield Studios is satisfied that their Data Protection policy is GDPR compliant.

Main Aims for the policy:

- Specify the data Chesterfield Studios collect, how it is stored/protected and the reason for collecting it
- State how Chesterfield Studios use personal data in processing
- Disclose who has access to the data and how long we retain information for
- Explain Data Subject's rights with Chesterfield Studios data including access, rectification and erasure

The GDPR includes the following rights for individuals:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling

General Principles

Chesterfield Studios is committed to providing fair and understandable privacy policies in relation to personal data.

Chesterfield Studios will, at all times, keep data in secure locations (including, but not limited to, encrypted and access restricted files) and not retain data unnecessarily or past the retention length as set out in this policy.

In the rare instance a data processor that is not a Chesterfield Studios employee is used, such as a third party, the data subject will either be asked for consent pre to supplying the data or be notified and have the right to object to processing.

Chesterfield Studios customers and participants supply their personal data when signing up for classes through our registration form either via the website, or via paper form.

This is either completed by a parent/guardian or the child themselves if they deemed able to do so.

Personal data may also come to us unsolicited via enquiries through our website and to our generic email account.

To attend any of Chesterfield Studios 's activities participants/parents/guardians must agree to some processing of their personal data. This is due to Legitimate Interests – GDPR Article 6(1)(f), Legal Obligation GDPR Article 6(1)(c), Contract – Article 6(1)(b) and/or Consent – Article 6(1)(a).

Should Chesterfield Studios be unable to process participant's data, we would be contravening both our Health & Safety and Child Safeguarding policies. We would also be ignoring best practice regarding working with children/vulnerable adults.

Our participants must remain safe at all times, therefore information about participants must be collected in order to create registers and accurate student records. This information is also used to provide students with appropriate classes, including dividing students into age groups.

Special category data is only collected with the consent of the data subject. Special category data Chesterfield Studios collects includes but is not limited to: Medical/Disability information, Income information, Ethnicity, Gender and Sexuality.

As physical activity providers it is essential that this consent is given should a participant have any medical/disability needs. This allows us to incorporate participants safely into classes. It is also used in assessing if we can incorporate participants safely into classes.

Income information is only collected in instances where a participant applies to attend our classes at a concessionary price, or on a bursary. This financial support is means tested, and therefore is subject to documented proof. Proofs of entitlement to concession are shredded after the entitlement has been noted.

Ethnicity and other sensitive data is to provide information to funding bodies for statistical purposes. This data is always provided to third-parties as quantified data (i.e. cumulative numerical data only with no identifying information relating to any data subject).

Personal data and some special category is collected.

It is essential to our primary function (providing classes to participants) that we are provided, and allowed to process and store the following:

Participant Personal Data:

Full Name – GDPR Article 6(1)(f)

Date of Birth – GDPR Article 6(1)(f)

Home Address – GDPR Article 6(1)(f)

Sex – GDPR Article 6(1)(f)

Permission to go home alone – GDPR Article 6(1)(f)

School/Educational Institution – GDPR Article 6(1)(f)

Exam results (vocational exams taken through Chesterfield Studios only) – GDPR Article 6(1)(f)

Classes attended/Price paid – GDPR Article 6(1)(f)

Participant Special Category Data:

Medical Information/History – GDPR Article 9 (a)

Disability Information – GDPR Article 9 (a)

Ethnicity – GDPR Article 9 (a & j) – further explicate consent sought

Gender/Sex – GDPR Article 9 (a & j) – further explicate consent sought

Sexuality – GDPR Article 9 (a & j) – further explicate consent sought

Parent/Guardian Personal Data:

Name – GDPR Article 6(1)(f)

Address – GDPR Article 6(1)(f)

Email Address – GDPR Article 6(1)(f)

Mobile Telephone Number – GDPR Article 6(1)(f)

Work/Home Number – GDPR Article 6(1)(f)

Emergency Contact Number – GDPR Article 6(1)(f)

Parent/Guardian Special Category Data:

Concession Type – further explicate consent sought

Documented proof of financial need – further explicate consent sought

Bank Details – further explicate consent sought in the instance of refunds etc.

Chesterfield Studios transports data with all due diligence. Enrolment forms are sent to Chesterfield Studios through an encrypted email server directly from our website which has controlled access. Received enrolment forms are stored on an encrypted email server for no more than 6 months. Received paper enrolment forms are destroyed after no more than 4 weeks.

Data received through enrolment forms is uploaded manually into our database software. Our database is stored both in encrypted files on office-based hardware and backed up regularly in our encrypted cloud-based server. Access to these files is restricted through password protection and only available to authorised staff members.

Registers and emergency contact lists created from student data are stored in encrypted files on office-based hardware and backed up regularly in our encrypted cloud-based server. Access to these files is restricted through password protection and only available to authorised staff members.

Hard copies of registers and emergency contacts are carried by authorised staff members. They are locked away while not in use. When they are no longer in use or out-dated, they are destroyed thoroughly.

Waiting lists are stored on an encrypted cloud-based server.

Our standard retention policy (without the data subject's right to access, rectification and erasure etc.) is THREE YEARS post final attendance.

Exceptions to our retention policy:

- Financial records are kept for 6 years due to legal obligation
- First Aid records are kept for 21 years due to legal obligation
- Photo consent may be kept indefinitely
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will stored for is 6 years due to legal obligation
- Bank details are deleted after the action concerning them is complete
- Enquiries that do not turn into bookings with current classes are deleted after they have been dealt with
- Chesterfield Studios does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

Freelance Teachers:

As many of Chesterfield Studios teachers are freelance staff, we have confidentiality and data processor agreements in place. Teachers will never be provided with personal details aside from participant's first names and any medical information that is pertinent to the running of a class (subject to consent from the data subject)

MailChimp:

Chesterfield Studios uses a USA based company 'MailChimp' to provide newsletters and marketing via email. This is an optional process, which people consent to during enrolment or sign-up directly through our website. Data Subjects can opt-out and erase/rectify their record stored with MailChimp at any time. Chesterfield Studios is satisfied that their GDPR regulations are thorough, and the information stored in MailChimp (email addresses) is secure. We have a processor contract in place, and copies are available upon request.

Pay Here Ltd, trading as Loveadmin.com:

Chesterfield Studios uses Pay Here Ltd, trading as loveadmin.com to process membership details through its online service. All necessary details including, but not limited to full name, date of birth, address, contact telephone numbers and email addresses, important medical information, school details, payment information and bank details are stored within their system. Full details on the Pay Here Ltd privacy policy are available here:

<https://www.loveadmin.com/privacy-policy/>

PayPal:

Chesterfield Studios uses PayPal to process orders through our website.

By purchasing through PayPal you must agree to their own (GDPR Compliant) policies.

Chesterfield Studios is satisfied that their GDPR regulations are thorough, and the information stored in PayPal is secure. We have a processor agreement in place, and copies are available upon request.

Child Performance Licensing:

In order to process child performance licences, Chesterfield Studios are legally required to provide some personal data to local councils (including but not limited to: full name, date of birth and school details). This is an optional consent, which will be sought at the time of sending participation consent forms. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained. For more information: <https://www.derbyshire.gov.uk/council/gdpr/general-data-protection-regulation-gdpr.aspx>

Child Safeguarding Concerns:

In the unlikely event Chesterfield Studios has a safeguarding concern in relation to one of our participants, Chesterfield Studios are legally required to provide data to the safeguarding board at the local council. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Event Programmes:

Chesterfield Studios may occasionally produce programmes for events. These will only ever contain the first name and first initial of a child's last name (unless otherwise consented to). The name of a child's class may also be included. Participants/their Parent and/or Guardians may choose if they want to be included in the programme when they agree to participate at an event.

Examination Entry:

In order to enter examinations, Chesterfield Studios must provide some personal data to examination boards (currently Chesterfield Studios work with: LAMDA, RAD and ABRSM). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

Derby and Derbyshire Music Partnership:

Chesterfield Studios must sometimes share personal data with the Derbyshire County Council (names, DOB, examination grades or working level, school name) as part of our agreement as a Delivery Partner for the Derbyshire Music Education Hub. This data demonstrates progress to DCC in

return for funding to assist the aims and objectives of Chesterfield Studios. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Independent Examiner:

It is Chesterfield Studios legal obligation to have an independent examination with regards to its financial processes at the end of every financial year. This includes access to our income relating to classes and services. Any data shared will be purged of as much identifying data as possible. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained. Chesterfield Studios has a copy of the privacy agreement on file.

NHS Test and Trace:

Chesterfield Studios is committed to the Test and Trace programme and agrees to provide the NHS Test and Trace service with Full Name, address, contact telephone numbers and email addresses when requested, along with times and dates of visits. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

MyGuestList.com

We are using myguestlist.com to for visitors to check-in to Chesterfield Studios and their data be stored for 21 days as part of the NHS Test and Trace scheme. After 21 days, the data is safely deleted. All data collected by the Check In app is stored and deleted as per Government Guidelines. Data is only available to the Check In App account holder. Chesterfield Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Any data subject with personal data stored within Chesterfield Studios is entitled to the rights of:

Access

You may contact Chesterfield Studios at any time to access all data held relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, Chesterfield Studios has the right to refuse the request or take steps in order to obtain consent from other involved parties. The right of access does not apply to Chesterfield Studios 's legal obligations such as Child Safeguarding records.

Rectification

You may contact Chesterfield Studios at any time in order to rectify data held relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to a rectification request without undue delay and within one month of receipt.

The right to rectification does not apply to Chesterfield Studios 's legal obligations such as payment record information.

Erasure

You may contact Chesterfield Studios at any time in order to erase data held relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to an erasure request without undue delay and within one month of receipt.

The right to erasure does not apply to Chesterfield Studios 's legal obligations such as First Aid records.

Restrict Processing

You may contact Chesterfield Studio at any time in order to restrict the data we process relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with Chesterfield Studios until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

Data Portability

You may contact Chesterfield Studios at any time in order to obtain the data we process relating to you and/or your child(ren) and reuse it across different services. Chesterfield Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to Chesterfield Studios 's legal obligations.

Objection

You may contact Chesterfield Studios at any time in order to object to the processing of data relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with Chesterfield Studios until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

Rights related to automated decision-making including profiling

You may contact Chesterfield Studios at any time in order to object to profiling relating to you and/or your child(ren). Chesterfield Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with Chesterfield Studios until the profiling restriction is lifted. This is due to Health and Safety and Child Safeguarding. Chesterfield Studios has a lawful reason for profiling; Legitimate Interests and consent. None of Chesterfield Studios 's decision making is automated. Profiling is only used in circumstances where a participant may have certain health/disability needs which may prevent them from taking part in classes (as it would be unsafe to do so).

Any and all verbal requests are noted, and then contacted again either via phone or email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

Chesterfield Studios often use footage/photos used from shows, performances and classes for marketing purposes both in print media and the website. Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted.

Some attendees at events may film/take photos for their own personal use (e.g. parents of other participants). Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted.

Social Media:

Chesterfield Studios regularly share photos/videos of students in workshops, events and performances through social media platforms including; Instagram, Facebook, Twitter, Email. These will never be shared with any identifying information (age, location etc.). There may be times where we will share first names, but only with the explicit consent of the parents. All members of staff (PAYE, Freelance and Voluntary) must agree to this Data Protection policy prior to accepting a contract of employment.

Training is supplied as part of management and supervision. It is also included in all induction and training periods.

Complaints:

Complaints in regard to the handling of any personal data can be made directly to Chesterfield Studios 's DPO: (Adam Green, Operations Director).

Email: adam.green@chesterfieldstudios.co.uk

Telephone: 01246 271540

Address: Eastwood Buildings, Rose Hill, Chesterfield S40 1LW

If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by either contacting the Artistic Director (details upon application) or by contacting the Independent Commissioner's Office (ICO).

ICO Telephone Number: 0303 123 1113

Data Breaches:

If Chesterfield Studios experiences a data breach of any kind, we have a legal obligation to report this to ICO within 72 hours. The data breach will be reported by the DPO. In the instance they are unavailable to report the breach, the next most senior staff member shall do so. Chesterfield Studios will also inform all the victims of the data breach as soon as possible if there is a high risk of adversely affecting individuals' rights and freedoms. Chesterfield Studios will store and record all data breaches.