

Churchill Music

Data Protection policy

Overview

Key details

- Policy prepared by: Churchill Music
- Approved by Board/committee on: 18/05/2018
- Next review date: 18/05/2020

Introduction

In order to operate, gather, store and use certain forms of information about individuals.

These can include Champions, employees, contractors, suppliers, volunteers, audiences and potential audiences, business contacts and other people the group 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 Churchill Music data protection standards and comply with the General Data Protection Regulations (GDPR).

Why is this policy important?

This policy ensures that Churchill Music:

- Protects the rights of our Champions, volunteers and supporters
- Complies with data protection law and follows good practice
- Protect the group from the risks of a data breach

Roles and responsibilities

Who and what does this policy apply to?

This applies to *all* those handling data on behalf of Churchill Music e.g.:

- Committee members
- Employees and volunteers
- Champions
- Contractors/3rd-party suppliers

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

- Names
- Email addresses
- Postal addresses

- Phone numbers
- Any other personal information held (e.g. financial)

Roles and responsibilities

Churchill Music is the Data Controller and will determine what data is collected and how it is used. The Data Protection Officer for Churchill Music is the Administrator. S/he, together with the Trustees/committee, are responsible for the secure, fair and transparent collection and use of data by Churchill Music. Any questions relating to the collection or use of data should be directed to the Administrator.

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

Churchill Music uses third party Data Processors (e.g. Ticketsource and Mail Chimp, Wix) to process data on its behalf. Churchill Music will take all reasonable steps to ensure that all Data Processors are compliant with GDPR.

Data protection principles

a) We fairly and lawfully process personal data in a transparent way

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

- Champions' name and contact details will be collected when they first become Champions, and will be used to contact Champions regarding Championship administration and activities. Other data may also subsequently be collected in relation to their Championship, including records of donations for accounting purposes. Where possible Churchill Music will anonymise this data.
 - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to Churchill Music completing tasks expected as part of the individual's Championship).
- The name and contact details of volunteers, employees and contractors will be collected when they take up a position, and will be used to contact them regarding group administration related to their role.

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).

- Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to Churchill Music completing tasks expected as part of working with the individuals),
- 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.
 - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to Churchill Music completing tasks expected

as part of the booking),

- 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 Churchill Music to communicate with them about and promote our activities. See 'How we get consent' below.
 - Lawful basis for processing this data: Consent (see 'How we get consent')
- Pseudonymous or anonymous data (including behavioural, technological and geographical/regional) on an individual may be collected via tracking 'cookies' when they access our website or interact with our emails, in order for us to monitor and improve our effectiveness on these channels. See 'Cookies on the Churchill Music website' below.
 - Lawful basis for processing this data: Consent (see 'How we get consent')

b) 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, Churchill Music 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.

c) We ensure any data collected is relevant and not excessive

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

E.g. we need to collect telephone numbers from Champions in order to be able to contact them about group administration, or in the event of an unavoidable cancellation of an event but data on their marital status or sexuality will not be collected, since it is unnecessary and excessive for the purposes of group administration.

d) We ensure data is accurate and up-to-date

Churchill Music will ask Champions, 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 Data Protection Officer.

e) We ensure data is not kept longer than necessary

Churchill Music 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).

The storage and intended use of data will be reviewed in line with Churchill Music's data retention policy. When the intended use is no longer applicable (e.g. contact details for a Champion who has left the group), the data will be deleted within a reasonable period.

f) We keep personal data secure

Churchill Music will ensure that data held by us is kept secure.

- Electronically-held data will be held within a password-protected and secure environment
- Passwords for electronic data files will be re-set each time an individual with data access leaves their role/position
- Physically-held data (e.g. Championship forms or email sign-up sheets) will be stored in a locked cupboard
- Keys for locks securing physical data files should be collected by the Data Protection Officer from any individual with access if they leave their role/position. The codes on combination locks should be changed each time an individual with data access leaves their role/position
- Access to data will only be given to relevant trustees/committee Champions/contractors where it is clearly necessary for the running of the group. The Data Protection Officer will decide in what situations this is applicable and will keep a master list of who has access to data

g) Transfer to countries outside the EEA

Churchill Music 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.

Individual Rights

When Churchill Music collects, holds and uses an individual's personal data that individual has the following the rights over that data. Churchill Music 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 Churchill Music 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 Churchill Music holds on them and confirmation of how it is being used. Requests should be made in writing to the Data Protection Officer at info@churchillmusic.org.uk and will be complied with free of charge and within one month. Where requests are complex or numerous this may be extended to two months
- *Right to rectification:* individuals can request that their data be updated where it is inaccurate or incomplete. Churchill Music will request that Champions, staff and contractors check and update their data on an annual basis. Any requests for data to be updated will be processed within one month.
- *Right to object:* individuals can object to their data being used for a particular purpose. Churchill Music 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. Churchill Music'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, Churchill Music will restrict the data while it is verified).

Though unlikely to apply to the data processed by Churchill Music, we will also ensure that rights related to portability and automated decision making (including profiling) are complied with where appropriate.

Champion-to-Champion contact

We only share Champions' data with other Champions with the subject's prior consent

- Champions can request the personal contact data of other Champions in writing via the Data Protection Officer or Championship Secretary. 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 Champions in this way

How we get consent

Churchill Music will regularly collect data from consenting supporters for marketing purposes. This includes contacting them to promote performances, updating them about Churchill Music news, fundraising and other 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 Churchill Music 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). Opt-out requests such as this will be processed within 14 days.

Cookies on the Churchill Music 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.

Churchill Music may in future use cookies on our website www.churchillmusic.org.uk in order to monitor and record their activity. This would allow us to improve users' experience of our website by, for example, allowing for a 'logged in' state, and by giving us useful insight into how users as a whole are engaging with the website.

Should we decide to use cookies, we will implement a pop-up box on www.churchillmusic.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).

It will also include a link to our Privacy Policy which outlines which specific cookies are used and how cookies can be disabled in the most common browsers.

Data retention policy

Overview

Introduction

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

It forms part of Churchill Music Data Protection Policy.

Roles and responsibilities

Churchill Music is the Data Controller and will determine what data is collected, retained and how it is used. The Data Protection Officer for Churchill Music is the Secretary. They, together with the Trustees/committee are responsible for the secure and fair retention and use of data by Churchill Music. Any questions relating to data retention or use of data should be directed to the Data Protection Officer.

Regular Data Review

A regular review of all data will take place to establish if Churchill Music 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. The first review will take place on 18 May April 2020

Data to be reviewed

- Churchill Music stores data on digital documents (e.g. spreadsheets) stored on personal devices held by Trustees.
- Data stored on third party online services (e.g. ticketsource, Google Drive, Mail Chimp)
- Physical data stored at the homes of committee Champions

Who the review will be conducted by

The review will be conducted by the Data Protection Officer with other trustees 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 Churchill Music 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

Champion data

- When a Champion leaves Churchill Music and all administrative tasks relating to their Championship 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.
- All other data will be stored safely and securely and reviewed as part of the next two-year review

Volunteer and freelancer data

- When a volunteer or freelancer stops working with Churchill Music and all administrative tasks relating to their work 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

Other data

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