

## Amber Gordon School of Dance (AGSOD)

BT26 6HL

<b>Policy:</b> Data Protection (GDPR)	
<b>Date Adopted:</b> Updated 2018 (GDPR)	<b>Date of last review:</b> 23/5/2018
<b>Purpose and Statement:</b> Amber Gordon School of Dance is committed to ensuring the data processed by the school 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).  AGSOD has determined the lawful reasons with which it processes personal data: <ul style="list-style-type: none"><li>• Legal obligation – GDPR Article 6(1)(c)</li><li>• Legitimate interest – GDPR Article 6(1)(f)</li><li>• Contract - GDPR Article 6(1)(b)</li></ul> There is also some limited data we process with consent from the Data Subject; Consent – GDPR Article 6(1)(a).  While AGSOD 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 AGSOD is satisfied that their Data Protection policy is GDPR compliant.  <b>Main Aims for the policy:</b> <ul style="list-style-type: none"><li>- Specify the data AGSOD collect, how it is stored/protected and the reason for collecting it</li><li>- State how AGSOD use personal data in processing</li><li>- Disclose who has access to the data and how long we retain information for</li><li>- Explain Data Subject's rights with AGSOD</li></ul>	

data including access, rectification and erasure
<p><b>Distribution:</b> To be displayed on the AGSOD website</p> <ul style="list-style-type: none"> <li>• This policy will be sent directly to members of the public on request</li> <li>• Confirmation of receipt of information - Signed statement from recipient to be held on file</li> </ul>
<p><b>Review and monitoring of policy:</b></p> <ul style="list-style-type: none"> <li>• Reviewed annually or in instances of legislative change</li> </ul>

**The following policy is based on the below principles:**

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**

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

AGSOD 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.

**Participants and Customers**

**How Amber Gordon SOD collect personal data:**

AGSOD customers and participants supply their personal data when signing up for classes through our registration form either via paper form.

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

**Why AGSOD collect personal data:**

To attend any of AGSOD 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 AGSOD 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 MTA 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.

Ethnicity and other sensitive data is to provide information to examining 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).

**What data we collect:**

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 - 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

**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)

**How data collected is sent internally:**

AGSOD transports data with all due diligence.

Enrolment and enquiry forms are sent to AGSOD 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 1 year. Received paper enrolment forms are destroyed after no more than 1 year

**Storage/Retention of data:**

Registers and emergency contact lists created from student data are stored as hard copies of registers and 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.

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:

- First Aid records are kept for 21 years due to legal obligation
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will be stored for is 6 years due to legal obligation
- Bank details are deleted after the action concerning them is complete

**Third Parties/Data Processors:**

AGSOD does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

Freelance Teachers:

AGSOD brings freelance teachers from time to time, 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:

AGSOD 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.

AGSOD is satisfied that their GDPR regulations are thorough, and the information stored in MailChimp (email addresses) is secure.

#### Child Safeguarding Concerns:

In the unlikely event AGSOD has a safeguarding concern in relation to one of our participants, AGSOD are legally required to provide data to the safeguarding board at the local council.

AGSOD is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

#### Event Programmes:

AGSOD 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, AGSOD must provide some personal data to examination boards (currently AGSOD work with: RAD and ISTD). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

#### Schools:

AGSOD must sometimes share personal data with organisers of competitions (names, DOB and payment information) when taking part in a competition/festival in order for them to check persons attending.

AGSOD is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

#### Accounts:

It is AGSOD legal obligation to have an accountant apply 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.

AGSOD is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

#### **Rights of the data subject and AGSOD compliance with responses:**

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

- **Access**

You may contact AGSOD at any time to access all data held relating to you and/or your child(ren). AGSOD 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, AGSOD 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 AGSOD's legal obligations such as Child Safeguarding records.

- **Rectification**  
You may contact AGSOD at any time in order to rectify data held relating to you and/or your child(ren). AGSOD 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 AGSOD's legal obligations such as payment record information.
- **Erasure**  
You may contact AGSOD at any time in order to erase data held relating to you and/or your child(ren). AGSOD 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 AGSOD's legal obligations such as First Aid records.
- **Restrict Processing**  
You may contact AGSOD at any time in order to restrict the data we process relating to you and/or your child(ren). AGSOD 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 AGSOD until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.
- **Data Portability**  
You may contact AGSOD 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.AGSOD 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 AGSOD s legal obligations.
- **Objection**  
You may contact AGSOD at any time in order to object to the processing of data relating to you and/or your child(ren). AGSOD 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 AGSOD 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 AGSOD at any time in order to object to profiling relating to you and/or your child(ren). AGSOD will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.  
AGSOD has a lawful reason for profiling; Legitimate Interests and consent.  
None of AGSOD'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.

### **Photos/Videos of Participants**

AGSOD 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:**

AGSOD regularly share photos/videos of students in workshops, events and performances through social media platforms including; 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.

### **Complaints and Data Breaches**

#### **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to AGSOD s DPO:  
Amber Tsoutsas

Email: [ambergordonschoolofdance@hotmail.com](mailto:ambergordonschoolofdance@hotmail.com)

Phone: 07766353336

Address: 93 Eglantine Park, Hillsborough, BT26 6HL

#### **Data Breaches:**

If AGSOD 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.

AGSOD 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.

AGSOD will store and record all data breaches.