



## Fakenham Town Band

Web: [www.fakenhamtownband.com](http://www.fakenhamtownband.com)

### Information & Data Protection Policy

#### Introduction

We hold personal data about our members, hirers, and other individuals for a variety of Band purposes. This policy sets out how we seek to protect personal data and ensure that Committee and Band members understand the rules governing their use of personal data to which they have access. In particular, this policy requires Committee members to ensure that the Data Protection Officer (DPO) be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

#### Definitions

<b>Business purposes</b>	The purposes for which personal data may be used by us: Administrative, financial, statutory and legislative purposes. <i>Band purposes include the following:</i> <ul style="list-style-type: none"><li>• <i>Compliance with our legal governance obligations and good practice</i></li><li>• <i>Ensuring Band policies are adhered to (such as Safeguarding, Health and Safety)</i></li><li>• <i>Operational reasons, such as bookings, financial transactions, ensuring the confidentiality of sensitive information, DBS vetting and checking</i></li><li>• <i>Investigating complaints</i></li><li>• <i>Promoting and improving Band services</i></li></ul>
<b>Personal data</b>	Information relating to identifiable individuals, such as Band members present and recent past, hirers, other third parties we may do business with. <i>Personal data we gather may include: individuals' contact details, financial details, details of certificates, awards and diplomas, contact details, correspondence, emails</i>
<b>Sensitive personal data</b>	<i>Personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership (or non-membership), physical or mental health or condition, criminal offences, or related proceedings—any use of sensitive personal data should be strictly controlled in accordance with this policy. <b>The Band does not under normal circumstances gather this type of information.</b></i>

#### Scope

This policy applies to all Committee members and Band members. You should be familiar with this policy and comply with its terms.

This policy supplements our other policies. We may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to Band members before being adopted.

#### Who is responsible for this policy?

This policy is the responsibility of the Committee of the Band. As our Data Protection Officer, Catherine Moore has overall responsibility for the day-to-day implementation of this policy.

#### Our procedures

##### Fair and lawful processing

We must process personal data fairly and lawfully in accordance with individuals' rights. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening.

### **The Data Protection Officer's responsibilities:**

- Keeping the Committee updated about data protection responsibilities, risks and issues.
- Reviewing all data protection procedures and policies on a regular basis.
- Assisting with data protection advice for all Committee and Band members and those included in this policy.
- Answering questions on data protection.
- Responding to individuals such as members of the public, service users and Band members who wish to know which data is being held on them by the Band.
- Checking and approving with third parties that handle the Band's data any contracts or agreement regarding data processing.

### **Responsibilities of Committee members**

- Implementing data protection within their area of responsibility.
- Ensuring data protection statements attached to emails.
- Bringing data protection queries to the attention of the Data Protection Officer and / or Committee.
- Coordinating with the DPO to ensure all marketing initiatives adhere to data protection laws and the Band's Data Protection Policy.

### **The processing of all data must be:**

- Necessary to deliver our services
- In our legitimate interests and not unduly prejudice the individual's privacy
- In most cases this provision will apply to routine business data processing activities.

Our Terms of Business contains a Privacy Notice relating to on data protection.

### **The notice:**

- Sets out the purposes for which we hold personal data on customers, members, and service users
- Highlights that our work may require us to give information to third parties such as professional advisers
- Provides that service users and correspondents have a right of access to the personal data that we hold about them

### **Sensitive personal data**

In most cases where we process sensitive personal data we will require the data subject's *explicit* consent to do this unless exceptional circumstances apply, or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety). Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

### **Accuracy and relevance**

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this. Individuals may ask that we correct inaccurate personal data relating to them. If you believe that information is inaccurate you should record the fact that the accuracy of the information is disputed and inform the DPO, Catherine Moore.

### **Your personal data**

You must take reasonable steps to ensure that personal data we hold about you is accurate and updated as required. For example, if your personal circumstances change, please inform the Data Protection Officer so that they can update your records.

### **Data security**

You must keep personal data secure against loss or misuse. Where other organisations process personal data as a service on our behalf, the DPO will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third party organisations. This could include organisations such as East Anglian Brass Band Association, or British Brass Band Registry.

### **Storing data securely**

In cases when data is stored on printed paper, it should be kept in a secure place where unauthorised personnel cannot access it. Printed data should be shredded when it is no longer needed. Data stored on a computer should be protected by strong passwords that are changed regularly. Data stored on CDs or memory sticks must be locked away securely when they are not being used.

### **Data Retention**

We must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines.

### **Subject Access Requests**

Please note that under the Data Protection Act 2018, individuals are entitled, subject to certain exceptions, to request access to information held about them.

If you receive a subject access request, you should refer that request immediately to the DPO.

*Who may ask you to help us comply with those requests?*

Please contact the Data Protection Officer if you would like to correct or request information that we hold about you. There are also restrictions on the information to which you are entitled under applicable law.

### **Processing data in accordance with the individual's rights**

You should abide by any request from an individual not to use their personal data for direct marketing purposes and notify the DPO about any such request.

Do not send direct marketing material to someone electronically (e.g. via email) unless you have an existing business relationship with them in relation to the services being marketed.

Please contact the DPO for advice on direct marketing before starting any new direct marketing activity.

### **GDPR and Data Protection Act Provisions**

Where not specified previously in this policy, the following provisions will be in effect on 25 May 2018.

### **Privacy Notice - transparency of data protection**

Being transparent and providing accessible information to individuals about how we will use their personal data is important for our organisation. Privacy notices will be issued and readily available for all Band activities involving personal information.

### **Conditions for processing**

We will ensure any use of personal data is justified using at least one of the conditions for processing and this will be specifically documented. All Committee members who are responsible for processing personal data will be aware of the conditions for processing. The conditions for processing will be available to data subjects in the form of a privacy notice.

### **Justification for personal data**

We will process personal data in compliance with all six data protection principles.

We will document the additional justification for the processing of sensitive data and will ensure any biometric and genetic data is considered sensitive.

### **Consent**

Where data is processed by consent, the data that we collect is subject to active consent by the data subject. This consent can be revoked at any time.

### **Criminal record checks**

Any criminal record checks are justified by law. Criminal record checks cannot be undertaken based solely on the consent of the subject.

### **Data portability**

Upon request, a data subject should have the right to receive a copy of their data in a structured format. These requests should be processed within one month, provided there is no undue burden and it does not compromise the

privacy of other individuals. A data subject may also request that their data is transferred directly to another system. This must be done for free.

### **Right to be forgotten**

A data subject may request that any information held on them is deleted or removed, and any third parties who process or use that data must also comply with the request. An erasure request can only be refused if an exemption applies.

### **Privacy by design and default**

Privacy by design is an approach to projects that promote privacy and data protection compliance from the start. The DPO will be responsible for conducting Privacy Impact Assessments and ensuring that all new activities commence with a privacy plan.

### **Data audit and register**

Regular data audits to manage and mitigate risks will inform the data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant.

### **Reporting breaches**

All Committee and Band members have an obligation to report actual or potential data protection compliance failures. This allows us to:

- Investigate the failure and take remedial steps if necessary
- Maintain a register of compliance failures
- Notify the Supervisory Authority (SA) of any compliance failures that are material either in their own right or as part of a pattern of failures

All breaches or potential breaches must be reported to the DPO within 24 hours.

### **Monitoring**

Everyone must observe this policy. The DPO has overall responsibility for this policy. They will monitor it regularly to make sure it is being adhered to.

### **Consequences of failing to comply**

We take compliance with this policy very seriously. Failure to comply puts both you and the organisation at risk. The importance of this policy means that failure to comply with any requirement may lead to disciplinary action under our procedures which may result in dismissal.

If you have any questions or concerns about anything in this policy, do not hesitate to contact the DPO.

### **Data Protection Officer**

Catherine Moore

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