



# Data Protection policy

## Overview

### Key details

- Policy prepared by: Christopher Colby
- Approved by Board/committee on: 15.10.2018
- First Review Date: 01.10.2021
- Review Completed by: Frank Jordan, Chair
- Next Review Date: 01.10.2024

### Introduction

In order to operate, Northampton Symphony Orchestra hereinafter referred to as "NSO" needs to gather, store and use certain forms of information about individuals.

These can include members, 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 NSO data protection standards and comply with the General Data Protection Regulations (GDPR).

### Why is this policy important?

This policy ensures that NSO:

- Protects the rights of our members, 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 NSO e.g.:

- Committee members
- Employees and volunteers
- Members
- Contractors/3<sup>rd</sup>-party suppliers

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

- Names
- Email addresses
- Postal addresses
- Phone numbers
- Any other personal information held (e.g. financial)

## Roles and responsibilities

NSO is the Data Controller and will determine what data is collected and how it is used. The Data Protection Officer for NSO is Frank Jordan, Chair. The Committee of the NSO are responsible for the secure, fair and transparent collection and use of data by NSO. Any questions relating to the collection or use of data should be directed to the Data Protection Officer.

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

NSO uses third party Data Processors (e.g. Tito Event software) to process data on its behalf. NSO will ensure all Data Processors are compliant with GDPR.

## Data protection principles

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

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

- A member's name, address, email and phone number will be collected when they first join the group, and will be used to contact the member regarding group membership administration and activities. Other data may also subsequently be collected in relation to their membership, including their payment history for 'subs'.  
Where possible NSO will anonymise this data
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to NSO completing tasks expected as part of the individual's membership).
- 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 NSO 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 NSO 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 NSO to communicate with them about and promote group 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 NSO 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, NSO 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

NSO 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 members in order to be able to contact them about group administration, but data on their marital status or sexuality will not be collected, since it is unnecessary and excessive for the purposes of group administration.

The committee may also ask for sensitive information regarding health in order to arrange safe events. This information will only be shared within the committee (including the Musical Director and Leader if necessary) for the purposes of planning the orchestra's activities and supporting the membership of the orchestra

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

NSO will ask members, 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 trustees.

e) We ensure data is not kept longer than necessary

NSO 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 NSO's data retention policy. When the intended use is no longer applicable (e.g. contact details for a member who has left the group), the data will be deleted within a reasonable period.

f) We keep personal data secure

NSO 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. membership forms or email sign-up sheets)
- Any codes/passwords to data will be removed from a committee member on departure from the committee, or a change in role where access is no longer required.
- Access to data will only be given to relevant trustees/committee members/contractors where it is clearly necessary for the running of the group. The trustees 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

NSO 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 NSO collects, holds and uses an individual's personal data that individual has the following the rights over that data. NSO 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 NSO 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 NSO holds on them and confirmation of how it is being used. Requests should be

made in writing to the trustees 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. NSO will request that members, 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. NSO 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. NSO'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, NSO will restrict the data while it is verified).

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

## Member-to-member contact

We only share members' data with other members with the subject's prior consent. As a membership organisation NSO encourages communication between members. To facilitate this:

- Members can request the personal contact data of other members in writing via the trustees. 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 members in this way

## How we get consent

NSO will regularly collect data from consenting supporters for marketing

purposes. This includes contacting them to promote performances, updating them about group news, fundraising and other group 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 NSO 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 **NSO** 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.

NSO does not currently but may in the future use cookies on our website **www.nso.org.uk** to monitor and a user's activity. This allows 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.

If NSO bring in this functionality, we will implement a pop-up box on **www.nso.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.