

# ASPIRATIONS SCHOOL OF DANCE

## PRIVACY NOTICE

The General Data Protection Regulation (GDPR) comes into effect on 25th May 2018. It has been agreed that [DPO's Mary Lines], 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; Aspirations School of Dance are complying with this Regulation.

### Purpose and Statement:

Aspirations School of Dance is committed to ensuring the data processed by our charity 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).

Aspirations School of Dance 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 Aspirations School of Dance 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 Aspirations School of Dance is satisfied that their Data Protection policy is GDPR compliant.

### Main Aims for the policy:

- Specify the data Aspirations School of Dance collect, how it is stored/protected and the reason for collecting it
- State how Aspirations School of Dance 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 Aspirations School of Dance 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

Aspirations School of Dance is committed to providing fair and understandable privacy policies in relation to personal data. Aspirations School of Dance 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 an Aspirations School of Dance 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. Aspirations School of Dance 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 Aspirations School of Dance '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 Aspirations School of Dance 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 Aspirations School of Dance 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 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 Aspirations School of Dance 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.

Aspirations School of Dance transports data with all due diligence. Enrolment forms are sent to Aspirations School of Dance through an encrypted email server directly from our website which has controlled access. Received enrolment forms are stored in a secure cabinet in a secure area. Data received through enrolment forms is also 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 be 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
- Aspirations School of Dance does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

### **Freelance Teachers:**

We have confidentiality and data processor agreements in place. Teachers will never be provided with personal details aside from participant's names and any medical information that is pertinent to the running of a class (subject to consent from the data subject)

### **Child Performance Licensing:**

In order to process child performance licences, Aspirations School of Dance is 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. Aspirations School of Dance 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.horsham.gov.uk/mayorandcouncil/aboutthecouncil/access-to-information/Pages/Data-Protection-Act.aspx>

### **Child Safeguarding Concerns:**

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

### **Event Programmes:**

Aspirations School of Dance 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 Aspirations School of Dance must provide some personal data to examination boards (currently Aspirations School of Dance work with: RBS, TRINITY, PTD, BATD, LAMDA & ABRSM). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

### **Schools:**

Aspirations School of Dance must sometimes share personal data with schools (names, DOB, and payment information) when taking part in an internal class in order for them to check persons attending. Aspirations School of Dance 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 Aspirations School of Dance is entitled to the rights of: Access**

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

### **Rectification**

You may contact Aspirations School of Dance at any time in order to rectify data held relating to you and/or your child(ren). Aspirations School of Dance 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 Aspirations School of Dance's legal obligations such as payment record information.

## **Erasure**

You may contact Aspirations School of Dance at any time in order to erase data held relating to you and/or your child(ren). Aspirations School of Dance 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 Aspirations School of Dance's legal obligations such as First Aid records.

## **Restrict Processing**

You may contact Aspirations School of Dance at any time in order to restrict the data we process relating to you and/or your child(ren). Aspirations School of Dance 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 Aspirations School of Dance until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

## **Data Portability**

You may contact Aspirations School of Dance 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. Aspirations School of Dance 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 Aspirations School of Dance's legal obligations.

## **Objection**

You may contact Aspirations School of Dance at any time in order to object to the processing of data relating to you and/or your child(ren). Aspirations School of Dance 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 Aspirations School of Dance 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 Aspirations School of Dance at any time in order to object to profiling relating to you and/or your child(ren). Aspirations School of Dance 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 Aspirations School of Dance until the profiling restriction is lifted. This is due to Health and Safety and Child Safeguarding. Aspirations School of Dance has a lawful reason for profiling, legitimate interests, and consent. None of Aspirations School of Dance'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. Aspirations School of Dance 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:**

Aspirations School of Dance 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 must agree to this Data Protection policy prior to accepting a contract of employment / freelance opportunity. Training is supplied as part of management and supervision. It is also included in all induction and training periods. Aspirations School of Dance is registered as a Data Controller with the Independent Commissioners Office (ICO). The registered Data Protection Officer (DPO) is Mary Lines maryjlines@hotmail.co.uk

## **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to Aspirations School of Dance's DPO:

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 Aspirations School of Dance 's Chair of Society (details upon application) or by contacting the Independent Commissioner's Office (ICO). ICO Tel Number: 0303 123 1113

## **Data Breaches:**

If Aspirations School of Dance 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. Aspirations School of Dance 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. Aspirations School of Dance will store and record all data breaches.

*Updated July 2020*