

**Cecchetti Ballet Associates hereafter in this policy referred to as CBA
Operating at Rambert School of Ballet and Contemporary Dance
Clifton Lodge St Margaret's Drive Twickenham TW1 1QN**

Policy: Data Protection (GDPR) Staff/Employees/Volunteers/Trustees		
Date Adopted:	Date of last review:	To be reviewed next before/on:
2008 (DPA) Updated 2018 (GDPR)		
<p>Purpose and Statement: Cecchetti Ballet Associates is committed to ensuring the data processed by our charity remains safe and secure.</p> <p>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).</p> <p>CBA has determined the lawful reasons with which it processes personal data:</p> <ul style="list-style-type: none"> • Legal obligation – GDPR Article 6(1)(c) • Legitimate interest – GDPR Article 6(1)(f) • Contract - GDPR Article 6(1)(b) <p>There is also some limited data we process with consent from the Data Subject; Consent – GDPR Article 6(1)(a).</p> <p>While CBA 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 CBA is satisfied that their Data Protection policy is GDPR compliant.</p> <p>Main Aims for the policy:</p> <ul style="list-style-type: none"> - Specify the data CBA collect, how it is stored/protected and the reason for collecting it - State how CBA 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 CBA data including access, rectification and erasure 		
<p>Distribution:</p> <ul style="list-style-type: none"> • To be distributed to Board at AGM and Induction sessions for Board Members • To be displayed on the CBA website when in relation to a job posting • Sent to all staff • 		
<p>Review and monitoring of policy:</p> <ul style="list-style-type: none"> • Reviewed annually or in instances of legislative change • Monitoring is part of Management and Supervision 		

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

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

CBA 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 CBA 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.

Staff (Employees/Freelance), Trustees, Volunteers and Potential Staff/Trustees and/or Volunteers

For the purposes of this policy, the aforementioned persons above will be referred to as 'staff'.

How CBA collect personal data:

CBA staff supply their personal data when applying for roles within the company.

This is either completed through an application form or submission of a CV.

Further information is collected when applicants are considered successful. Unsolicited data may come to CBA in the form of applicants emailing regarding work/volunteer opportunities.

Why CBA collect personal data:

It is CBA's legal obligation to collect staff's personal data in relation to their employment. This is due to Legal Obligation GDPR Article 6(1)(c) and/or Contract - Article 6(1)(b)

Should CBA be unable to process staff's data, we would be contravening UK Employment law, our own employment contracts (both PAYE and Freelance) and our own Health & Safety and Child Safeguarding policies.

Special category data is only collected with the consent of the data subject. Special category data CBA collects includes but is not limited to: Medical/Disability information, Ethnicity, Gender and Sexuality. CBA's lawful purpose for collecting this data is both Article 6(1)(b) – contract and Article 9(2)(b) – employment. This also ensures we are conforming to our Equal Opportunities policy. Any data is always recorded as quantified data (i.e. cumulative numerical data only with no identifying information relating to any data subject).

CBA is also entitled to obtain and process data in relation to criminal convictions and DBS checks. Most posts within CBA are exempt from the Rehabilitation of offender's act (1974) by the 1975 and 2001 Exceptions Amendment, as they involve working with vulnerable and/or young people. This is further supported by article 10 of GDPR.

What data we collect:

Personal data and some special category is collected.

It is essential to our business that we are provided, and allowed to process and store the following:

Staff Personal Data:

- Full Name Legal obligation – GDPR Article 6(1)(c) Legal Obligation
- Date of Birth - GDPR Article 6(1)(c) Legal Obligation
- Contact Details - GDPR Article 6(1)(c) Legal Obligation
- Pension Information - GDPR Article 6(1)(c) Legal Obligation
- NI number - GDPR Article 6(1)(c) Legal Obligation
- UTR number - GDPR Article 6(1)(c) Legal Obligation
- Right to work in the UK - GDPR Article 6(1)(c) Legal Obligation
- Bank Details - Article 6(1)(b) Contract
- Tax details - GDPR Article 6(1)(c) Legal Obligation
- Qualifications - Article 6(1)(b) Contract
- Pay Details - GDPR Article 6(1)(c) Legal Obligation
- Performance Details - Article 6(1)(b) Contract
- Annual Leave Details - Article 6(1)(b) Contract
- Sick/Compassionate/Maternity/Paternity Leave Details - Article 6(1)(b) Contract
- Safeguarding Concerns - GDPR Article 6(1)(c) Legal Obligation
- Emergency Contact - GDPR Article 6(1)(b) Contract

Staff Special Category Data:

- Criminal Record/DBS Checks - GDPR Article 6(1)(c) Legal Obligation & GDPR Article 10
- Medical/Disability - Article 6(2)(b) Contract & Article 9(2)(b)
- Ethnicity – Further explicit consent sought- Article 9(2)(a & b)
- Sexuality – Further explicit consent sought - Article 9(2)(a & b)

How data is sent internally:

Any transfer of data regarding staff is conducted through encrypted emails and/or stored in our encrypted cloud-based server.

Any unsolicited information is received to an encrypted email server.

Storage/Retention of data:

All Staff personal data is stored on encrypted files in our cloud-based server. It is also stored on encrypted hardware within the office. Any hard copies are stored in a locked cabinet. All of these files have restricted access to authorised staff only.

Most staff data is retained for 6 YEARS (post-employment).

Exceptions to our retention policy:

- 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
- First Aid records are kept for a minimum of 21 years due to legal obligation

Unsuccessful applicant data is stored 6-months post campaign, this includes unsolicited data from potential applicants.

Third Parties/Data Processors:

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

Lloyds Bank:

In order to process payments by BACs, staff's bank details and names must be added to our online banking system. CBA is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

References:

In order to supply references for staff members, some personal data must be divulged. This will only be done with the data subject's consent, as CBA may not be fully aware of the recipients GDPR policies.

Child Performance Licensing:

In order to process child performance licences, CBA are legally required to provide some staff's personal data to local councils (including but not limited to: full name and DBS details).

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

Child Safeguarding Concerns:

In the unlikely event CBA has a safeguarding concern in relation to one of our participants and/or staff members, CBA are legally required to provide data to the safeguarding board at the local council and the Disclosure and Barring service.

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

Website Biography:

CBA's website includes staff biographies, these are available for public viewing. Consent is sought before any/all staff profiles are added to the website.

Independent Examiner:

It is CBA's Legal Obligation to have an independent examination with regards to its financial processes at the end of every financial year. This includes access to our Payroll records.

CBA is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained. CBA has a copy of the privacy agreement on file.

Rights of the data subject and CBA compliance with responses:

Any data subject with personal data stored within [SCHOOL NAME] is entitled to the rights of:

- **Access**

You may contact CBA at any time to access all data held relating to you. CBA 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, CBA 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 CBA's legal obligations such as confidential Child Safeguarding records.

- **Rectification**

You may contact CBA at any time in order to rectify data held relating to you. CBA 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 CBA's legal obligations such as payment record information.

- **Erasure**

You may contact CBA at any time in order to erase data held relating to you. CBA 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 CBA's legal obligations such as First Aid records.

- **Restrict Processing**

You may contact CBA at any time in order to restrict the data we process relating to you. CBA 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 and legal obligations in most of the data collected- we may not be able to restrict processing.

- **Data Portability**

You may contact CBA at any time in order to obtain the data we process relating to you and reuse it across different services. CBA 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 CBA's legal obligations.

- **Objection**

You may contact CBA at any time in order to object to the processing of data relating to you. CBA 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 and legal obligations in most of the data collected- we may not be able to accept your objection.

- **Rights related to automated decision-making including profiling**

You may contact CBA at any time in order to object to profiling relating to you). CBA 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 CBA's legal obligations.

CBA has a lawful reason for profiling; Legitimate Interests and consent.

None of CBA's decision making is automated. Profiling is only used in circumstances where a staff member has a criminal conviction.

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.