



All Stars Data Protection and Privacy Policy

Policy: Data Protection (GDPR)		
Date Adopted: 25/05/2018	Date of last review: 1/08/2020	To be reviewed next before/on: 1/08/2021
<p><u>Purpose and Statement:</u></p> <p>All Stars Performing Arts is committed to ensuring the data processed by us 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). All Stars Performing Arts 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;</p> <ul style="list-style-type: none"> • Consent – GDPR Article 6(1)(a). <p>While All Stars Performing Arts avoids sharing data with third parties, 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 All Stars Performing Arts is satisfied that their Data Protection policy is GDPR compliant.</p>		
<p><u>Main Aims for the policy:</u></p> <ul style="list-style-type: none"> • Specify the data All Stars Performing Arts collects, how it is stored/protected and the reason for collecting it. • State how All Stars Performing Arts 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 All Stars Performing Arts data including access, rectification and erasure. 		

Distribution:

- To be displayed on the All Stars Performing Arts website.
- This policy will be sent directly to members of the public on request.
- Confirmation of receipt of information - Signed statement from recipient to be held on file.
- To be reviewed annually by the All Stars Management Team.

Review and monitoring of policy:

- 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 All Stars Performing Arts is committed to providing fair and understandable privacy policies in relation to personal data.

All Stars Performing Arts 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 All Stars Performing Arts 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.

Participants and Customers

How All Stars Performing Arts collect personal data:

All Stars Performing Arts customers and participants supply their personal data when signing up for classes through our online registration form. This is either completed by a parent/guardian or the child themselves if they are deemed able to do so. Personal data may also come to us unsolicited via enquiries through our website and to our generic email account.

Why All Stars Performing Arts collect personal data:

To attend any of All Stars Performing Arts 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 All Stars Performing Arts 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 All Stars Performing Arts collects includes but is not limited to: Medical/Disability information and gender.

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.

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)
- School/Educational Institution - 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)
- Emergency Contact Number - GDPR Article 6(1)(f)

Parent/Guardian Special Category Data:

- Bank Details – further explicate consent sought in the instance of refunds etc.

How data collected is sent internally:

All Stars Performing Arts transports data with all due diligence. Enrolment forms are sent to All Stars Performing Arts 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 6 months. Received paper enrolment forms are destroyed after no more than 4 weeks.

Storage/Retention of data:

Data received through enrolment forms is uploaded automatically 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 One Year 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.
- Unsolicited enquiries that do not turn into bookings with current classes are deleted after they have been dealt with.

Third Parties/Data Processors:

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

Teachers and Student Teachers:

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).

NHS Test and Trace

Although this service is voluntary, we must encourage our customers to share their details, which will only be used if necessary to help stop the spread of Covid – 19. Parents/Guardians are able to opt out when registering their students. All Stars Performing Arts is satisfied that 'NHS Test and Trace' GDPR regulations are thorough, and the information stored is secure.

Mozilla Thunderbird: All Stars Performing Arts uses 'Mozilla Thunderbird' to provide communication via email. This is an optional process, which people consent to during enrolment. Data Subjects can opt-out and erase/rectify their record stored with Mozilla Thunderbird at any time by modifying our permissions form. All Stars Performing Arts is satisfied that 'Mozilla Thunderbird' GDPR regulations are thorough, and the information stored in 'Mozilla Thunderbird' (email addresses) is secure.

Zoom: All Stars Performing Arts uses an online video conferencing system called Zoom to run online classes. By signing up to classes, participants agree to share their email address with Zoom. Participants must also agree to Zoom's own terms and conditions. All Stars Performing Arts is satisfied that their GDPR regulations are thorough, and the information stored in Zoom is secure.

Child Performance Licensing: In order to process child performance licences, All Stars Performing Arts are 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. All Stars Performing Arts is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Safeguarding Concerns: In the unlikely event All Stars Performing Arts has a safeguarding concern in relation to one of our participants, MTA are legally required to provide data to the safeguarding board at the local council. All Stars Performing Arts is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Event Programmes: All Stars Performing Arts 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, All Stars Performing Arts must provide some personal data to examination boards (currently All Stars Performing Arts work with: IDTA). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

Rights of the data subject and All Stars Performing Arts compliance with responses:

Any data subject with personal data stored within All Stars Performing Arts is entitled to the rights of:

- Access - You may contact All Stars Performing Arts at any time to access all data held relating to you and/or your child(ren). All Stars Performing Arts 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, All Stars Performing Arts 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 All Stars Performing Arts legal obligations such as Child Safeguarding records.

- Rectification - You may contact All Stars Performing Arts at any time in order to rectify data held relating to you and/or your child(ren). All Stars Performing Arts 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 All Stars Performing Arts legal obligations such as payment record information.
- Erasure - You may contact All Stars Performing Arts at any time in order to erase data held relating to you and/or your child(ren). All Stars Performing Arts 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 All Stars Performing Arts legal obligations such as First Aid records.
- Restrict Processing - You may contact All Stars Performing Arts at any time in order to restrict the data we process relating to you and/or your child(ren). All Stars Performing Arts 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 All Stars Performing Arts until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.
- Data Portability - You may contact All Stars Performing Arts 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. All Stars Performing Arts 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 All Stars Performing Arts legal obligations.
- Objection - You may contact All Stars Performing Arts at any time in order to object to the processing of data relating to you and/or your child(ren). All Stars Performing Arts 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 All Stars Performing Arts 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 All Stars Performing Arts at any time in order to object to profiling relating to you and/or your child(ren). All Stars Performing Arts 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 All Stars Performing Arts until the profiling restriction is lifted. This is due to Health and Safety and Child Safeguarding. All Stars Performing Arts has a lawful reason for profiling; Legitimate Interests and consent. None of All Stars Performing Arts 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 email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

Photos/Videos of Participants

All Stars Performing Arts 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:

All Stars Performing Arts regularly share photos/videos of students in classes, events and performances through social media platforms including; Instagram, Facebook, and 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 DPO: Francine Graham, Artistic Director. If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by contacting the Independent Commissioner's Office (ICO). ICO Telephone Number: 0303 123 1113

Data Breaches:

If All Stars Performing Arts experiences a data breach of any kind, we have a legal obligation to report this to the 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. All Stars Performing Arts 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. All Stars Performing Arts will store and record all data breaches.