



Data Protection Policy –GDPR

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Policy Creator: Claire Johnson

Rationale

Evolve studios Limited, trading as Evolve Dance is committed to a policy of protecting the rights and privacy of individuals, including students/customers, staff and others, in accordance with the General Data Protection Regulation (GDPR) May 2018.

The new data regulation demands higher transparency and accountability in how businesses manage and use personal data. It also includes new rights for individuals to understand and control that use.

The GDPR contains provisions that Evolve Dance needs to be aware of as data controllers, including provisions intended to enhance the protection of students/customers personal data. GDPR requires that:

We must ensure that our privacy notices are written in a clear, plain way that staff and customers/students will understand.

Evolve Dance needs to process certain information about its staff, students, parents and guardians and other individuals with whom it has a relationship, for various purposes including, but not limited to:

1. The recruitment and payment of staff
2. The administration of courses
3. Student/customer enrolment
4. Examinations accreditation
5. Recording student progress and attendance
6. Collecting Fees
7. Complying with legal obligations to funding bodies and government, including local government
8. Emergency contacts

To comply with legal obligations, including the General Data Protection Regulation, Evolve Dance must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Compliance

This policy applies to all staff and students of Evolve Dance. Any breach of this policy or of the regulation itself, will be considered an offence and Evolve Dance's disciplinary procedures will be invoked.

As a matter of best practice, other individuals and companies working with Evolve Dance, who have access to personal information, will be expected to read and comply with this policy. It is the managing director's responsibility to ensure that any such bodies sign a contract, which among other things will include an agreement to abide by this policy.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any amendments or change to the GDPR and relevant legislation.

We will, through appropriate management ensure that anyone authorised to access personal information takes appropriate care by:

1. Observing the conditions regarding the fair and lawful collection and use of personal information
2. Specifying the legal basis, purpose and condition for processing for the personal information being processed and by not using this information for another incompatible purpose and under the new GDPR document and publishing (25th May 2018) this and other information about the processing including the legal basis relied upon to process the personal data
3. Collecting and processing only the appropriate amount of information needed to fulfil operational needs or to comply with any legal requirements
4. Ensuring the quality of personal information created, used and held
5. Keeping personal information secure
6. Applying strict checks to determine the length of time personal information should be held and ensuring it is not kept for longer than is necessary or disposed of too soon
7. Ensuring that individuals are aware of their rights through both the data protection act and GDPR
8. Ensuring information is not disclosed to any third party unlawfully
9. Ensuring staff who deal with data are adequately trained and that there is an assigned data protection officer
10. Investigating and responding to complaints in relation to the data protection act and GDPR

General Data Protection Regulation (GDPR)

This piece of legislation comes into effect on the 25th May 2018. The GDPR regulated the processing of personal data and protects the rights and privacy of all living individuals. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images) and may include facts or opinions about a person.

For more detailed information on these regulation, see the Information Commissioner's office (www.ico.gov.uk).

Responsibilities under GDPR

Evolve Dance is the 'data controller' under the terms of the legislation – meaning it is ultimately responsible for controlling the use and processing of personal data. Evolve Dance appoints a Data Protection Officer, currently the managing director to address any concerns regarding how data is held, processed and used at Evolve Dance.

Compliance with the legislation is the personal responsibility of all members of Evolve Dance who process personal information.

Individuals who provide personal data to Evolve Dance are responsible for ensuring that the information is accurate and up-to-date.

Data Protection Principles

Under the GDPR, the data protection principles set out the main responsibilities for organisations. Evolve Dance adheres to comply to the principles as follows:

- 1) Process personal data fairly and lawfully

Evolve Dance will make all reasonable efforts to ensure that individuals who are giving personal data are informed of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged, given an indication of the period for which the data will be kept and any other information which may be relevant.

- 2) Process the data for the specific and lawful purpose for which it is collected and not further process the data in a manner incompatible with this purpose

Evolve Dance will ensure that data is only processed for what it was originally collected for, unless the individual is informed of any additional processing which may occur.

- 3) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.

Evolve Dance will not seek to collect any personal data unless strictly necessary for the purpose it was obtained. Forms for collecting data will always be drafted with this in mind. If any irrelevant data is given it shall be destroyed immediately.

- 4) Keep personal data accurate and, when necessary, up to date.

Evolve Dance will review and update all data on a regular basis. It is the responsibility of individuals to ensure that data given is accurate. Individuals should notify Evolve Dance if there is a change of circumstances meaning the data needs to be updated. It is the responsibility of Evolve Dance to ensure any notification of change is noted and acted on.

- 5) Only keep personal data for as long as it is necessary

Evolve Dance will not retain personal data for longer than is necessary in order to comply with legislation. Evolve Dance will undertake a regular review of the information held and will destroy and information no longer required. Individuals will be made aware of how long data will be held for.

Evolve Dance will dispose of any personal data in a way that protects the rights and privacy of the individuals concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of records which are destroyed.

- 6) Process personal data in accordance with the rights of the data subject under the new legislation

Individuals have various rights including:

- The right to be informed – individuals will be told what personal data Evolve Dance holds and who this will be shared with.
- The right of access – Individuals have the right to ‘subject access’ either verbally or written their personal data. Evolve Dance will respond to requests within one month.
- The right to rectification – Any incorrect data will be rectified, a request for this can be done either verbally or written.
- The right to erasure – Individuals have the right to ask Evolve Dance to erase all personal data, this will be done within one calendar month.
- The right to restrict processing – Individuals can restrict processing, Evolve Dance will still be able to store this data.
- The right to data portability
- The right to object – Individuals can prevent processing particularly if it is likely to cause damage or distress or for purposes of direct marketing.
- Rights in relation to automated decision making and profiling – Individuals have the right to be informed about the mechanics of any automated decision taking process that will affect them.

Evolve Dance will only process data in accordance with individuals’ rights.

- 7) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not shared with any unauthorised third parties.

Evolve Dance will ensure personal data is only accessible to those with a valid reason of using it.

Evolve Dance will have appropriate security measures in place:

- All personal data will be kept in a lockable cabinet with key-controlled access
- Password protected electronic personal data
- Archiving personal data which are kept secure
- Placing any PCs that show personal data so they are only visible to authorised staff
- Ensuring PC screens are not left unattended without a password protected screen saver being used.

In addition, Evolve Dance will appropriately delete personal data – manual records will be shredded or disposed as ‘confidential waste’ and secure electronic deletion. All PCs will be wiped clean before disposal or physically destroyed. A log will be kept of all records destroyed.

This policy also applies to staff working ‘off-site’, with additional care to be taken regarding the security of data.

- 8) Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Evolve Dance will not transfer data to such countries or territories without explicit consent from the individual.

This includes publishing information on the internet, Evolve Dance will always seek the consent of individuals before placing any personal data (including photographs and videos) on its website.

Collecting Data

Consent will always be gained from individuals before processing their data. Forms used to gather data on an individual, will contain a statement explaining the use of that data and how the data may be disclosed. Evolve Dance will ensure that if an individual does not give consent for the processing, and there is no other lawful basis to process the data, then steps will be taken to ensure data processing does not take place.

This policy will be updated as necessary to reflect any future amendments of the GDPR, DPA and to reflect best practice.

Data Protection Officer: Claire Johnson, Managing Director