

POLICY



Data Protection

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1. PURPOSE AND SCOPE

Spinning Wheel Theatre (SWT) is committed to protecting the rights and privacy of individuals in accordance with the General Data Protection Regulation (GDPR), 2018 and the Privacy and Electronic Communications Regulations (PECR), 2003. GDPR places an obligation on organisations to be clear why we are collecting data and what we plan to do with it. SWT is a data controller and needs to have clear guidelines for data processors (staff, volunteers, trainees, third parties) on how to collect, handle and store personal data.

2. HOW AND WHY SWT COLLECTS PERSONAL DATA

A full analysis of the data we collect, how we use it, how long we store it and how we seek consent is detailed in Appendix A. In brief, SWT collects and processes six categories of personal data:

1. Staff data
2. Participant data
3. Volunteer data
4. Audience data
5. Marketing and Prospects data
6. Commercial data

SWT uses personal data to fulfil statutory obligations and contracts, to market and publicise its work, to monitor the success of its projects and the diversity of audiences, to meet its obligations to safeguard the young people it works with, to fulfill its charitable and public role as a theatre company and for purposes of legitimate interest, e.g. encouraging and administering charitable donations.

3. POLICY STATEMENT

SWT will:

- comply with both the law and good practice
- only collect the information we need

- require individuals to opt in
- not keep data longer than necessary
- store data securely
- provide training and support for staff and volunteers who handle personal data
- keep data up-to-date through periodic review
- maintain and display a Privacy Policy (see Appendix B)
- append brief information about data use to all forms on which personal data is collected (see Appendix C)
- use plain and simple English in policies
- sell your data to a third party

SWT may not always seek the consent of data subjects when processing personal data, for example, when aggregating data to analyse general performance or when processing Gift Aid, or where a justification of legitimate interest can be made.

Significant decisions about data processing, e.g. use of a justification of legitimate interest for a marketing campaign, should be recorded in writing.

4. ROLE OF SWT

On the advice of the Information Commissioner's Office (7/2/18), SWT is currently exempt from registering with the ICO under the exemption for not-for-profit organisation rules.

SWT has an appointed Data Protection Officer - currently Amy Wyllie - who is responsible for:

- ensuring provision of training
- responding to requests from members of the public to see the data we hold about them
- liaison with the Information Commissioner's Office if needed
- keeping the Director and Board of Trustees aware of relevant issues

SWT will produce a plan for ensuring that the data it processes is appropriately reviewed (Appendix D).

In the event of a request from a member of the public to see the data we hold about them, we will require a form of ID before producing this information. We will aim to respond to any requests within 28 days.

If required to delete data, we will do so securely, shredding paper files and ensuring that electronic files are properly deleted.

5. ROLE OF STAFF, VOLUNTEERS, TRAINEES AND THIRD PARTIES

All staff, volunteers, trainees and third parties (under contract) handling personal data on behalf of Spinning Wheel Theatre are responsible for ensuring that any personal data which they collect or process is managed in accordance with this policy.

If data is lost or stolen, this should be reported to the Data Protection Officer as soon as possible so that appropriate action can be taken. The process for this is detailed in Appendix E.

Appendix A: Our data

Category	What we hold	Why we hold it	Do we need to seek consent?	How should we hold it and for how long?
Staff data	Personal information about current and former staff including paid trainees; contact details of references; photos; unsuccessful applicant details and application forms	To contact staff, respond to emergencies, manage our payroll, undertake statutory obligations, DBS checks, provide references, administer contracts of employment, monitor diversity and maintain an archive; for hiring processes	No - how we will use data is implicit in the contract of employment and there is a privacy statement that has been added on the personal details form.	<ul style="list-style-type: none"> We should review former staff's files after 7 years and dispose of personal data which is unnecessary to keep, with the exception of name and contact details which should be recorded as part of our organisational archive. Unsuccessful applicant files should be retained for a year and then deleted unless the applicant has requested to be kept on file.
Participant data	Personal information about current and former participants; photos; video footage	To contact participants, respond to emergencies, DBS and other checks, monitor diversity and attendance, communicate about the activities taking place, marketing, to record consent (e.g. parental, photographic material).	<p>Yes - current participants. We will need to update our personal details form and obtain new permissions from them. Photo consent must also be obtained</p> <p>Yes - lapsed participants. We need to write to them and request permission to continue to use their still and moving image for marketing, and to add them to our mailing list.</p>	<ul style="list-style-type: none"> We should hold a list of all participants as part of our organisational archive and in case of references. We need to record consent. We should remove personal details of lapsed participants each year, with particular care to information about disability, medical history and offending history.

Category	What we hold	Why we hold it	Do we need to seek consent?	How should we hold it and for how long?
Volunteer data	Personal information about current and former volunteers; contact details of references; photos	To contact volunteers, respond to emergencies, DBS and other checks, check references, monitor diversity and attendance, communicate about the activities taking place, marketing	No - We will update our personal details forms before recruiting volunteers.	<ul style="list-style-type: none"> We should hold a list of all volunteers as part of our organisational archive and in case of references. We should remove personal details of lapsed volunteers each year, with particular care to information about disability, medical history and offending history.
Audience data	Gift Aid declarations, online purchases, emails, audience demographic research	To ensure we are meeting diversity targets; to inform programming content and support funding applications; to allow to contact members; to market our projects and productions; to record consent (e.g. parental, photographic subject).	<p>No - for anonymized analysis of data like postcodes, for Gift Aid and to fulfil memberships and online purchases. (It is acceptable to market something that has already been bought to someone who has bought it, but there has to be a way of opting out and general marketing is not appropriate.)</p> <p>Yes - for email communication with the purpose of marketing or fundraising, we must seek explicit consent.</p>	<ul style="list-style-type: none"> We have to hold Gift Aid data for six years. We need to record consent. We should delete all details of those who have opted out of contact (except where Gift Aid is concerned). We will explore a new opt-in option for audiences purchasing tickets online to join the mailing list database.

Category	What we hold	Why we hold it	Do we need to seek consent?	How should we hold it and for how long?
Marketing data and prospects data	Information collected through online research, marketing mailing lists	To enable fundraising and advocacy; to enable marketing of our projects and productions.	Yes - for email communication with the purpose of marketing or fundraising, we must seek explicit consent. We can send direct marketing by post or make phone calls to people where there is a legitimate interest for us to do so. At the research stage when we are deciding whether it is appropriate to contact potential donors, basic information that is in the public domain does not constitute wealth screening and can be held in the legitimate interests of the organisation.	<ul style="list-style-type: none"> • We need to review the data we hold and ensure that we have and record 'opt in' consent. • Our current e-mailing list contains individuals who have had to sign up to it.
Commercial data	General contact details	To record contracts (venue bookings, commercial hire); to record details of potential suppliers, partners, local authority contacts and similar.	No - a contract implies that we will hold the data; other contact details are held because of public offices or roles and are therefore in the public domain and of legitimate interest.	<ul style="list-style-type: none"> • It is in our interests to keep this kind of data updated as it tends to age quickly. • We will retain contract contact details in our business archives for at least 7 years.

Appendix B: Privacy Policy

Privacy Policy

Last updated: March 2018

Who we are

Spinning Wheel Theatre is a company limited by guarantee (7841365) and a registered charity (1170509) operating under the name Spinning Wheel Ltd.

Our address is The Old Post Office, The Street, Rickingham, Diss, Suffolk, IP22 1EG.

The personal data we collect

The data we collect is generally limited to contact details (name, postal address, email address and phone number), but may also include:

- your title, gender and date of birth
- family and spouse/partner details, relationships to other participants and/or donors
- allergy or relevant medical information pertaining to your safety during participation and/or your work with us
- current interests and activities
- past purchases, participation and production attendance
- contact preferences
- consent
- gift information, including Direct Debit bank details where applicable
- Gift Aid status
- details of correspondence sent to you, or received from you
- donor status and wealth assessment information
- employment information and professional activities
- where relevant, media coverage
- any other information provided by you

We also collect information about the diversity of our participants and audience, which allow us to monitor our performance and determine whether we are reaching a broad spectrum of the community. This information is always anonymized when we present it.

For volunteers and long-term programme participants, we collect next-of-kin and medical details.

What we use data for

We use data for the following purposes:

- Mailings relating to news, events, membership, fundraising and SWT's general activities
- Research, including wealth screening from publicly-available resources to determine whether a particular appeal is likely to reflect your interests.
- For market research purposes, e.g. sending you surveys
- To work out how effectively we are reaching the whole community and how diverse our audiences are.
- To monitor the effectiveness of our communications, including email tracking (which records when an e-newsletter is opened and/or how many links are clicked within it).
- Data screening and cleansing, to check if we have accurate contact details for you.
- To record consent, e.g. consent to use a photo of you in our marketing.

Opting out

You can opt out of any or all of our communications simply by contacting mail@spinningwheeltheatre.com or calling us on 07709 424948.

How we update and research data

We review our records periodically to ensure your data is accurate. We may consult a range of sources in order to undertake these checks, such as BT, Royal Mail, publicly-available sources such as newspaper articles, company, club and charity websites, and information you have made publicly available via social media. We may segment the information we hold about you in our database based on the relationship we have with you - e.g. member, former member.

Data sharing

SWT will not share your data with any other organisation, except where required to for legal reasons and financial reporting (e.g. Gift Aid) or if an external organisation is acting as a contracted data processor carrying out work on our behalf. We may occasionally send you information on behalf of other charities or about events which we think may be of interest to you. However, we will never pass on your details without your explicit consent.

Data security

We store your data in a password protected electronic file and, occasionally, in hard copy form. Staff and volunteers who have access to your data are trained in data protection and have signed a code of conduct which covers confidentiality in data handling. Sensitive data (e.g. data about disability, health, offending history) is restricted. Where we appoint an external party to undertake research or screening of information, any such arrangements will be subject to a formal agreement between Spinning Wheel Theatre and that organisation, to protect the security of your data.

We collect information using third party applications, such as the Audience Agency, Kickstarter and Mailchimp.

Seeing the data we hold about you

You can submit a 'Subject Access Request' to see the data we hold about you. This should be sent to mail@spinningwheeltheatre.com or addressed to 'Data Controller, Spinning Wheel Theatre, The Old Post Office, The Street, Rickingham, Diss, IP22 1EG'. We will try to respond to any requests within 28 days. To make a Subject Access Request you will need to provide proof of identity such as a copy of your passport, birth certificate or driving licence before your request can be processed.

Cookies

Our website does not use cookies.

Updates to this policy

We regularly review our privacy policy and may make changes from time to time. The latest updates will be posted to our website.

Appendix C: Consent notices

E-mailing list sign up

Subscribe to our newsletter

We will keep you updated with all things Spinning Wheel, including upcoming productions and opportunities to get involved.

We will use your data in accordance with our [Privacy Policy](#).

Consent notice for paper forms

Spinning Wheel Theatre will add the contact details you provide to our e-mailing list so we can keep you informed about upcoming productions and opportunities to get involved.

If you agree to being contacted via email, please tick the box:

We respect your data and will use it in accordance with our [Privacy Policy](#).

If you would like to find out more or wish to stop receiving communications then please contact mail@spinningwheeltheatre.com

Consent notice on participant forms

I authorise Spinning Wheel Theatre to process my personal data manually and electronically as part of my participant record. This information will be used to contact me and my next-of-kin if necessary. I authorise Spinning Wheel Theatre to provide any medical information it contains to health professionals in the case of an emergency.

Under the terms of the General Data Protection Regulation, 2018, personal details of those taking part and recorded on this form will be used and stored by Spinning Wheel Theatre

for the purposes of recording consent. We will not share your information with third parties, unless they are acting under contract on our behalf.

As a participant, your email address will be added to the internal communications database so that we can keep you up to date with essential information.

Please tick here if you would also like your contact details to be added to Spinning Wheel Theatre's e-newsletter in order to stay up to date with the companies general news and opportunities.

Please see our Privacy Policy for more details about how we look after and use your personal data.

Appendix D: Action plan for ensuring compliance with GDPR

Plan last updated: March 2018

Progress so far:

- We have revised our policies and considered how to handle our data.

NEXT STEPS

Internal support

- Update all staff data with new forms recording contact details and personal information (date of birth, relevant medical issues, next of kin, etc.). The new form will include a privacy statement explaining that data will be kept and processed by SWT for the purposes of personnel management and contact details.
- Ensure all personal data is collated and stored under password protection.
- Update e-signatures with appropriate data protection statement.
- Talk to trustees about our approach and gain formal approval.
- Train staff and volunteers in the new approach to data handling.

Consent

- Contact all current participants with updated form explaining how we use data, confirming consent and contact details.
- Implement a way of recording consent.
- Implement a way of recording when people have opted out of communications.
- Update our privacy policy online.
- Update forms that gather personal data with new statements.
- Review our approach to collecting data from audiences, including the explanation of what the data will be used for.

Security

- Assess the journey data takes to ensure that the chances of it being lost or taken are minimised at each stage.
- Centralise personal data into one folder (and gather hard copy data into one place) to make reviewing easier and focus security.
- Check our security procedures to ensure that we are maintaining adequate protection for data.

Quality of data

- Organise a data-cleaning day to dispose of data that we no longer need to keep.
- Update data that may be out-of-date.
- Review the data we hold about former participants and dispose of the parts we do not require (retain contact details).

We will ensure that the above processes and procedures will be carried out by 30th November 2018.

Appendix E: Investigating a data breach

This form should be completed in the event of a data breach to record the incident and action taken.

NOTIFICATION	
Date incident was discovered:	
Date(s) of incident:	
Place of incident:	
Name of person reporting incident:	
Brief description of incident or details of the information lost:	
Brief description of any action taken at the time of discovery:	
ASSESSMENT OF SEVERITY	
Details of the IT systems, equipment, devices, records involved in the security breach:	
What is the nature of the information lost?	
Is the information unique? Will its loss have adverse operational, research, financial, legal, liability or reputational consequences for SWT or third parties?	
How many data subjects are affected?	
<p>What is the nature of the sensitivity of the data? Is it high risk because it reveals information relating to a living and identifiable person's</p> <ul style="list-style-type: none"> a) Race or ethnicity; b) Political, religious or philosophical beliefs; c) Membership of a trade union; d) Physical or mental health or sex life; e) Offending or alleged offending history? <p>Or because:</p> <ul style="list-style-type: none"> f) it could be used to commit identity fraud such as personal bank account and other financial information; national identifiers, such as National Insurance Number and copies of passports and visas; g) It relates to children or vulnerable adults; h) It provides information about work performance, salary or personal life that would cause significant damage or distress to that person if disclosed; i) It puts someone's safety at risk? 	
ACTION TAKEN	

Action taken:	
Was incident reported to Police?	
Were data subjects notified?	
Follow up action required/recommended:	