

Calderdale Music Trust Data Protection Policy



Policy Number:	1
Policy Name:	Data Protection
Policy Date:	March 2019

This policy draws together the essential elements of the Data Protection Acts 1984, 1998 and 2018 in as far as they affect personal data capture and processing in a within our trust environment.

Definition of personal data

Personal data is any information that relates to a living individual.

Registration

Calderdale Music Trust complies with the requirement to register all personal data held and to state the purposes for which it is required to be held. It ensures the appropriate fees are paid on the due date.

Summary of Principles followed

All processing undertaken by the Trust will be fair and lawful, accurate and up-to-date, and the data held will be adequate, relevant, not excessive and be held for no longer than is necessary. This means that when personal data becomes out of date, or is no longer relevant to the purpose for which it was originally collected, there will be arrangements in place for it to be destroyed. See also "Guiding Principles" below.

Conditions for processing personal data

Calderdale Music Trust will ensure that personal data is only processed (that is, used) if one of several conditions apply including:

1. an individual has given their consent
2. the processing is part of a contract
3. there is a legal obligation to process the data
4. the processing is necessary to protect the individual.

Sensitive data

"Sensitive personal data" is defined as including data relating to race, ethnic origin, political affiliations, religious or other beliefs and sexuality. This type of data demands greater protection and the trust is obliged to ensure one of the following is true before the data can be processed:

1. an individual has given their explicit consent **
2. there is a legal requirement to process the data
3. it is necessary to protect the vital interests of the individual.

** Explicit consent means fully informing the individual of the relevant facts in relation to the proposed processing and getting their written consent.

The protection of personal data

It is mandatory to ensure that appropriate technical and organisational measures are taken to prevent unauthorised access to or disclosure of data. This includes accidental loss or destruction of, or damage to, personal data. Additionally, a request for information under the Act may not be refused or ignored.

Guiding Principles

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
4. Personal data shall be accurate and, where necessary, kept up to date;
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Act;
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Staff Awareness

This policy shall be included in the staff handbook.

Publication of Web pages

- The Internet is only to be accessed via PCs which have been expressly set up within the Trust for that purpose.
- Publication of personal information or images of individuals on any web site the trust develops will only occur if the written consent of the individuals concerned has been given.

The use of images of people

When planning to take photos of anyone, be they adults or children, the trust will consider the need to get consent to take the photos and clearly stated consent about how the photos can be used e.g. just for a specific purpose/project or on a web site.

Use of electronic mail and the Internet

When using electronic mail and the Internet Calderdale Music Trust will consider the following Data Protection issues.

- Not to include personal or confidential information in the text of emails (or as an email attachment) to be sent outside the trust unless appropriate encryption is applied to protect it.
- Not to treat E-mail as a secure method of communication when dealing with personal data as defined by the Data Protection Act.

Pupils and parents right to see their education records

The Trust takes into account that under normal circumstances, parents and pupils have got the right to see information that is held about them.