

<b>Policy</b>	<b>Data Protection / Privacy</b>
<b>Effective Date</b>	1 September 2016
<b>Date Last Reviewed</b>	June 2024
<b>Authorised by</b>	Trustees via e-mail
<b>Scheduled Review Date</b>	June 2025
<b>Supersedes</b>	All previous Policies and/or Statements

## 1 INTRODUCTION

In order to operate Harrogate Choral Society (HCS) needs to gather, store and use certain forms of information about individuals. These individuals can include members, friends, our patron, employees, contractors, suppliers, volunteers, audiences and potential audiences, business contacts and other people the group has a relationship with or regularly needs to contact. This policy explains how this data should be collected, stored and used in order to meet HCS data protection standards and comply with the General Data Protection Regulations (GDPR).

## 2 WHY IS THIS POLICY IMPORTANT?

This policy ensures that HCS

- Protects the rights of our members, volunteers and supporters
- Complies with data protection law and follows good practice
- Protect the group from the risks of a data breach

## 3 ROLES AND RESPONSIBILITIES

This applies to *all* those handling data on behalf of HCS, for instance:

- Committee members
- Volunteers such as our Friends Secretary and Librarian
- Members such as Voice Reps
- Contractors / 3<sup>rd</sup>-party suppliers

It applies to all data that HCS holds relating to individuals, including:

- Names
- Email addresses
- Postal addresses
- Phone numbers
- Photographs taken of members during events
- Any other personal information held (e.g. financial)

The Data Protection Officer / Controller for HCS is the Business Manager who will determine what data is collected and how it is used. They, together with the Trustees, are responsible for the secure, fair and transparent collection and use of data by HCS. Any questions relating to the collection or use of data should be directed to the Data Protection Officer.

*Everyone* who has access to data as part of HCS has a responsibility to ensure that they adhere to this policy. Should HCS use third part Data Processors (e.g. Mail Chimp) to process data on its behalf then HCS will ensure all Data Processors are compliant with GDPR.

## 4 DATA PROTECTION PRINCIPLES

### 4.1 We fairly and lawfully process personal data in a transparent way

HCS will only collect data where lawful and where it is necessary for the legitimate purposes of the group.

- A Member's or Friend's name, home address, phone number(s) and email address will be collected when they first join the group, and will be used to contact the member regarding group membership administration and activities. Other data may also subsequently be collected in relation to their membership, including their payment history for 'subs', or photos of members taken at events. Where possible HCS will anonymise any such data
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to HCS completing tasks expected as part of the individual's membership).
- The name and contact details of paid Officials, contracted soloists/artistes and contractors will be collected when they take up a position, and will be used to contact them regarding group administration related to their role.
- Further information, including personal financial information and criminal records information may also be collected in specific circumstances where lawful and necessary (in order to process payment to the person or in order to carry out a DBS check). They may also be photographed at HCS events.
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to HCS completing tasks expected as part of working with the individuals)
- An individual's name and contact details will be collected when they make a booking for an event. This will be used to contact them about their booking and to allow them entry to the event.
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to HCS completing tasks expected as part of the booking)
- An individual's name, contact details and other details may be collected at any time (including when booking tickets or at an event), with their consent, in order for HCS to communicate with them about and promote group activities. See 'How we get consent' below.
  - Lawful basis for processing this data: Consent (see 'How we get consent')
- Pseudonymous or anonymous data (including behavioural, technological and geographical/regional) on an individual may be collected via tracking 'cookies' when they access our website or interact with our emails, in order for us to monitor and improve our effectiveness on these channels. See 'Cookies on the HCS website' below.
  - Lawful basis for processing this data: Consent (see 'How we get consent')

**4.2 We only collect and use personal data for specific, explicit and legitimate purposes and will only use the data for those specified purposes.**

When collecting data HCS will always provide a clear and specific privacy statement explaining to the subject why the data is required and what it will be used for.

**4.3 We ensure any data collected is relevant and not excessive**

HCS will not collect or store more data than the minimum information required for its intended purpose.

E.g. we need to collect telephone numbers from members in order to be able to contact them about group administration, but data on their marital status, age or sexuality will not be collected, since it is unnecessary and excessive for the purposes of group administration.

**4.4 We ensure data is accurate and up-to-date**

HCS will ask members, volunteers and staff to check and update their data on an annual basis. Any individual will be able to update their data at any point by contacting the Data Protection Officer.

**4.5 We ensure data is not kept longer than necessary**

HCS will keep records for no longer than is necessary in order to meet the intended use for which it was gathered (unless there is a legal requirement to keep records). The storage and intended use of data will be reviewed in line with HCS Records Management policy. When the intended use is no longer applicable (e.g. contact details for a member who has left the group), the data will be deleted within a reasonable period.

**4.6 We keep personal data secure**

HCS will ensure that data held by us is kept secure.

- Electronically-held data will be held within a password-protected and secure environment
- Passwords for electronic data files will be re-set each time an individual with data access leaves their role/position
- Physically-held data (e.g. membership forms or email sign-up sheets) will be stored on a locked cupboard
- Keys for locks securing physical data files should be collected by the Data Protection Officer from any individual with access if they leave their role/position. The codes on combination locks should be changed each time an individual with data access leaves their role/position
- Access to data will only be given to relevant trustees / committee members / contractors where it is clearly necessary for the running of the group. The Data Protection Officer will decide in what situations this is applicable and will keep a master list of who has access to data

**4.7 Transfer to countries outside the EEA**

HCS will not transfer data to countries outside the European Economic Area (EEA), unless the country has adequate protection for the individual's data privacy rights.

**5 PRIVACY STATEMENT**

The following statement to be used on forms used for gathering data together with a tick box indicating that the person has read and understood the statement and a place for them to sign the form. The statement can be adapted to suit the form in use within reason.

“We will record information about you, such as your contact details, to allow us to keep in touch with you as a member / friend / supporter/ official / soloist etc. We may occasionally share your information with appropriate HCS officers, but be reassured that your data will be securely stored and not shared with anyone outside of HCS without your consent. We will use your contact details to keep you informed. For Members and Officials this means updates about choir rehearsals and events; for Friends, information about choir events and news; for soloists information relevant to the concert you will be singing in.

For Members, Officials and soloists the following addition should be included “We take photographs during events for the benefit of HCS. These images may be used in future newsletters and in publicity material including our website and facebook pages. The images will be used at any time, normally within a five year period. Please note that our website and facebook pages can be seen throughout the world and not just in the UK where UK law applies. If you do not want your images to be used in this way, please make your wishes known to the Data Protection Officer”

## **6 CHILDREN**

For any members aged under 18 (ie Halcyon Singers) then any form used to gather personal information will require the permission of both the singer and their parent of guardian.

## **7 INDIVIDUAL RIGHTS**

When HCS collects, holds and uses an individual's personal data that individual has the following the rights over that data. HCS will ensure its data processes comply with those rights and will make all reasonable efforts to fulfil requests from an individual in relation to those rights.

- 7.1 *Right to be informed:* whenever HCS collects data it will provide a clear and specific privacy statement explaining why it is being collected and how it will be used.
- 7.2 *Right of access:* individuals can request to see the data HCS holds on them and confirmation of how it is being used. Requests should be made in writing to the Data Protection Officer and will be complied with free of charge and within one month. Where requests are complex or numerous this may be extended to two months
- 7.3 *Right to rectification:* individuals can request that their data be updated where it is inaccurate or incomplete. HCS will request that members, staff and contractors check and update their data on an annual basis. Any requests for data to be updated will be processed within one month.
- 7.4 *Right to object:* individuals can object to their data being used for a particular purpose. HCS will always provide a way for an individual to withdraw consent in all marketing communications. Where we receive a request to stop using data we will comply unless we have a lawful reason to use the data for legitimate interests or contractual obligation.
- 7.5 *Right to erasure:* individuals can request for all data held on them to be deleted. HCS data retention policy will ensure data is not held for longer than is reasonably necessary in relation to the purpose it was originally collected. If a request for deletion is made we will comply with the request unless:

- There is a lawful reason to keep and use the data for legitimate interests or contractual obligation.
- There is a legal requirement to keep the data.

7.6 *Right to restrict processing:* individuals can request that their personal data be 'restricted' – that is, retained and stored but not processed further (e.g. if they have contested the accuracy of any of their data, HCS will restrict the data while it is verified).

7.7 Though unlikely to apply to the data processed by HCS we will also ensure that rights related to portability and automated decision making (including profiling) are complied with where appropriate.

## **8 MEMBER TO MEMBER CONTACT**

We only share members' data with other members with the subject's prior consent. As a membership organization HCS encourages communication between members.

To facilitate this:

- Members can request the personal contact data of other members in writing via the Data Protection Officer. These details will be given, as long as they are for the purposes of contacting the subject (e.g. an email address, not financial or health data) and the subject has consented to their data being shared with other members in this way.

## **9 HOW WE GET CONSENT**

HCS will regularly collect data from consenting supporters for marketing purposes. This includes contacting them to promote performances, updating them about group news, fundraising and other group activities.

Any time data is collected for this purpose, we will provide:

- A method for users to show their positive and active consent to receive these communications (e.g. a 'tick box')
- A clear and specific explanation of what the data will be used for (e.g. 'Tick this box if you would like HCS to send you email updates with details about our forthcoming events, fundraising activities and opportunities to get involved')

Data collected will only ever be used in the way described and consented to (e.g. we will not use email data in order to market 3rd-party products unless this has been explicitly consented to).

Every marketing communication will contain a method through which a recipient can withdraw their consent (e.g. an 'unsubscribe' link in an email). Opt-out requests such as this will be processed within 14 days.

## **10 DATA BREACHES**

HCS takes any breach of data seriously. A data breach could be the deliberate or accidental:

- Loss of data – e.g. not knowing where physical or digital data is stored or how to access it, including devices being lost or stolen.
- Destruction of data – both physical and digital

- Corruption of data – e.g. changing data without permission or good reason or changing it with permission or good reason but incorrectly, either by HCS staff, volunteers or third parties
- Unauthorised use of data e.g. sending an email that requires consent where consent has not been given.
- Unauthorised access to data – e.g. an (unauthorised) third party gains access to data stored by HCS
- Unauthorised disclosure of data – e.g. HCS passing data to a third party where we do not have a lawful basis to do so.

HCS acknowledges that a data breach can occur through both action and inaction on the part of the Data Controller or Processor.

### **How we prevent Data breaches**

HCS has the following safeguards to ensure against possible data breaches:

- Data is stored on secure systems with access controlled by passwords
- Automatic, and manual, processes ensure passwords are updated on a regular basis, including as soon as an individual's role within, or relationship to HCS changes.
- Automatic, and manual, processes ensure mass communications are only sent in line with mailing preferences.

### **If a Data breach occurs**

If anyone associated with HCS thinks a data breach has occurred then it should be reported to the Data Protection Officer/trustees immediately.

The Data Protection Officer/trustees will work with relevant individuals to investigate the potential breach. The response plan will include the following steps:

- Establish if a breach has occurred.
- Investigate if any measures can be taken to contain or minimise the breach.
- Establish the full extent and nature of that breach – including what the breach was, how many data subjects are affected and who they are.
- Establish if the data breach has, or is likely to, pose a significant risk to the data subjects rights and freedoms:
  - If the breach does pose a significant risk to the data subjects rights and freedoms we will:
    - Ensure all trustees are informed
    - Report the breach to the ICO. This will be done in-line with their guidelines and as soon as possible, but no later than 72 hours after the breach occurred
    - Report the breach to any other relevant regulators, including the Charity Commission
    - Report the breach to the data subjects affected, informing them of what has happened, possible and likely impacts it might have on them and what we are doing to manage the breach and reduce risk of future occurrences
  - If the breach does not pose a significant risk to the data subjects rights and freedoms we will:

- Document details of the breach and the decision making process involved in assessing the severity and risk of the breach.
- Ensure the breach is reported to the Board of Trustees at the next planned full board meeting.

Conduct an internal investigation into how the breach happened and what measures need to be taken to minimise the risk of similar breaches occurring in the future.

**11 REGULAR DATA REVIEW**

A regular review of all data will take place to establish if HCS still has good reason to keep and use the data held at the time of the review. As a general rule a data review will be held every 2 years and no more than 27 calendar months after the last review. The first review will take place on 22 May 2018

**11.1 Data to be reviewed**

- HCS stored data on digital documents (e.g. spreadsheets) stored on personal devices held by committee members.
- Data stored on third party online services [(e.g. Google Drive, Mail Chimp)]
- Physical data stored at the homes of committee members

**11.2 Who the review will be conducted by**

The review will be conducted by the Data Protection Officer with other committee members to be decided on at the time of the review.

**11.3 How data will be deleted**

- Physical data will be destroyed safely and securely, including shredding.
- All reasonable and practical efforts will be made to remove data stored digitally.
  - Priority will be given to any instances where data is stored in active lists (e.g. where it could be used) and to sensitive data.
  - Where deleting the data would mean deleting other data that we have a valid lawful reason to keep (e.g. on old emails) then the data may be retained safely and securely but not used.

**11.4 Criteria**

The following criteria will be used to make a decision about what data to keep and what to delete.

Question	Action	
	Yes	No
Is the data stored securely?	No action necessary	Update storage protocol in line with Data Protection policy
Does the original reason for having the data still apply?	Continue to use	Delete or remove data
Is the data being used for its original intention?	Continue to use	Either delete/remove or record lawful basis for use and get consent if necessary

Is there a statutory requirement to keep the data?	Keep the data at least until the statutory minimum no longer applies	Delete or remove the data unless we have reason to keep the data under other criteria.
Is the data accurate?	Continue to use	Ask the subject to confirm/update details
Where appropriate do we have consent to use the data. This consent could be implied by previous use and engagement by the individual	Continue to use	Get consent
Can the data be anonymised?	Anonymise data	Continue to use

## 12 STATUTORY REQUIREMENTS

Date stored by HCS may be retained based on statutory requirements for storing data other than data protection regulations. This might include but is not limited to:

- Gift Aid declarations records
- Details of payments made and received (e.g. in bank statements and accounting records)
- Trustee meeting minutes
- Contracts and agreements with suppliers/customers
- Insurance details
- Tax and employment records

## 13 OTHER DATA PROTECTION PROCEDURES

### 13.1 Member / Friends data

- When a member leaves HCS and all administrative tasks relating to their membership have been completed any potentially sensitive data held on them will be deleted – this might include bank details or medical data
- Unless consent has been given data will be removed from all email mailing lists
- All other data will be stored safely and securely and reviewed as part of the next two year review

### 13.2 Mailing list data

- If an individual opts out of a mailing list their data will be removed as soon as is practically possible.
- All other data will be stored safely and securely and reviewed as part of the next two year review

### 13.3 Volunteer and freelancer data

- When a volunteer or freelancer stops working with HCS and all administrative tasks relating to their work have been completed any potentially sensitive data held on them will be deleted – this might include bank details or medical data
- Unless consent has been given data will be removed from all email mailing lists
- All other data will be stored safely and securely and reviewed as part of the next two year review



#### 13.4 Other data

- All other data will be included in a regular two year review.

#### 14 COOKIES ON THE HCS WEBSITE

A cookie is a small text file that is downloaded onto 'terminal equipment' (e.g. a computer or smartphone) when the user accesses a website. It allows the website to recognise that user's device and store some information about the user's preferences or past actions.

HCS uses cookies on our website [www.harrogatechoral.org.uk](http://www.harrogatechoral.org.uk) in order to monitor and record their activity. This allows us to improve users' experience of our website by, for example, allowing for a 'logged in' state, and by giving us useful insight into how users as a whole are engaging with the website.

We will implement a pop-up box on [www.harrogatechoral.org.uk](http://www.harrogatechoral.org.uk) that will activate each new time a user visits the website. This will allow them to click to consent (or not) to continuing with cookies enabled, or to ignore the message and continue browsing (i.e. give their implied consent).

It will also include a link to our Privacy Statement which outlines which specific cookies are used and how cookies can be disabled in the most common browsers.

#### 14.1 HARROGATE CHORAL SOCIETY WEB PRIVACY STATEMENT

This privacy policy sets out how Harrogate Choral Society (HCS) uses and protects any information that you give when you use the Society's website.

HCS is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using this website, you can be assured that it will only be used in accordance with this privacy policy.

We may change this policy from time to time by updating this page. You should check this page from time to time to ensure that you are happy with any changes. This policy is effective from 21 May 2018.

##### **What HCS collects**

Personal information provided by you will only be used for the purposes stated when the information is requested, i.e. in order for us to respond to a request for information made by you or to contact you if you have asked us to do so.

We may collect the following information:

- name and contact information including email address

##### **What HCS does with the information**

We require this information only to enable us to contact you if you have asked us to do so. We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. You may request details of personal information which we hold about you under the Data Protection Act 1998. If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible. We will promptly correct any information found to be incorrect.

### **Security**

HCS is committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online.

### **Cookies**

As of 26th May 2012, all UK websites need to comply with the EU E-Privacy Directive 2009/136/EC which requires that it is made clear to visitors of this website that cookies are being used.

### **What is a Cookie?**

A cookie is a small text file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can 'remember' that you have visited a particular page and also tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

Overall, cookies help provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with HCS.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can modify your browser setting to decline cookies if you prefer. By using our website you are agreeing that it can place cookies on your hard drive.

### **Rejecting and disabling cookies via your browser settings**

If you do not wish this website to store any cookies during your visit, the documentation for your web browser will provide you with instructions on how to disable cookies. Please note that may prevent you from taking full advantage of this website.

### **What cookies does the HCS website use?**

We use traffic log cookies to identify which pages are being used. This helps to analyse data about web page traffic and improve the website in order to tailor it to visitor needs. We only use this information for statistical analysis purposes. Our website also includes certain features provided by third parties intended to improve your experience which use cookies. These are not within our control, but are listed below with sources of further information.

### **The HCS website uses the following third party cookies:**

HCS uses Google Analytics, a web analytics service provided by Google Inc. Google uses mainly Persistent Cookies and some session cookies. Google Analytics sets cookies to enable us to track the usage of pages on our website, and also to enable us to create content that meets the needs of users' browser, operating system and screen size. We collect no personally-identifiable information.

For more information, see Google Privacy Policy

**Links to other websites**

The HCS website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement application to the website in question.

**15 CHANGE CONTROL HISTORY**

<b>Date of Change</b>	<b>Summary of Revisions Made</b>
September 2017	No changes, review noted at Trustees meeting on 25 <sup>th</sup> September
May 2018	Complete rewrite based on Making Music template to comply with GDPR legislation
May 2019	Annual review – no changes needed
May 2020	Annual review – no changes needed
June 2021	No changes needed
May 2022	No changes made
June 2023	New section Data Breaches Inserted, Changes made to responsibility holders, aligned to appointment of HCS Business Manager and amended role of Secretary (non-trustee)
June 2024	No changes made

## **Appendix A – Privacy Statement for Website**

### **HARROGATE CHORAL SOCIETY WEB PRIVACY STATEMENT**

This privacy policy sets out how Harrogate Choral Society (HCS) uses and protects any information that you give when you use the Society's website.

HCS is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using this website, you can be assured that it will only be used in accordance with this privacy policy.

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We may collect the following information:

- name and contact information including email address

#### **What HCS does with the information**

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Overall, cookies help provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with HCS.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can modify your browser setting to decline cookies if you prefer.

By using our website you are agreeing that it can place cookies on your hard drive.

### **Rejecting and disabling cookies via your browser settings**

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\* Further information about the types of cookies can be found at [www.allaboutcookies.org](http://www.allaboutcookies.org)