

# Salisbury Musical Society Data Protection Policy

## 1 Introduction

- 1.1. Salisbury Musical Society (the Society) is committed to ensuring that all personal information handled by the Society will be processed according to legally compliant standards of data protection and data security. This policy sets out how the Society controls access to and use of personal data. In compliance with legislation the Society is registered with the Information Commissioner's Office (Registration number ZA773792).
- 1.2. Sections 2-6 cover data protection as it concerns the gathering and use of data. In particular, they:
  - 1.2.1. explain the types of personal information that the Society may hold and what it does with that information;
  - 1.2.2. set out the Society's rules and the legal standards for handling personal information relating to members and others: and
  - 1.2.3. clarify the responsibilities and duties of members in respect of data protection.
- 1.3. Section 7 covers data security, in particular how recorded data will be kept safe from corruption or compromise.
- 1.4. This is a statement of policy only. The Society may amend this policy at any time and at the discretion of the committee.. It incorporates current data protection legislation which at the time of writing was the UK Data Protection Act 2018.

## 2 Definition of terms

- 2.1 Personal data. Information about or relating to, a living, identifiable, individual.
- 2.2 Data subject. The person that the information gathered and processed relates to.
- 2.3 Data controller. The organization responsible for gathering and using the information. Unless otherwise specified, this will be taken to be the Society, as represented by the Society's Committee.
- 2.4 Data processor. Any external individual or organization responsible for carrying out specific tasks on behalf of the data controller in accordance with clearly laid down and understood rules that ensure compliance with the law.

## 3 Principles and individual rights

In accordance with the principles set out in current data protection legislation, personal data held by the Society shall be:

- 3.1 Processed fairly and lawfully with reference to one of the lawful bases as defined in current legislation

- 3.1.1 The data subject giving their explicit consent to such processing,
  - 3.1.2 Contract – the processing is necessary for any contract the Society has with members or external individuals or organisations (e.g. membership or events),
  - 3.1.3 Legal obligation – the processing is necessary for the Society to comply with the law
  - 3.1.4 Legitimate interests – the processing is necessary for the Society’s legitimate interests unless there is good reason to protect the individual’s personal data which overrides those legitimate interests.,
  - 3.1.5 The vital interests of the data subject being protected.
- 3.2 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.
- 3.3 Adequate, relevant and not excessive in relation to the purpose or purposes for which it is being processed.
- 3.4 Accurate and, where necessary, kept up to date.
- 3.5 Kept no longer than is necessary for the purpose or purposes that it relates to.
- 3.6 Processed in accordance with the rights of the data subjects concerned.
- 3.7 Protected from unauthorized or unlawful processing, accidental loss, destruction, or damage by way of appropriate technical and organizational safeguards.
- 3.8 Only transferred to a country or territory outside of the European Economic Area in the event that the country or area can ensure an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 3.9 In addition, it is noted that data held by the Society on any individual belong to that individual and not to the Society. The Society consequently recognizes the right of every individual it holds information on to:
- 3.9.1 Have access to their personal data.
  - 3.9.2 Have inaccuracies corrected.
  - 3.9.3 Have information erased
  - 3.9.4 Prevent direct marketing
  - 3.9.5 Prevent automated decision making and profiling and
  - 3.9.6 Data portability.

*For more information on UK data protection legislation see <https://www.legislation.gov.uk>*

## **4 Personal data held by the Society**

Personal information is held by the Society in respect of the following groups of people:

- 4.1 Society members and prospective Society members, including choral apprentices and honorary members
- 4.2 Contracted individuals, including the positions of Conductor (and Assistant Conductor) and Accompanist, hired singers and musicians
- 4.3 Applicants for contracted posts within the Society who have been unsuccessful, or have not taken up an offer of employment with the Society.
- 4.4 Supporters of the Society, including patrons, benefactors and friends.
- 4.5 The Society's Presidents and Vice-Presidents.
- 4.6 Members of the public who have agreed to be on the Society's mailing list.

These groups are not mutually exclusive. For example, some Society members are also supporters of the Society. However, such categories are considered separately, with reference to the type of information needing to be held and its consequent use. Some data, known as 'special category' or 'sensitive' data) may be held in respect of accessibility and medical data of members and event attendees.

## **5 Why the Society holds and processes personal data**

In seeking to ensure that personal data are gathered and used in a fair, transparent and legally justifiable way, the Society wants to:

- 5.1 Maintain an accurate and up to date list of Society members and prospective Society members, choral scholars and apprentices that records their contact details and any special needs requiring action to enable their full participation in the Society's activities.
- 5.2 Maintain a comprehensive record of subscription and other payments made by Society members, the circumstances in which such payments might have been reduced or waived and instances of their having been defaulted upon.
- 5.3 Hold an accurate record of Society members' audition results and any accompanying information noted by the Conductor (and Assistant Conductor) for their own future use.
- 5.4 Record suggestions made by individual Society members, via their voice representatives, for consideration by the Committee, so that action can be taken accordingly.
- 5.5 Hold a complete record of any:
  - 5.5.1 Disciplinary action taken by the Society with regard to a member or employee,
  - 5.5.2 Capability process conducted by the Society with regard to an employee, and

### 5.5.3 Individual complaint brought to the attention of the Society

5.6 Hold contractual information relating to the Society's employees for reference when re-negotiating such contracts or otherwise managing any dispute that might arise.

5.7 Hold contact details and other relevant information concerning people who have applied for paid positions within the Society and have either been unsuccessful or not taken up an offer of employment. This is to enable them to be contacted, if appropriate and within an agreed time scale, should a similar job vacancy occur.

5.8 Ensure that contact details for the Society's Presidents and Vice-Presidents are accurately recorded in order to inform them of the Society's activities and invite them to specific events.

5.9 Maintain a list of people who have donated to the Society that includes their contact details and information concerning any particular aspect of the Society's activities they wish their donation to be used for. This is so that we can:

5.9.1 Receive ongoing donations from them for as long as they are willing to provide such financial support and obtain gift aid for these donations with their consent.

5.9.2 Inform them of the ways in which their donations are being used and

5.9.3 Provide them with certain benefits they are entitled to as Society supporters.

5.10 Maintain a mailing list of people who have attended Society events or had some other form of contact with the Society and have expressed an interest in receiving information concerning future such events. Similarly keep a list of concert reviewers.

5.11 Maintain an additional list of people who have explicitly told us they do not wish to receive further communication from us.

5.12 Keep information obtained from any surveys carried out that might involve named individuals expressing their views regarding ways in which the running of the Society and attendance of Society events might be improved upon.

## **6 Procedures to be followed**

### **Society Members and prospective Society Members (not including Youth Award Holders)**

#### **6.1 Contact information**

6.1.1 Contact information (postal address, e-mail address and phone numbers) for each Society member and prospective Society member will be gathered, held and updated as appropriate by the IT Manager and Assistant IT Manager.

6.1.2 Unless otherwise specified by the committee, such information can only be accessed directly by the following people in addition:

Society Chairman.

Society Chairman Elect (if actively in role).

Society Secretary.

Treasurer.

IT System Administrator.

6.1.3 E-mail communication between committee members or other appointed individuals and Society members, will be conducted through dedicated Society e-mail accounts made available on the Society's website, with committee members' or other appointed individuals' own personal e-mail accounts no longer used for this purpose. Any such e-mail exchanges held on these personal accounts will consequently be erased upon the introduction of this policy, following transfer of any e-mails needing to be saved to the relevant dedicated Society account.

6.1.4 The IT Manager and the Publicity Officer will have access to Society members' e-mail addresses for inclusion on the Society's internal and external mailing systems, this being for the purpose of sending important updates and information regarding opportunities for Society members, supporters and potential supporters to attend or participate in relevant musical events.

6.1.5 The Librarian will have access to Society performing members' e-mail addresses for inclusion on the Society's internal mailing system and also to the score ordering software, this being for the purpose of administering the purchase or hire of vocal scores by Society members participating in the Society's musical events.

6.1.6 The Concert Seating Manager will maintain, with the Society Secretary, lists of attendance by performing members at rehearsals, together with suitable seating plans for each of the Society's musical events.

6.1.7 Committee members and other Society members involved in the running of the Society will have access to one another's contact details, although the dedicated role-based Society accounts should be used in the main for e-mail purposes.

6.1.8 Any Society member seeking contact information in respect of another individual outside of the above arrangements would need to have regard to the principles and rights set out in Section C above and request access to such information from the Society Secretary.

6.1.9 Upon joining the Society, each member will receive an information pack from the Society Secretary, along with information and advice from their Voice Representative that will refer to their rights with regard to Data Protection legislation and their specific right to withhold all or part of their contact details from general circulation. A copy of this policy will also be available on the Society's website for their immediate reference.

## **6.2 Audition results.**

6.2.1 With access to the contact details of all prospective and established Society members for the purpose of arranging auditions and relaying the results, the Secretary will keep a record of each individual result in an electronic file on the website database that only they and the Conductor (and Assistant Conductor) are able to have direct access to. Details of the current audition status of each member will also be recorded on the website database, visible only to that member.

6.2.2 Society members will have been given information about their audition shortly after taking it. They can ask for such information to be re-sent to them by the Society Secretary at a later date, but will not be allowed access to any information kept in respect of other Society members.

6.2.3 Information stored in respect of an individual Society member's audition will be removed from the auditions file once their membership of the Society ends or, in the case of life members, once they cease to actively sing in Society concerts.

### **6.3 Subscriptions and other payments made to the Society.**

6.3.1 Personal data obtained in respect of subscriptions and other payments to the Society will be kept securely by the Treasurer in an electronic file that will include a record of any agreed reduction or waiving of payments, or default of the same. Details of the current subscription status of each member will also be recorded on the website database, visible only to that member.

6.3.2 ii. Information concerning an individual having defaulted on a payment or payments owing to the Society will be passed by the Treasurer to the Society Secretary who will assist in trying to recoup the loss. Beyond this, such information can be shared with the Committee, for consideration of further action.

### **6.4 Other personal information recorded in respect of Society members.**

6.4.1 Other recorded information concerning communication that a Society member might have with committee members (usually via their Voice Representative) for discussion at committee meetings, or formal complaint and disciplinary processes, for example, will be stored securely, preferably in an electronic file, by the Society Secretary.

6.4.2 In bringing information to the attention of the committee, a Society member can choose not to be named in the minutes of subsequent committee meeting(s) when their concerns are discussed, unless such a process of anonymization would infringe the rights of others, or run counter to the Society's constitution and rules.

6.4.3 The Committee can also decide not to name an individual during a committee meeting, or to anonymize any minutes of a discussion that takes place concerning a member, in order to protect the privacy of that individual and prevent inappropriate disclosure to the wider public of any sensitive information concerning them.

## **Youth Award Holders**

### **6.5 Contact information**

6.5.1 Contact information for each Youth Award Holder will be gathered and held securely on the website database. It will also be recorded separately in a personal file, preferably in electronic format, by the Society Secretary, to which will be added the contact details of a responsible adult for those Youth Award Holders who are of an age where consent needs to be given in order for them to take part in certain Society activities. Details of the Youth Award Holder's Mentor will also be included, along with confirmation that any necessary disclosure barring service (DBS) check that has been successfully completed in respect of them. The

Society will pay any administrative charges related to new DBS checks incurred on behalf of the Society.

## **6.6 Audition results.**

6.6.1 With access to the contact details of all prospective and established Youth Award Holders for the purpose of arranging auditions and relaying the results, the Secretary will keep a record of each individual result in an electronic file on the website database that only they and the Conductor (and Assistant Conductor) are able to have direct access to. Details of the current audition status of each Youth Award Holder will also be recorded on the website database, visible only to that Youth Award Holder.

6.6.2 Youth Award Holders will have been given information about their audition shortly after taking it. They can ask for such information to be re-sent to them by the Society Secretary at a later date, but will not be allowed access to any information kept in respect of other Society members.

6.6.3 Information stored in respect of an individual Youth Award Holder's audition will be removed from the auditions file once their membership of the Society ends or, in the case of life members, once they cease to actively sing in Society concerts.

## **6.7 Personal file**

Unless otherwise specified by the committee, the following people will have access to the Youth Award Holders' personal file, in addition to the Society Secretary:

Society Chairman.

Society Chairman Elect (if in post).

Conductor (and Assistant Conductor)—audition results only.

The Treasurer will have access to contact information (postal address, e-mail address and phone numbers) of Youth Award Holders (for the purpose of paying awards at the end of a successful season only).

A Mentor will only be able to access information concerning the Youth Award Holder or Youth Award Holders for whom they have direct responsibility, unless they occupy a committee role that allows them wider access.

The Website Manager and the Publicity Manager will have access to Youth Award Holders' e-mail addresses for inclusion on Society's internal mailing system, as for other Society members above.

## **6.8 Information pack.**

Upon joining the Society, each Youth Award Holder will receive an information pack from the Society Secretary along with information and advice from their Mentor and/or Voice Representative that will refer to their rights with regard to Data Protection legislation and their specific right to withhold all or part of their contact details for general circulation. A copy of this policy will also be available on the Society's website for their immediate reference.

## **Individuals under contract and unsuccessful applicants for paid posts within the Society**

### **6.9 Personal information**

6.9.1 All personal information provided by an individual upon applying for a paid position with the Society will be kept in an electronic file. Information subsequently added to the file in the case of those individuals taking up paid positions with the Society will be relevant to the contract agreed with the person concerned, with no other information gathered without that person's consent.

6.9.2 At present these data will be collected and kept by:

Society Secretary - for the Conductor (and Assistant Conductor) and Accompanist.  
Conductor (and Assistant Conductor) - for hired singers and musicians.

6.9.3 In the case of those individuals who do not take up a paid position and those whose contracts have ended for any reason, their personal information shall be removed from the file, apart from any information that the data subject agrees should be retained for the purposes of future contact. An annual audit of such information will be carried out by the Society Secretary and Conductor to confirm whether such information should still be kept or removed from the file.

6.9.4 Unless otherwise specified by the Data Controller, the following people will have access to the information that is kept in respect of individuals under contract to the Society:

Society Chairman.  
Society Chairman Elect (if in post).  
Treasurer.

6.9.5 Upon applying for any paid position with the Society, each applicant will receive information regarding their rights in accordance with Data Protection legislation and their specific right to withhold all or part of their contact details from general circulation. The relevant part of this policy will be included in the information provided to them prior to application being made.

## **Presidents, Vice Presidents and Supporters**

### **6.10 Contact information**

6.10.1 Contact information (postal address, e-mail address and phone numbers) for the Society's Presidents, Vice Presidents and Supporters will be gathered and held in an electronic file by the Society Secretary).

Unless otherwise specified by the Data Controller, the following people will have access to the information that is kept in respect of Presidents, Vice Presidents and Supporters in addition to the relevant Data Processor:

Society Chairman.



Society Chairman Elect (if in post).

Treasurer (for the purpose of receiving subscriptions and donations from Society Supporters only).

6.10.2 Upon being invited to become a President or Vice President of the Society, or welcomed as a Supporter, permission to hold each person's contact data will be sought, with their right to withhold such information for general circulation made clear. Information will be provided to them regarding the use to which their personal data is put, the safeguards in place to protect it and all other aspects of this policy relevant to them.

6.10.3 Upon ceasing to hold office as a President or Vice President, or ceasing to be a Supporter of the Society, personal data relating to the individual concerned will be removed from the file, unless it is agreed that it should be retained for some other purpose.

## **Members of the public who have agreed to be on the Society's mailing list**

### **6.11 Personal data**

6.11.1 Personal data gathered on members of the public by the Society, for the purpose of providing them with information about the Society's activities or to seek their views regarding ways in which the running of the Society and attendance of Society events might be improved upon, will be held in an electronic file by the Publicity Officer.

6.11.2 Unless otherwise specified by the committee the following people will have access to the information that is kept in respect of members of the public on the Society's mailing list:

Society Chairman.

Society Chairman Elect (if in post).

Society Secretary.

6.11.3 Any person invited to be on the Society's mailing list will be fully informed about the way in which their personal data might be used and the reasons for this. Such use will not include the sharing of their personal data with any other organization.

6.11.4 Anyone on the Society's mailing list will also be able to edit their account details at any time by contacting the Publicity Officer, as well as have all or part of their personal data erased from the file.

## **7 Ensuring compliance with data protection legislation**

The Society has a designated Data Manager (currently the Treasurer) to take responsibility for data protection compliance and the management of any requests or enquiries that might arise in respect of all personal data that the Society holds.

## 7.1 Protecting individual rights

7.1.1 Before providing their personal data to the Society, every individual will be fully informed about the use(s) to which it is being put, the reasons for such use and their rights as set out in Section C of this policy. This will be in the form of a privacy notice containing information relevant to the individual concerned and an opt-in box for them to tick to agree how they can be contacted.

7.1.2 When communicating with any individual whose personal information is being sought, held or processed, the Society will take account of any special needs or communication difficulties that the individual might have and ensure that the chosen method of communication is an appropriate one.

7.1.3 With regard to any child who is a data subject, the Society will ensure that a responsible adult receives all relevant information with regard to data protection legislation and permission is recorded for their own as well as the child's personal data to be used for the purposes agreed.

## 7.2 Data Security Policy

7.2.1 The law requires that we use both procedures and technology ('data security measures') to protect personal information in our possession from being accessed, lost, deleted or damaged accidentally, unlawfully or without proper authorisation.

7.2.2 Maintaining data security means making sure that:

- i. only people who are authorised to use the information can access it;
- ii. information is accurate and suitable for the purpose for which it is processed; and
- iii. authorised persons can access information if they need it for authorised purposes. The Society should make every effort to securely store personal data on both its website and any local computer systems.

7.2.3 Personal information must not be transferred to any person to process (eg while performing services for us on or our behalf), unless that person has either agreed to comply with our data security procedures or we are satisfied that other adequate measures exist.

7.2.4 The Society IT System Administrator is also the Data Security Adviser, and will help the Data Manager to publish and implement detailed data security procedures for the Society, along the lines of the following policy guidelines.

## 7.3 Security procedures will include:

7.3.1 **Data minimisation** The Society will ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

7.3.2 **Physical Security.** Any desk or cupboard containing confidential information must be

kept secure. Information on electronic systems must be stored securely using modern software that is kept-up-to-date. Computers should be locked with a password or shut down when they are left unattended and discretion should be used when viewing personal information on a monitor to ensure that it is not visible to others. Memory stick or other external memory devices containing personal data must be kept secure.

**7.3.3 Telephone precautions.** Particular care must be taken by members who deal with telephone enquiries to avoid inappropriate disclosures. In particular:

- i. The identity of any telephone caller must be verified before any personal information is disclosed;
- ii. If the caller's identity cannot be verified satisfactorily then they should be asked to put their query in writing;
- iii. Callers must not be allowed to bully Society members into disclosing information. In case of any problems or uncertainty, members should contact the Data Manager.

**7.3.4 Password protection.** The member database will be password protected and tables within it will be available only to those members of the Society who are deemed to need to use them, according to pre-defined access level arrangements.

**7.3.5 Accuracy.** The Society will take reasonable steps to ensure personal data is accurate. All data files/tables will be updated as the need arises, with any changes in the consents given by individual data subjects being duly noted. Information no longer required by the Society for any of the purposes set out in Section E of this policy will be deleted from the relevant file(s) as soon as practically possible.

**7.3.6 Backup/disaster recovery.** Personal information held by the Society will be kept securely by the Data Processor concerned on the website, member database or in off-line electronic files that will all be regularly backed up, with the back-up file also stored securely. Appropriate disaster recovery solutions shall be in place.

**7.3.7 Archiving/removal.** To ensure that personal data is kept for no longer than necessary, the Society will put in place an archiving policy for each area in which personal data is processed and review this process annually. The archiving policy shall consider what data should/must be retained, for how long, and why.

**7.3.8 Methods of disposal.** When personal data is deleted this should be done safely such that the data is irrecoverable. Copies of personal information, whether on paper or on any physical storage device, must be physically destroyed when they are no longer needed. Paper documents should be shredded and CDs or memory sticks or similar must be rendered permanently unreadable.

**7.3.9 Breaches.**

- i. Any breaches of data security must be reported without delay to the Data Manager who will, in addition to taking any immediate action that may be required, consult with the Society committee in deciding whether the breach needs to be reported to the Information Commissioner's Office (ICO).

ii. All those data subjects who might be compromised in any way as a result of a security breach will be directly notified of the breach and given advice regarding the steps they should take, as well as the action being taken by the Society, to manage any threat to their privacy.

## **8 Policy review**

The Society will annually review, to verify both compliance and implementation, the security measures that are in place to protect the personal information that it holds in response to any official advice that it might receive. This review will always consider the effectiveness of the various data security measures in effect.

Any major new projects or policies that the Society plans to introduce will also be examined to ensure that they comply with the Society's data protection obligations, with a privacy impact assessment carried out in line with the ICO code of practice.