



The Castle Players: Data Protection Policy

Reviewed October 2019

Need for Policy

The Castle Players Limited ("the Castle Players") record data as part of a "relevant filing system", including data that is not stored on a computer but is structured so that specific data is readily accessible. They therefore fall under the requirements of the Data Protection Act 1998 (The Act) and further, of the General Data Protection Regulation (2018) (GDPR) .

Legal requirements

GDPR places obligations on those who record and use personal data (Data Controllers). They must be open about that use (through the Data Protection Register) and follow sound and proper practices (the Data Protection Principles). This Policy describes how the Castle Players complies with the requirements and also the "spirit" of The Act.

Key principles of GDPR

GDPR sets out 6 key principles for data controllers. In summary they require that data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data,

(Full version at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>)

Individual rights within GDPR

GDPR further sets out 8 rights pertaining to data subjects:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability

7. The right to object

8. Rights related to automated decision making including profiling

Definitions

Two types of data are defined which are relevant to the Castle Players: Personal Data and Sensitive Data.

- Personal data means data which relate to a living individual who can be identified from those data, or from other information which is in the possession of, or is likely to come into the possession of, the data controller, and which includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.
- Sensitive data is defined as that pertaining to: Race, political views, religious views, physical or mental health etc.

The majority of data held and processed by the Castle Players will be Personal Data but there may be rare occasions, such as grant applications, where the Castle Players will process Sensitive Data.

Other definitions:

- Data Subject means an individual who is the subject of personal data.
- Data Controller means a 'person' (not just individuals but also organisations such as companies and other corporate and unincorporated bodies of persons) who (either alone or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Schedules

The Act contains two important schedules. These outline the conditions that have to be met when processing personal and sensitive personal data. The Castle Players has to meet one of the conditions to be acting within the law.

The activities of the Castle Players fall under Clause 6 of Schedule 2 - Conditions for Processing Personal Data:

- “The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data is disclosed.”

It is in the Castle Players' legitimate interest to keep data on members, associates (members of the group who are not members of the company) and audience members (existing bookings and transaction records) and it is also necessary to process this data to inform members and associates of the Castle Players' activities and to use data held on audience members for marketing purposes.

If Sensitive Data is processed by the Castle Players it will meet the requirements of Clause 6



of Schedule and the requirements of at least one Clause under Schedule 3 - Conditions for Processing Sensitive Data.

In these circumstances the data will be processed in accordance with one or more of the following Clauses:

1. Data subject has given permission.
2. Processing is carried out in the course of the legitimate operation of the Castle Players (provided we are not established or conducted for profit) and has adequate safe guards.
3. Processing is required for the researching of racial or ethnic make up etc. In this case sensitive data would be anonymised/aggregated.

The Castle Players can therefore process both Personal and Sensitive Data, providing they are adequately controlled.

Notification of the Data Commissioner

As a Not for Profit Organisation, and as the data is used either for maintaining membership records and for advertising marketing and public relations, the Castle Players has an exemption from notifying the Data Commissioner of our activities.

Processing of Data

Personal Data

Membership and Associate data: The Membership Secretary of the Castle Players will hold the definitive database for membership and associates. As the requirements of Clause 2 have been satisfied no action is required for existing members and associates. Consent will be required from new members and associates for their personal data to be held on this database.

A nominated person will be provided with a backup copy of the members/associates' database every quarter.

The members/associates' database will be reviewed annually to ensure that all records are up to date and are relevant (i.e. contain current members/associates).

If COPIES of the membership database are distributed for a particular show these COPIES are to be controlled. Any Email groups set up for a show are to be deleted at the end of the production. An email confirming the deletion is to be sent to the Membership Secretary.

Any significant changes to the membership database should be distributed to the holders of the controlled copies.

Marketing Database: The Chair of the Castle Players Marketing Committee will hold the definitive copy of the personal details of members of the public on the publicity database. Data subjects on this database will be asked once whether they wish to remain on the database. A signed consent will be required from potential new Data Subjects for this database.

A nominated person will be provided with a backup copy of the marketing database annually.

Friends' Database: The Chair of the Friends will hold the definitive copy of this database. Data subjects on this database will be asked once whether they wish to remain on the database. A signed consent will be required from potential new Data Subjects for this database.

A nominated person will be provided with a backup copy of the friends' database annually.

All databases will be reviewed annually. The review shall be recorded by changing the revision number of the database and including the revision number and date in the database's file name.

Sensitive Data

Sensitive data may occasionally be collected for grant applications and the like. Sensitive data will be controlled by the Administration Secretary of the Castle Players. No permanent record will be kept linking Personal Data to Sensitive Data.

Digital Images

New members and associates will be informed that the Castle Players will take digital images (including video) for record and publicity purposes. The images may be used on the Castle Players' website and individuals may be named providing members and associates have opted into this process.

Define rights

The Act gives rights to individuals in respect of personal data held about them by others. The rights are:

- . right of subject access (requests for which should be made in writing and for which the data controller may charge a fee),
- . right to prevent processing likely to cause damage or distress
- . right to prevent processing for the purposes of direct marketing
- . right in relation to automated decision-making
- . right to take action for compensation if the individual suffers damage by any - contravention of the Act by the data controller
- . right to take action to rectify, block, erase or destroy inaccurate data, and
- . right to make request to the Commissioner for an assessment to be made as to whether any provision of the Act has been contravened.

The Castle Players will uphold these rights and will inform Data Subjects of their rights by reference to this policy on our website




Responsible people

The Data Controller for the membership data and the sensitive data will be the Membership Secretary of the Castle Players.

The Data Controller for the publicity database will be the Chair of the Marketing Team.

The Data Controller for the Friends database will be The Chair of the Friends.

Date16/11/19.....
..........Chair, The Castle Players