



## Data Protection and Retention Policy

July 2023

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### Overview

#### Key Details:

- Policy prepared by Pam Harland
- Approved by Committee on: [8<sup>th</sup> May 2023]
- Next review date: [April 2025]

### Data Protection

#### Introduction:

In order to operate, Suffolk Phoenix Brass (SPB) needs to gather, store and use certain forms of information about individuals. This can include members, employees, contractors, suppliers, volunteers, audiences and potential audiences, business contacts and other people that SPB 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 the data protection standards of SPB and comply with the Data Protection Act 2018, the UK's implementation of the General Data Protection Regulation (GDPR).

#### Why is this policy important?

This policy ensures that SPB:

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

#### Who and what does this policy apply to?

This applies to *all* those handling data on behalf of SPB, e.g.:

- Committee members
- Employees and volunteers
- Members

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

- Names
- Email addresses
- Postal addresses
- Phone numbers
- Any other personal information held (e.g. financial)

## **Roles and Responsibilities**

SPB is the Data Controller and will determine what data is collected and how it is used. The Data Protection Officer for SPB is contactable at the email address [dpo.suffolkphoenixbrass@gmail.com](mailto:dpo.suffolkphoenixbrass@gmail.com) and they, together with the Committee, are responsible for the secure, fair and transparent collection and use of data by SPB. 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 SPB has a responsibility to ensure that they adhere to this policy.

## **Data Protection Principles**

### **a) We fairly and lawfully process personal data in a transparent way.**

SPB will only collect data where lawful and where necessary for the legitimate purposes of the group.

- A member's name and contact details may be collected when they first join SPB, and will be used to contact the member regarding membership administration and activities. Other data may also be collected in relation to their membership. Where possible, SPB will anonymise this data.
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to SPB completing tasks expected as part of the individual's membership).
- The name and contact details of volunteers, employees and contractors will be collected when they take up a position, and will be used to contact them regarding 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 Disclosure and Barring Service [DBS] check).
  - Lawful basis for processing this data: Contract (the collection and use of data is fair and reasonable in relation to SPB 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 or 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 SPB 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 SPB to communicate with them about and promote the activities of SPB. Where possible this will be deleted when no longer needed for the specific purpose for which it was collected.
  - Lawful basis for processing this data: Consent (data collected will only ever be used in the way described and consented to).
- As with all organisations/websites, 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.
  - Lawful basis for processing this data: Consent (data collected will only ever be used in the way described and consented to).

**b) 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, SPB will always provide a clear and specific statement explaining to the subject why the data is required and what it will be used for.

**c) We ensure any data collected is relevant and not excessive.**

SPB 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 SPB administration, but data on their marital status or gender will not be collected, since it is unnecessary and excessive for the purposes of administration).

**d) We ensure data is accurate and up-to-date.**

SPB will periodically ask members, volunteers and staff to check and update their data. Any individual will be able to update their data at any point by contacting the Data Protection Officer or Secretary.

**e) We ensure data is not kept longer than necessary.**

SPB 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 the SPB data retention policy. When the intended use is no longer applicable (e.g. contact details for a member who has long left SPB), the data will be deleted within a reasonable period.

**f) We keep personal data secure.**

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

- Electronically-held data will be held within a password-protected and secure environment. Any laptops/devices on which membership databases are held must be, under the owner's management, maintained with password control.
- Communal passwords for electronic data files will be re-set each time an individual with data access leaves their role/position. Access to files will be removed should any member resign the applicable role.
- Physically-held data (e.g. membership forms or email sign-up sheets) will be stored securely.
- Should any individual with access to data leave their role/position, they are obliged to hand over all held data, and remove their access to the data, in line with the Data Protection Officer's requirements. Any keys/codes should be returned/changed each time an individual with data access leaves their role/position.
- Access to data will only be given to relevant Committee members/contractors where it is clearly necessary for the benefit of the running of SPB. The Data Protection Officer will decide in what situation this is applicable and will keep a master list of who has access to data.

## **Individual Rights**

When SPB collects, holds and uses an individual's personal data, that individual has the following rights over that data. SPB 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.

## **Individual's Rights:**

- *Right to be informed:* whenever SPB collects data it will provide a clear and specific statement explaining why it is being collected and how it will be used, and, SPB will produce an electronic acknowledgement form, for all members/deps etc. to show their understanding and agreement to how we hold/use their data.
- *Right of access:* individuals can request to see the data SPB 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 compiled free-of-charge and within one month. Where requests are complex or numerous this may be extended to two months.
- *Right to rectification:* individuals can request that their data be updated where it is inaccurate or incomplete. SPB will request that members, staff and contractors check and update their data periodically. Any requests for data to be updated will be processed within one month.
- *Right to object:* individuals can object to their data being used for a particular purpose. SPB 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.
- *Right to erasure:* individuals can request for data held on them to be deleted. SPB will ensure data is not held 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.
- *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, SPB will restrict the data while it is verified).

## **Member-to-member contact**

We only share members personal contact data (e.g. phone number and email address) with other members with the subject's prior consent. As a membership organisation SPB encourages communication between members. To facilitate this:

- Members can request the personal contact data of other members, and these details will be given, as long as they are for the purposes of contacting the subject, and the subject has consented to their data being shared with other members in this way.

## **How we get consent**

Members and Deps of SPB will be provided with a GDPR information sheet and an electronic link, requesting that they:

- Acknowledge having been provided with the information sheet
- Acknowledge having been informed of how/where to access the SPB GDPR policy
- Consent to their data being held as outlined in the SPB GDPR policy

## **“Cookies” on the Suffolk Phoenix Brass 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.

The service provider of the SPB website may use cookies on the website [www.suffolkphoenixbrass.co.uk](http://www.suffolkphoenixbrass.co.uk) in order to monitor and record activity. This allows providers to improve users’ experience of the website by, for example, allowing for a “logged in” state, and by giving them useful insight into how users as a whole are engaging with the website. Our website doesn’t require/use any member logins, but the service providers are charged with “activate and managing” cookies on each first occasion a new user visits the website.

## **Public Data**

### **Images:**

It is important to record moments in the history of SPB through photos and videos of events, such as rehearsals, concerts and social gatherings. This helps to promote the activities of SPB, including the advertising of concerts and by publicising SPB to attract players and audiences alike. These are considered to be “Legitimate Interests”.

Whilst limiting the capture of images of the general public, they may be retained for the following purposes.

### **What do we use images for?**

Images/Videos might be used for the following purposes:

- Publicity posts on social media sites (Facebook, Twitter, Instagram)
- Publicity details on our website [www.suffolkphoenixbrass.co.uk](http://www.suffolkphoenixbrass.co.uk)
- Internal record sharing of events via email, private WhatsApp/Facebook group
- Publicity posts on video sharing sites (YouTube)

### **Do we share images with anyone else?**

Images might be shared with third-parties for the following purposes:

- To accompany news/publicity articles submitted to local publications
- To support funding or grant applications
- To show potential clients examples of our size or lay-out

### **What can you ask us to do?**

Anyone can ask to view images held of them by SPB. Anyone can also ask that we stop using their likeness/image or that we erase/obscure it. To request any of these, please contact the Data Protection Officer and they will respond within one month. You can email them at [dpo.suffolkphoenixbrass@gmail.com](mailto:dpo.suffolkphoenixbrass@gmail.com)

## **Data Retention**

### **Introduction:**

This part of the policy sets out how SPB will approach data retention and establishes processes to ensure we do not hold data for longer than is necessary.

### **Roles and responsibilities:**

SPB is the Data controller and will determine what data is collected and how it is used. The Data Protection Officer for SPB is contactable at the email address [dpo.suffolkphoenixbrass@gmail.com](mailto:dpo.suffolkphoenixbrass@gmail.com) and they, together with the Committee are responsible for the secure and fair retention and use of data by SPB. Any questions relating to data retention or use of data should be directed to the Data Protection Officer.

### **Regular Data and Data Process Review**

Periodic requests will be sent to all SPB members and depts asking that they check and update the data they have provided for us to use.

A regular review of all the data held and processes used will take place to establish if SPB still has good reason to keep and use that data held at the time of the review. As a general rule, these reviews will be held every two years and no more than 27 calendar months after the last review. The most recent review took place during [April 2023]. The next review is due to take place during [April 2025].

### **Data to be reviewed:**

- SPB stores 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).
- Physical data stored on paper at the homes of Committee members.

### **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.

### **How data will be deleted:**

- Physical data will be destroyed safely and securely, including shredding where applicable.
- 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.

**Criteria:**

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

QUESTION	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	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/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

**Statutory Requirements:**

Data stored by SPB may be retained, based on statutory requirements for storing data, other than data protection regulation. Examples of this might include:

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

**Other Data Retention procedures****Membership, Volunteer and Freelancer data:**

- When a member, volunteer or freelancer leaves or stops working with SPB and all administrative tasks relating to their membership or 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.

**Other data:**

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