

Macclesfield Youth Brass Band

Data Protection policy

Definitions

MYBB members : persons over 18 years of age who have parental responsibility for players in the band, and individuals over 18 who are approved by the trustees.

MYBB players : children and young people up to the age of 19 who play in MYBB's bands.

MYBB supporters : members of the public and businesses who join the Patrons' Scheme and Business Sponsors scheme.

MYBB alumni : individuals who have previously played for MYBB at any time since it was set up.

Former charity members : members of MYBB who are not current members.

1. Introduction

In order to operate, MYBB needs to gather, store and use certain forms of information about individuals. These can include members, players, volunteers, contractors, suppliers and other people the organisation 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 MYBB's data protection standards and comply with the General Data Protection Regulations (GDPR).

1.1 Why is this policy important?

This policy ensures that MYBB:

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

1.2 Who and what does this policy apply to?

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

- Trustees
- Patrons' Scheme administrator
- Business Sponsors' Scheme administrator
- Youth, Junior and Training Band administration volunteers
- Volunteer photographer
- Third-party data processors

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

- Names
- Email addresses
- Postal addresses
- Phone numbers of adults with parental responsibility
- Emergency contact phone numbers for individuals named by adult with parental responsibility
- Dates of birth of players
- Medical details of players
- Details of learning, social and/or physical difficulties of player

- Mobile phone numbers of players
- Records of subscriptions paid
- Records of Gift Aid donors
- Photographs
- Videos
- Records of interviews with volunteers held in relation to MYBB's child protection and safeguarding policies

2. Roles and responsibilities for data within MYBB

2.1 MYBB is the Data Controller and will determine what data is collected and how it is used. The Data Protection Lead for MYBB is Mike Coldwell. They, together with the trustees, are responsible for the secure, fair and transparent collection and use of data by MYBB. Any questions relating to the collection or use of data should be directed to the Data Protection Lead.

2.2 *Everyone* who has access to data as part of MYBB has a responsibility to ensure that they adhere to this policy.

2.3 MYBB uses on-line third party Data Processors (e.g. MailChimp, Muzodo, Google Drive, Dropbox, Facebook, Twitter, YouTube and MYBB website) to process data on its behalf. MYBB is responsible for ensuring, as far as is practicable, that all on-line Data Processors used are compliant with GDPR.

2.4 MYBB sometimes shares data with third parties, e.g. contest organisers and local authorities. MYBB is responsible for ensuring, as far as is practicable, that these third parties are compliant with GDPR.

3. Data Protection Principles

3.1 We fairly and lawfully process personal data in a transparent way. MYBB will only collect data where lawful and where it is necessary for the legitimate purposes of the organisation.

3.1.1 Members and players

A member's name(s) and contact details will be collected when the player first joins MYBB, together with the name and date of birth of the player for whom they have parental responsibility. Contact details include postal address, email address and telephone number. This data will be used to contact the member regarding MYBB's activities, including arrangements for rehearsals, concerts and events.

The date of birth of a player is needed to enable band administrators to work out which players are eligible to contest in band competitions where participation is restricted to players in a certain age group. It is also needed to confirm that the player is not under 7 or over 19, and therefore eligible to join the band.

An emergency contact name and phone number for the member will be recorded. A person with parental responsibility may nominate a person who is not a member of MYBB as the emergency contact, provided they have the person's consent. This data will be used to make contact in case of emergency involving the player concerned.

We ask for details of medical conditions which affect a player's learning and participation in band activities so that we can plan and prepare accordingly.

We ask for details of any learning, social or physical difficulties a player may have which affect their learning and participation in band activities so that we can plan our arrangements accordingly.

Other data may also be collected at any time (with relevant permissions) in relation to membership of MYBB and players' participation in MYBB activities. Examples are players' mobile phone numbers and email addresses and members' subscription payment histories.

Photographs will be taken and videos made of the band at performances and during events in which the players are involved.

3.1.2 Volunteers and contractors

The name and contact details of volunteers, and contractors (e.g. external brass tutors) 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).

3.1.3 MYBB Alumni

The name and contact details of MYBB alumni will be collected and used to contact former players about events they may be interested in participating in.

3.1.4 Former Charity members

The names and addresses of former charity members will be collected and retained to comply with the law concerning Charitable Incorporated Organisations such as MYBB.

3.1.5 Players' data at one-off events

A player's name, contact details and other details may be collected at any time (with the consent of the person with parental responsibility) in order for MYBB to administer one-off events such as participation in training activities and band tours. This may include players' mobile phone numbers.

3.1.6 MYBB Patrons' Scheme

The name and contact details of members of the MYBB Patrons' Scheme will be collected in order to administer the scheme.

3.1.7 MYBB Business Sponsors' Scheme

The name and contact details of businesses who are members of the MYBB Business Sponsor's scheme will be collected in order to administer the scheme.

3.1.8 MYBB Gift Aid donors

The personal data of participants in the MYBB Gift Aid Scheme (names, addresses and tax-payer status) as required by HMRC will be collected to administer the scheme.

3.2 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, MYBB 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.

3.3 We ensure any data collected is relevant and not excessive

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

3.4 We ensure data is accurate and up-to-date

MYBB will ask members, volunteers, contractors and supporters to confirm their data is up to date, or amend as needed, on an annual basis. Any individual will be able to update their data at any point by contacting the Data Protection Lead.

3.5 We ensure data is not kept longer than necessary

MYBB will keep data 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 the data).

The storage and intended use of data will be reviewed in line with MYBB's data retention policy. When the intended use is no longer applicable the data will be deleted within a reasonable period.

3.6 We keep personal data secure

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

3.6.1 Electronically-held data will be held within a password-protected and secure environment

3.6.2 Passwords for electronic data files will be re-set every twelve months and each time an individual with data access leaves their role/position

3.6.3 Access to data will only be given to relevant trustees/volunteers where it is clearly necessary for the running of the organisation. The Data Protection Lead in consultation with the trustees will decide in which situations this is applicable and will keep a master list of who has access to data.

3.7 Transfer to countries outside the EEA

MYBB 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.

4. Individuals' Rights

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

4.1 An individual's rights

4.1.1 Right to be informed

Whenever MYBB collects data it will provide a clear and specific privacy statement explaining why it is being collected and how it will be used.

4.1.2 Right of access

Individuals can request to see the data MYBB holds on them and confirmation of how it is being used. Requests should be made in writing to the Data Protection Lead 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.

4.1.3 Right to rectification

Individuals can request that their data be updated where it is inaccurate or incomplete. MYBB will ask members, volunteers, contractors and supporters to confirm their data is up to date, or amend as needed, on an annual basis. Any requests for data to be updated will be processed within one month.

4.1.4 Right to object

Individuals can object to their data being used for a particular purpose. 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.

4.1.5 Right to erasure

Individuals can request for all data held on them to be deleted. MYBB's 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.

4.1.6 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, MYBB will restrict the data while it is verified).

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

5 Member-to-member contact

We only share members' data with other members with the subject's prior consent.

Data retention policy

1. Introduction

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

It forms part of MYBB's Data Protection Policy.

2. Roles and responsibilities

MYBB is the Data Controller and will determine what data is collected, retained and how it is used.

The Data Protection Lead for MYBB is Mike Coldwell. They, together with the trustees are responsible for the secure and fair retention and use of data by MYBB. Any questions relating to data retention or use of data should be directed to the Data Protection Lead.

3. Regular Data Review

A regular review of all data will take place to establish if MYBB 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 took place on April 16th 2018.

3.1 Data to be reviewed

- Data stored on digital documents (e.g. spreadsheets) stored on personal devices held by the trustees and volunteer administrators
- Data stored on third party online services (e.g. Google Drive, Mail Chimp, Muzodo)
- Physical data stored at Fallibroome Academy
- Physical data stored at trustees' homes

3.2 Who the review will be conducted by

The review will be conducted by the Data Protection Lead with other trustees to be decided on at the time of the review.

4. 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 (e.g. medical information)
- 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.

4.1 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

5 Statutory Requirements

Data stored by MYBB 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 – 6 years after last payment made
- Details of payments made and received (e.g. in bank statements and accounting records) – 6 years
- Trustee meeting minutes - permanently
- Contracts and agreements with suppliers/customers – 6 years after expiry
- Insurance details:
 - Policies – 3 years after lapse
 - Employers Liability Certificate – 40 years
 - Information relating to claims – 3 years after settlement
- Former charity members – 10 years after member has left

6. Other data retention procedures

6.1 Member data

- When a player leaves MYBB and all administrative tasks relating to their membership of the band have been completed any potentially sensitive data held about them will be deleted.
- Unless consent has been given, ex-players' data will be removed from the MYBB Alumni email mailing list
- All other data will be stored safely and securely and reviewed as part of the next two year review

6.2 E-mail data

- If an individual opts out of receiving communication by email e.g. MYBB Newsletter 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

6.3 Volunteer and freelancer data

- When a volunteer or freelancer stops working with MYBB 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, medical data and interview notes
- Unless consent has been given data will be removed from all email lists
- All other data will be stored safely and securely and reviewed as part of the next two year review

6.4 Images and Videos

Images and videos taken by the band will be stored securely on a password protected external hard drive for the lifetime of the organisation.

6.5 Other data

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

This policy was adopted on: 23rd July 2020

Signed Chair

Name: Louise Renshaw

Next policy review date: July 2021

Data review date: April 2020