

# Data Protection Policy



## Definitions

<b>GDPR</b>	the General Data Protection Regulation (EU) 2016/679).
<b>Data Controller</b>	the person or organisation that determines the means and the purpose of processing the personal data.
<b>Data Subject</b>	a living individual.
<b>Personal Data</b>	is any information that identifies a living individual (data subject) either directly or indirectly. This also includes special categories of personal data. Personal data does not include data which is entirely anonymous or the identity has been permanently removed making it impossible to link back to the data subject.
<b>Processing</b>	is any activity relating to personal data which can include collecting, recording, storing, amending, disclosing, transferring, retrieving, using or destruction.
<b>Responsible Person</b>	means Lorna Denby. Email: mail [ @ ] sunnysidered.com
<b>Register of Systems</b>	means a register of all systems or contexts in which personal data is processed by Sunnyside Red.

## 1. Data protection principles

Charleston Dance Vintage Hen is a Data Controller. Charleston Dance Vintage Hen is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal 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; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial 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; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- 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; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

## **2. Personal Data**

Charleston Dance Vintage Hen treats very seriously both the personal data it stores and processes about the customers who book its services, the potential customers who enquire, the extended freelance team it works with, and its partners and wider network of businesses in the hospitality sector.

Charleston Dance Vintage Hen has been and is continuing to work hard to comply fully with the new General Data Protection Regulation (GDPR) which was enforceable from 25 May 2018. The GDPR makes a number of

key changes to data protection law in the United Kingdom and within the European Union (EU) and potentially beyond the EU. More information on these changes, which include strengthening of some individual rights and some new individual rights can be found on The Information Commissioners' Office (ICO) website at: <https://ico.org.uk/>

The ICO will enforce compliance with the GDPR from 25 May 2018.

Charleston Dance Vintage Hen processes personal data and sensitive personal data under a range of different 'lawful bases' depending on the nature of the respective 'processing purposes'.

For 'personal data', these 'lawful bases' include one or more of:

- 'Public task' (as Sunnyside Red is designated as a 'public authority' in law).
- Contract
- Legal obligation.
- Vital interests.
- Consent; and
- Legitimate interests.

In addition, for sensitive personal data, Charleston Dance Vintage Hen processes under one or more of the 'lawful bases' conditions listed in Article 9(2) of the GDPR.

The 'purposes of the processing' range from for example sending information people who enquire about our services via our website, or are seeking to book one of the services we offer, information about Charleston Dance Vintage Hen, to complying with legal obligations where Charleston Dance Vintage Hen is required to provide personal data under for example a Freedom of Information Act request.

When communicating with key audiences such as potential clients and bookers of Charleston Dance Vintage Hen parties, or potential event attendees that Charleston Dance Vintage Hen is working with, 'Legitimate interests' is the lawful basis used by Charleston Dance Vintage Hen for specific processing purposes in line with ICO guidance.

Such 'Legitimate interests' for the processing of data are included under the generally accepted three-part test for this 'lawful basis' as follows:

a. *Purpose test: are you pursuing a legitimate interest?*– Charleston Dance Vintage Hen has a legitimate interest in processing and storing details of people who have made an enquiry or booking with us.

- When you enquire with us via our website, or through social media messaging, or by phone we will use the email address or phone number or social media account name you have provided to communicate about your request and provide suggestions that relate to your request or are similar to your request, and to follow up on that request at reasonable intervals. We will keep a record of our correspondence with you for our market research purposes to improve our business, and then will delete this within a year of your original enquiry. We will not use these details to contact you once we have finished dealing with this original request unless you opt in to join a newsletter to receive future updates on our products and services. When you enquire via social media a record of the message including your account name will be kept on social media messaging for a year beyond the original request unless you ask us not to do so, for market research purposes.

- When you make a booking with Charleston Dance Vintage Hen we will store your name and contact details, plus any details that you give us that you or we deem necessary for us to know for your event (for instance, bride to be's name, name of person having the birthday, names of key contacts needed for use on the day or the event), on a booking form which forms a contract between us. We will only use your contact details to contact you regarding bookings with Charleston Dance Vintage Hen. The people that we contract to work at your event (dance teachers/ hair and make up artists/ actors/ musicians/ photographers/ bakers etc). will receive a copy of your phone number in case they need to contact you on the day in relation to your booking or event and will be told that this information is for use on the day only. They will be given any information you have provided that you felt was relevant to the group coming for your booking (for instance if you decided to tell us that someone has a health condition or pregnancy at the time of a dance class). They will be asked to delete this information and your phone number after the event. We will keep records of our correspondence and booking forms with you relating to your booking for archive purposes and business records and will use to them to inform our market research. Where you have provided name and address details for invoicing these will remain on our accounts system for 7 years and may be used for auditing purposes should we be audited, and passed onto auditors for the purpose of that audit.

- If you give us bank account details for making an agreed refund we will not need to store this information anywhere other than on internet banking and in our accounting system and will delete this once the refund has been successfully received.

- We will keep details of contractors that work with us on our events. This will include name and address and any details they have provided for the

purposes of ensuring suitability for the job and proving suitability for the job, for the purposes of contracts and for enabling us to keep in touch and offer them work. We will keep this for seven years after their work with us may have ceased to ensure that we have details relating to any insurance claims.

b. *Necessity test: is the processing necessary for that purpose?*– It is necessary for Charleston Dance Vintage Hen to process data for the purpose of (a) taking bookings (b) taking enquiries and giving out information relating to these, and following up on those requests (c) working with freelance subcontractors and other companies to enable us to provide our services (d) keeping archives of company practise and bookings and contact details for historical purposes in case of insurance claims and financial audit.

c. *Balancing test: do the individual's interests override the legitimate interest?*– Charleston Dance Vintage Hen believes prospective (and current) users of our events etc. would reasonably expect Charleston Dance Vintage Hen to use their personal data in these ways, as summarised in the respective processing purposes. In addition, we do not believe that it would cause them (prospective and current users) unwarranted harm for Charleston Dance Vintage Hen to use their personal data in these ways, as summarised in the processing purposes. The personal data is provided by those who have used our services or made contact with us through an online or phone enquiry or by booking our services.

### **3. General provisions**

a. This policy applies to all personal data processed by Charleston Dance Vintage Hen.

b. The Responsible Person Kim-lin Hooper shall take responsibility for Charleston Dance Vintage Hen's ongoing compliance with this policy.

c. This policy shall be reviewed at least annually.

### **4. Lawful, fair and transparent processing**

a. To ensure its processing of data is lawful, fair and transparent, Charleston Dance Vintage Hen shall maintain a Register of Systems.

b. The Register of Systems shall be reviewed at least annually.

c. Individuals have the right to access their personal data and any such requests made to Charleston Dance Vintage Hen shall be dealt with in a timely manner.

## 5. Lawful purposes

a. All data processed by Charleston Dance Vintage Hen must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests as mentioned in section 2 above ([see ICO guidance for more information](#)).

b. Charleston Dance Vintage Hen shall note the appropriate lawful basis in the Register of Systems.

c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.

d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in Charleston Dance Vintage Hen's systems.

## 6. Data minimisation

a. Charleston Dance Vintage Hen shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

b. Charleston Dance Vintage Hen shall ensure that data is held for no longer than is deemed necessary, once the data is not required it shall be removed (see section 8 archiving/removal).

c. Charleston Dance Vintage Hen may share information with those who are involved with interviewing candidates for a position at Charleston Dance Vintage Hen. Personal data and sensitive personal data will be kept for no longer than necessary.

## 7. Accuracy

a. Charleston Dance Vintage Hen shall take reasonable steps to ensure personal data is accurate.

b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

## **8. Archiving / removal**

a. To ensure that personal data is kept for no longer than necessary, Charleston Dance Vintage Hen shall put in place an archiving policy for each area in which personal data is processed and review this process annually.

b. The archiving policy shall consider what data should/must be retained, for how long, and why.

c. Charleston Dance Vintage Hen will ensure that the mailing list sign up statements follow requirements for unambiguous and specific options for choosing what an individual receives information on, by what method and has clear unsubscribe links in every mailout.

## **9. Security**

a. Charleston Dance Vintage Hen shall ensure that personal data is stored securely using modern software that is kept-up-to-date.

b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.

c. When personal data is deleted this should be done safely such that the data is irrecoverable.

d. Appropriate back-up and disaster recovery solutions shall be in place.

## **10. Breach**

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, Charleston Dance Vintage Hen shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

## **11. Complaints**

There is a right to lodge a complaint with a supervisory authority. This is the ICO, who can be contacted in various ways as listed at: <https://ico.org.uk/global/contact-us/>

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