



## **DATA PROTECTION POLICY (GDPR)**

### **PURPOSE & STATEMENT:**

At SkyeDance we are committed to protecting and respecting your privacy. This policy explains when and why we collect personal information about people who visit our website or sign up to classes, how we use it, the conditions under which we may disclose it to others and how we keep it secure. This document sets out how SkyeDance, Douglas Row, Portree IV51 9DD uses and protects personal information as part of its commitment the Data Protection Act (1998) and the EU's General Data Protection Regulation (GDPR).

We may change this policy from time to time so please check back to ensure you are happy with any changes.

SkyeDance understands your data is important to you and we are committed to ensuring that your privacy is protected. We want you to know that we will not sell or rent your data under any circumstances, we may use it for our own purposes to send you updates on products and services we offer. Should we ask you to provide information by which you can be identified, then you can be assured that it will only be used in accordance with this statement.

Any questions regarding this policy and our privacy practices should be sent by email to: [info@skyedance.co.uk](mailto:info@skyedance.co.uk) or by writing to us at: SkyeDance, 3 Douglas Row, Portree, IV51 9DD.

### **Main Aims for the policy:**

- Specify the data SkyeDance collect, how it is stored and protected and the reason for collecting it
- State how SkyeDance use personal data in processing
- Disclose who has access to the data and how long we retain information for
- Explain Data Subject's rights with SkyeDance data including access, rectification and erasure

### **Distribution:**

- To be distributed to Board at AGM and Induction sessions for Board Members
- To be displayed on the SkyeDance website
- This policy will be sent directly to members of the public on request
- Confirmation of receipt of information - Signed statement from recipient to be held on file

### **Review and monitoring of policy:**

- Reviewed annually or in instances of legislative change
- Monitoring is part of Management and Supervision

## **WHO ARE WE?**

SkyeDance are a registered charitable organisation (Charity no: SC036272) and registered limited company (SC379683) who provide dance classes, workshops and projects to those across Skye and Lochalsh.

### **How SkyeDance collects personal data:**

Customers and participants supply their personal data when signing up for classes through our registration form via paper form. This is either completed by a parent/guardian or the child themselves if they deemed able to do so. Personal data may also come to us unsolicited via enquiries through our website, social media pages and to our generic email account.

### **What is the lawful basis for processing this information?**

The GDPR stipulates that there must be a lawful basis for the processing of personal data, there are 6 categories in total but SkyeDance only processes data that fall into the following 3 categories

**Contractual** – data held under records that have an active subscription

**Legitimate business interest** – data within records that have been a customer in the past or are an active prospect for new business.

**Consent** – data acquired via procured lists where the list provider has confirmed that a positive opt in has been received. Data that has been offered by an individual via the active use of our company website contact forms, direct inbound e-mail, inbound telephone call or approach at an exhibition

### **Why SkyeDance collects personal data:**

To attend any of SkyeDance's activities participants/parents/guardians must agree to some processing of their personal data. This is due to Legitimate Interests – GDPR Article 6(1)(f), Legal Obligation GDPR Article 6(1)(c), Contract - Article 6(1)(b) and/or Consent - Article 6(1)(a).

Should SkyeDance be unable to process participant's data, we would be contravening both our Health & Safety and Child Safeguarding policies. We would also be ignoring best practice regarding working with children/vulnerable adults.

Our participants safety comes first, therefore information about participants must be collected in order to create registers and accurate student records. This information is also used to provide students with appropriate classes, including dividing students into age groups.

Special category data is only collected with the consent of the data subject. Special category data SkyeDance collects includes but is not limited to: Medical/Disability information, Income information and photo consent.

As physical activity providers it is essential that this consent is given should a participant have any medical/disability needs. This allows us to incorporate participants safely into classes. It is also used in assessing if we can incorporate participants safely into classes.

### **What data we collect:**

Personal data and some special category is collected.

It is essential to our primary function (providing classes to participants) that we are provided, and allowed to process and store the following:

### **Participant Personal Data:**

- Full Name - GDPR Article 6(1)(f)
- Date of Birth - GDPR Article 6(1)(f)
- Home Address - GDPR Article 6(1)(f)
- Permission to go home alone - GDPR Article 6(1)(f)
- School/Educational Institution - GDPR Article 6(1)(f)
- Exam results (vocational exams taken through MTA only) - GDPR Article 6(1)(f)
- Classes attended/Price paid - GDPR Article 6(1)(f)

### **Participant Special Category Data:**

- Medical Information/History – GDPR Article 9 (a)
- Disability Information - GDPR Article 9 (a)

### **Parent/Guardian Personal Data:**

- Name - GDPR Article 6(1)(f)
- Address - GDPR Article 6(1)(f)
- Email Address - GDPR Article 6(1)(f)
- Mobile Telephone Number - GDPR Article 6(1)(f)
- Work/Home Number - GDPR Article 6(1)(f)
- Emergency Contact Number - GDPR Article 6(1)(f)

### **Parent/Guardian Special Category Data:**

- Concession Type – further explicate consent sought
- Documented proof of financial need – further explicate consent sought
- Bank Details – further explicate consent sought in the instance of refunds etc.

### **How data collected is stored/retained:**

SkyeDance transports data with all due diligence.

Enrolment forms are received to SkyeDance in paper copy and are then uploaded manually into our database which is stored both in encrypted files on office-based hardware and backed up regularly in our encrypted pen drive. Access to these files is restricted through password protection and only available to authorised staff members.

Paper copy enrolment forms are kept in a locked filing cabinet and will be erased 6 months after the participant leaves the dance class/activity.

Registers and emergency contact lists created from student data are stored in encrypted files on office-based hardware and backed up regularly in our encrypted pen-drive. Access to these files is restricted through password protection and only available to authorised staff members.

Hard copies of registers and emergency contacts are carried by authorised staff members. They are locked away while not in use. When they are no longer in use or out-dated, they are destroyed thoroughly.

Waiting lists are stored on an encrypted office file and kept on an encrypted pen-drive.  
Our standard retention policy (without the data subject's right to access, rectification and erasure etc.) is 6 MONTHS post final attendance.

**Exceptions to our retention policy:**

- Financial records are kept for 6 years due to legal obligation
- First Aid records are kept for 21 years due to legal obligation
- Photo consent may be kept indefinitely
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will stored for is 6 years due to legal obligation
- Bank details are deleted after the action concerning them is complete
- Unsolicited enquiries that do not turn into bookings with current classes are deleted after they have been dealt with

**Website:**

**How we use cookies:**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

**Links to other websites**

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

**16 or under:** We are concerned to protect the privacy of children aged or under 16. Please get your parent/guardian's permission beforehand whenever you provide personal information with us.

**Third Parties/Data Processors:**

SkyeDance does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

**Freelance Teachers:**

As SkyeDance hires freelance teachers to deliver workshops, projects and classes throughout the year, we have confidentiality and data processor agreements in place. Teachers will never be provided with personal details aside from participant's first names and any medical information that is pertinent to the running of a class (subject to consent from the data subject).

**Mail Chimp:**

SkyeDance uses a USA based company 'MailChimp' to provide newsletters and marketing via email. This is an optional process, which people consent to during paper enrolment or sign-up directly through our website. Data Subjects can opt-out and erase/rectify their record stored with MailChimp at any time. SkyeDance is satisfied that their GDPR regulations are thorough, and the information stored in MailChimp (email addresses) is secure. We have a processor contract in place, and copies are available upon request.

**Child Safeguarding Concerns:**

In the unlikely event SkyeDance has a safeguarding concern in relation to one of our participants, SkyeDance are legally required to provide data to the safeguarding board at the local council.

SkyeDance is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

**Event Programmes:**

SkyeDance produce programmes for our main showcase event, with the possibility of also producing them for smaller events. These will only ever contain the first name of the performer (unless otherwise consented to). The name of a child's class may also be included. Participants/their Parent and/or Guardians may choose if they want to be included in the programme when they agree to participate at an event.

**Examination Entry:**

In order to enter examinations, SkyeDance must provide some personal data to examination boards (currently SkyeDance work with: ISTD and SQA). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

**Rights of the data subject and SkyeDance compliance with responses:**

Any data subject with personal data stored within SkyeDance is entitled to the rights of:

**ACCESS:**

You may contact SkyeDance at any time to access all data held relating to you and/or your child(ren). SkyeDance will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, SkyeDance has the right to refuse the request or take steps in order to obtain consent from other involved parties.

The right of access does not apply to SkyeDance's legal obligations such as Child Safeguarding records.

**RECTIFICATION:**

You may contact SkyeDance at any time in order to rectify data held relating to you and/or your child(ren). SkyeDance will ensure that we respond to a rectification request without undue delay and within one month of receipt.

The right to rectification does not apply to SkyeDance's legal obligations such as payment record information.

**ERASURE:**

You may contact SkyeDance at any time in order to erase data held relating to you and/or your child(ren). SkyeDance will ensure that we respond to an erasure request without undue delay and within one month of receipt.

The right to erasure does not apply to MTA's legal obligations such as First Aid records.

**RESTRICT PROCESSING:**

You may contact SkyeDance at any time in order to restrict the data we process relating to you and/or your child(ren). SkyeDance will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with SkyeDance until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

**DATA PORTABILITY:**

You may contact SkyeDance at any time in order to obtain the data we process relating to you and/or your child(ren) and reuse it across different services. SkyeDance will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

Please note, this does not apply to SkyeDance's legal obligations.

**OBJECTION:**

You may contact SkyeDance at any time in order to object to the processing of data relating to you and/or your child(ren). SkyeDance will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with SkyeDance until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

**RIGHTS RELATED TO AUTOMATED DECISION MAKING; INCLUDING PROFILING:**

You may contact SkyeDance at any time in order to object to profiling relating to you and/or your child(ren). SkyeDance will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with SkyeDance until the profiling restriction is lifted. This is due to Health and Safety and Child Safeguarding.

SkyeDance has a lawful reason for profiling; Legitimate Interests and consent.

None of SkyeDance's decision making is automated. Profiling is only used in circumstances where a participant may have certain health/disability needs which may prevent them from taking part in classes (as it would be unsafe to do so).

Any and all verbal requests are noted, and then contacted again either via phone or email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible, at the above address. We will respond to any queries within 30 days

### **Photos/Videos of Participants**

SkyeDance often use footage/photos used from shows, performances and classes for marketing purposes both in print media, social media and the website. Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted within the registration form.

#### **Social Media:**

SkyeDance regularly share photos/videos of students in classes, workshops, events and performances through social media platforms including; Instagram, Facebook, Twitter, Email. These will never be shared with any identifying information (age, location etc.). There may be times where we will share first names, but only with the explicit consent of the parents.

### **Complaints and Data Breaches**

#### **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to SkyeDance's DPO: Sonia Gills  
Email: sonagill@hotmail.com  
Address: 3 Douglas Row, Portree, IV51 9DD

If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by either contacting SkyeDance's Chair of Trustees (details upon application) or by contacting the Independent Commissioner's Office (ICO).

ICO Telephone Number: 0303 123 1113

#### **Data Breaches:**

If SkyeDance experiences a data breach of any kind, we have a legal obligation to report this to ICO within 72 hours. The data breach will be reported by the DPO. In the instance they are unavailable to report the breach, the next most senior staff member shall do so.

SkyeDance will also inform all the victims of the data breach as soon as possible if there is a high risk of adversely affecting individuals' rights and freedoms.

SkyeDance will store and record all data breaches.

**Date of last review:** 25<sup>th</sup> May 2018

**To be review:** 17<sup>th</sup> May 2019