



FIFE FESTIVAL OF MUSIC

Data Protection Policy

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1 Overview

- 1.1 The Festival takes the security and privacy of personal information seriously. As part of our activities we need to gather and use personal information about a variety of people including members, former members, adherents, employees, office-holders and generally people who are in contact with us. The Data Protection Act 2018 (the “2018 Act”) and the EU General Data Protection Regulation (“GDPR”) regulate the way in which personal information about living individuals is collected, processed, stored or transferred.
- 1.2 This policy explains the provisions that we will adhere to when any personal data belonging to or provided by data subjects, is collected, processed, stored or transferred on behalf of the Festival. We expect everyone processing personal data on behalf of the Festival (see paragraph 5 for a definition of “processing”) to comply with this policy in all respects.
- 1.3 The Festival has a separate Privacy Notice which outlines the way in which we use personal information provided to us. To obtain a copy, contact us by post: Fife Festival of Music, PO Box 26800, Kirkcaldy, KY2 5UG or by email: enquiries@ffom.org.uk
- 1.4 All personal data must be held in accordance with the Festival’s Data Retention Policy, which must be read alongside this policy. A copy of the Data Retention Policy can be obtained as in 1.3 above. Data should only be held for as long as necessary for the purposes for which it is collected.
- 1.5 This policy does not form part of any contract of employment (or contract for services if relevant) and can be amended by the Festival at any time. It is intended that this policy is fully compliant with the 2018 Act and the GDPR. If any conflict arises between those laws and this policy, the Festival intends to comply with the 2018 Act and the GDPR.
- 1.6 Any deliberate or negligent breach of this policy by anyone acting on behalf of the Festival will be properly dealt with. It is a criminal offence to conceal or destroy personal data which is part of a subject access request (see Paragraph 12 below).

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2. Data Protection Principles

Personal data will be processed in accordance with the six '**Data Protection Principles.**' It must:

- be processed fairly, lawfully and transparently;
- be collected and processed only for specified, explicit and legitimate purposes;
- be adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay;
- not be kept for longer than is necessary for the purposes for which it is processed;
- be processed securely.

We are accountable for these principles and must be able to demonstrate compliance.

3. Definition of personal data

“**Personal data**” means information which relates to a living person (a “data subject”) who can be identified from that data on its own, or when taken together with other information which is likely to come into the possession of the data controller. It includes any expression of opinion about the person and an indication of the intentions of the data controller or others, in respect of that person. It does not include anonymised data.

This policy applies to all personal data whether it is stored electronically, on paper or on other materials.

4. Definition of special category personal data

'**Special category personal data**' is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership; genetic or biometric data; data concerning health; or data concerning a person's sex life and sexual orientation.

The Festival will not be requesting personal data which falls into this category.

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5. Definition of processing

'Processing' means any operation which is performed on personal data, such as collection, recording, organisation, structuring or storage; adaption or alteration; retrieval, consultation or use; transmission, dissemination or otherwise making available; and restriction, destruction or erasure.

6. How personal data should be processed

- a. Everyone who processes data on behalf of the Festival has responsibility for ensuring that the data they collect and store is handled appropriately, in line with this policy, our Data Retention Policy and our Privacy Notice.
- b. Personal data should only be accessed by those who need it for the work they do for or on behalf of the Festival. Data should be used only for the specified lawful purpose for which it was obtained.
- c. The legal basis for processing personal data is that the processing is necessary for the purposes of the Festival's legitimate interests.
- d. Personal data held in all ordered manual files and databases should be kept up to date. It should be shredded or disposed of securely when it is no longer needed. Unnecessary copies of personal data should not be made.

7. Privacy Notice

We will issue information about how we use someone's personal data using a Privacy Notice which will be given to them at the point when the personal data is provided.

The Privacy notice will also appear on the Festival website.

8. When is consent needed for the processing of personal data?

8.1 Where personal data is to be shared with a third party, the Festival will only do so with the explicit consent of the data subject. For example, personal data will only be included in a directory for circulation or included on a website where consent has been obtained.

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8.2 If consent is required to process the information this should be recorded using the style consent form. If consent is given orally rather than in writing, this fact should be recorded in writing.

9. Keeping personal data secure

9.1 Personal data should not be shared with those who are not authorised to receive it. Care should be taken when dealing with any request for personal information over the telephone or otherwise. Identity checks should be carried out if giving out information to ensure that the person requesting the information is either the individual concerned or someone properly authorised to act on their behalf.

9.2 Hard copy personal information should be stored securely (in lockable storage, where appropriate) and not visible when not in use. Filing cabinets and drawers and/or office doors should be locked when not in use. Keys should not be left in the lock of the filing cabinets/lockable storage.

9.3 Passwords should be kept secure, should be strong, changed regularly and not written down or shared with others.

9.4 Emails containing personal information should not be sent to or received at a work email address as this might be accessed by third parties.

9.5 The 'bcc' rather than the 'cc' or 'to' fields should be used when emailing a large number of people, unless everyone has agreed for their details to be shared amongst the group.

9.6 Personal data should be encrypted or password-protected before being transferred electronically.

9.7 Personal data should never be transferred outside the European Economic Area except in compliance with the law.

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10. Sharing personal data

We will only share someone's personal data where we have a legal basis to do so.

11. How to deal with data security breaches

Should a data security breach occur which is likely to result in a risk to the rights and freedoms of individuals, then the Information Commissioner's Office must be notified within 72 hours

12. Subject access requests

12.1 Data subjects can make a subject access request to find out what information is held about them. This request must be made in writing.

12.2 It is a criminal offence to conceal or destroy personal data which is part of a subject access request.

13 Data subject rights

13.1 Data subjects have certain other rights under the GDPR. This includes the right to know what personal data the Festival processes, how it does so and what is the legal basis for doing so.

13.2 Data subjects also have the right to request that the Festival corrects any inaccuracies in their personal data, and erase their personal data where we are not entitled by law to process it or it is no longer necessary to process it for the purpose for which it was collected. Data should be erased when an individual revokes their consent (and consent is the basis for processing); when the purpose for which the data was collected is complete; or when compelled by law.

13.3 All requests to have personal data corrected or erased should be passed to the Festival's management committee by post: Fife Festival of Music, PO Box 26800, Kirkcaldy, KY2 5UG or by email: enquiries@ffom.org.uk

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14. Contracts

In the unlikely event of any processing of personal data being outsourced from the Festival, we will ensure that the mandatory processing provisions imposed by the GDPR will be included in the agreement or contract.

15. Policy review

The Festival's management committee will be responsible for reviewing this policy from time to time and updating all data subjects in relation to its data protection responsibilities and any risks in relation to the processing of data.

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