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# Data Protection Policy

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**Policies and Procedures**

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**bbodance 2022-23**

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## 1. Introduction

The Data Protection policy sets out how bbodance controls and processes personal data in compliance with the General Data Protection Regulations (GDPR) which came into effect on 25<sup>th</sup> May 2018 whilst also demonstrating good practice.

Informed by the GDPR and guidance provided by the Information Commissioner's Office (ICO), the policy aims to protect our members, employees and other individuals as well as protecting the organisation.

Following an in-depth data audit identifying the purposes and procedures for data processing, the policy sets out the lawful bases for processing, the rights of individuals, how the data will be used and how it will be stored.

The policy also aims to mitigate the risks associated with holding and processing personal data, including data getting into the wrong hands through poor security or inappropriate disclosure of information and individuals being harmed through misuse of data.

The policy is published on the bbodance website, bbo.dance.

## 2. Scope

As data controllers, the policy applies to all bbodance employees.

The policy also applies to all bbodance representatives, faculty members, examiners, Registered Teachers and volunteers as data processors where their responsibilities require them to process data.

This policy works in conjunction with the Privacy Policy.

bbodance are deemed exempt from registering with the ICO. However, in the event of a Breach of Protection it is the responsibility of the Data Protection Officer to notify the ICO immediately.

The Data Protection Policy will be reviewed annually.

## 3. Definitions

### Data Controller

A controller determines the purposes and means of processing personal data, i.e. what data is collected, for what reason and how it is used.

### Data Processor

A processor is responsible for processing personal data on behalf of a controller, i.e. acting on the instructions of the controller.

### Personal Data

Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

## Special Category Data (previously Sensitive Personal Data)

Personal data which is more sensitive, including: race; ethnic origin; politics; religion; trade union membership; genetics; biometrics (where used for ID purposes); health; sex life; or sexual orientation.

## Data Protection Principles

The GDPR sets out six principles, requiring that personal data shall be:

- i. Processed lawfully, fairly and transparently
- ii. Collected for specific and legitimate purposes
- iii. Adequate, relevant and limited to the specified purposes
- iv. Accurate and up to date
- v. Kept only for the required period
- vi. Protected securely

It is the responsibility of all bbodance employees, representatives, faculty members, Registered Teachers and volunteers to ensure they control and process data in accordance with these principles.

## 4. Responsibilities

### Data Protection Officer

bbodance has a named Data Protection Officer. The Data Protection Officer is responsible for:

- Briefing the Board on Data Protection responsibilities
- Reviewing Data Protection and related policies
- Advising other employees on tricky Data Protection issues
- Ensuring that Data Protection induction and training takes place
- Notification to the ICO – unless exempt
- Handling right of access requests
- Approving unusual or controversial disclosures of personal data
- Approving contracts with Data Processors

### Trustees

The Board of Trustees have overall responsibility for ensuring the organisation is legally compliant.

### Employees

All bbodance employees, representatives, faculty, examiners and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work. This includes the Data Protection Policy and Privacy Policy.

### Registered Teachers

Acting as data processors, Registered Teachers are required to process candidate information for the purposes of facilitating the examination function. The lawful basis for processing such data has been identified as legal obligation. Registered Teachers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work. This includes the Data Protection Policy and Privacy Policy.

## 5. Security

In order to mitigate the risks associated with storing and processing personal data, the following security measures are in place:

### Password protection

All computers, Microsoft Office profiles, email accounts and CRM systems are to be password protected. Passwords should contain a combination of upper and lower case letters, numbers and special characters and should not be easily guessed.

Under no circumstances should passwords be given to unauthorised personnel either written or verbally.

### Paper Files

Paper files containing personal data should be stored in a locked office and/or filing cabinet.

### Office Access

Access to bbodance offices is for bbodance employees only unless accompanied by a bbodance employee.

### Security and Monitoring

Our LAN is protected by a managed firewall meaning we are able to see if anyone is trying to “hack” into our network. Our servers and PCs are supplied with automatic updating antivirus technology.

### Remote Users

For those bbodance employees working remotely, we use a totally secure Virtual Private Network. Remote users must not leave their computers unattended whilst logged into the VPN.

### Business Continuity

Data security is not wholly a data protection issue, but also related to Business Continuity. Therefore, PCs back up to the network server which in turn backs up daily to an off-site redundant storage facility.

### Sharing of Data

Data is not, under any circumstances to be shared with third parties unless for any processing purpose expressly stated in the Privacy Policy.

## **Breach of Protection**

If anyone is concerned that there has been a breach of security relating to data protection, they should raise their concerns with the Data Protection Officer immediately.

# **6. Data Recording, Storage and Retention**

## **Accuracy**

In accordance with the Data Protection Principles set out above, it is necessary to ensure that all data is collected and recorded accurately.

### **Phone**

For information taken over the phone, it should be repeated back to the data subject for confirmation of accuracy.

### **Person**

For information taken in person, it should be shown to the data subject for confirmation of accuracy.

### **Email**

For information taken via email, the email should be replied to and should contain the information you've recorded, asking the data subject for confirmation of accuracy.

### **Paper**

For information collected via a paper document, which is to be transferred to an electronic file, the data subject should receive an email containing the data inviting them to confirm the accuracy of the data.

### **Website**

For information collected via a web-form, a summary of the data provided will be given to the data subject for confirmation before submission.

## **Storage**

See 5. Security

## **Retention**

### **Financial Records**

Data relating to financial records will be kept for 7 years in accordance with our legal obligations.

### **Membership Records**

Data relating to our members shall be kept for no longer than is necessary to deliver the purpose for which it was collected originally.

## Examination and Qualification Data

Data relating to examinations and qualifications; candidates, teachers, examiners, results and qualifications, will be retained indefinitely in accordance with our regulatory obligations.

## Human Resources

For data relating to bbodance employees, trustees, faculty, examiners, representatives and volunteers, it will be retained for 3 years after they cease to be engaged with the organisation.

For data relating to candidates for employees, faculty, examiners, representatives and volunteers where their services were not engaged, data will be held for 6 months.

## Archiving

At the end of the data retention periods set out above, as part of the annual review of the policy, or if the data subject utilises their right to erasure, data will be deleted and destroyed. For data stored electronically, it will be deleted in a manner that is unrecoverable. For data stored on paper, the files will be shredded.

In some instances it is necessary to archive data rather than destroy it. In these instances, data stored electronically will be archived on a secure server with access restricted to the Data Protection Officer. For data stored on paper, it will be archived and locked in a secure facility with access restricted to the Data Protection Officer.

## 7. Right of Access

Data subjects have a right to access the data we hold in relation to them. The Data Protection Officer is responsible for ensuring these requests are handled within 1 month from the date of request. Right of Access requests should be made in writing to the Data Protection Officer.

## 8. Transparency

bbodance is committed to ensuring that data subjects are aware that their data is being processed and for what purpose and how to exercise their rights in relation to the data we hold. This information is provided in the Privacy Policy which is available from the website.

## 9. Lawful Bases

In accordance with the GDPR and following an in-depth data audit, the following types of data subject and processes have been identified with the relevant lawful basis assigned for each.

Process	Data Subject	Lawful Basis
Events: registration, participation and engagement	Members Non-members Students	Legitimate Interest
Examinations: enquiries, arrangement of examination sessions, centre approvals	Members (Registered Teachers)	Legitimate Interest
Examinations: results certification	Students/Candidates	Legal Obligation
Finance: payments for products and services, payments of invoices and expenses	Members Non-members Students Faculty Examiners	Contract
Governance	Trustees	Legal Obligation
Human Resources: employees, faculty and examiner recruitment	Public	Legitimate Interest
Human Resources: employees, faculty and examiner appointment and management	Employees Faculty Examiners	Contract
Human Resources: payroll and pensions	Employees	Contract and Legal Obligation
Marketing: bbodance news, events, products and services	Members Non-members Students Employees Faculty Examiners	Legitimate Interest
Membership: enquiries, applications, renewal, CPD training and certification	Members Non-members	Legitimate Interest
Operations: tenancy of offices and letting of studio and meeting room spaces	Members Non-members	Contract
Online shop: fulfilment of orders	Members Non-members General public	Contract
Training: Level 3 and Teaching Qualifications application, registration and participation	Members Non-members Students	Legitimate Interest



## 10. Employee Training and Acceptance of Responsibilities

All bbodance employees, representatives, faculty, examiners and volunteers who have access to any kind of personal data will have their responsibilities outlined during their induction.

For those existing employees, representatives, faculty, examiners and volunteers the responsibilities resulting from the implementation of this revised Data Protection Policy will be outlined in a dedicated team meeting.

If any bbodance employees, representatives, faculty, examiners, Registered Teachers and volunteers are unsure or require further clarification of their responsibilities they should contact the Data Protection Officer.

The policy will be included in the relevant handbooks and distributed electronically to everyone concerned.

All bbodance employees, representatives, faculty, examiners and volunteers will be asked to sign a declaration confirming their understanding and acceptance of their responsibilities.

## 11. Policy Review

In the interest of legal compliance and best practice, the Data Protection Policy will be reviewed annually.

Facilitated by the Data Protection Officer, the review will comprise an audit of procedures and processes in consultation with bbodance employees.

Date for review: August 2023