

# Data Protection and Retention Policy



May 2018

# Data Protection Policy

## Overview

### Key details

- Policy prepared by: Jane Macleod
- Next review date: May 2020

### Introduction

In order to operate, the Edinburgh City Singers (ECS) need to gather, store and use certain forms of information about individuals. This can include members, contractors, suppliers, volunteers, audiences and potential audiences, business contacts and other people the groups have a relationship with or regularly need to contact. This policy explains how this data should be collected, stored and used in order to meet ECS data protection standards and comply with the General Data Protection Regulations (GDPR).

### Why is this policy important?

This policy ensures that ECS:

- protects the rights of its members, volunteers and supporters
- complies with data protection law and follows good practice
- protects the groups from the risks of a data breach.

### Roles and Responsibilities - Who and what does this policy apply to?

This applies to all those handling data on behalf of ECS, e.g:

- choir members
- volunteers
- contractors/third-party suppliers

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

- names
- email addresses
- phone numbers
- any other personal information held (e.g. financial).

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The Choir Secretary (Jane Macleod) will determine what data is collected and how it is used and will also act as the Data Protection Officer for ECS. The Data Protection Officer is responsible for the secure, fair and transparent collection and use of data by ECS. Any questions relating to the collection or use of data should be directed to the Choir Secretary/Data Protection Officer.

ECS uses a third-party Data Processor (Outlook) to process data on its behalf. Outlook is compliant with GDPR.

### **Data Protection Principles**

We fairly and lawfully process personal data in a transparent way.

ECS will only collect data where lawful and where it is necessary for the legitimate purposes of the group.

- A member's name and contact details will be collected when they first join the choir and will be used to contact the member regarding choir membership administration and activities. Other data may also subsequently be collected in relation to their membership.  
**Lawful basis for processing the data:** Contract (the collection and use of data is fair and reasonable in relation to ECS completing tasks expected as part of the individual's membership).
- The name and contact details of volunteers and contractors will be collected when they take up a position and will be used to contact them regarding group administration related to their role.  
**Lawful basis for processing the data:** Contract (the collection and use of data is fair and reasonable in relation to ECS completing tasks expected as part of working with the individuals).
- An individual's name, contact details and other details may be collected at any time (including when booking tickets or at an event), with their consent, in order for ECS to communicate with them about and promote group activities. See 'How we get consent' below.

**Lawful basis for processing the data:** Consent (see 'How we get consent')

- Pseudonymous or anonymous data (including behavioural, technological and geographical/regional) on an individual may be collected via tracking 'cookies' when they access our website or interact with our emails, in order for us to monitor and improve our effectiveness on these channels. See 'Cookies on the ECS website' below.

**Lawful basis for processing the data:** Consent (see 'How we get consent').

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, ECS 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.

We ensure any data collected is relevant and not excessive

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

(e.g. we need to collect email addresses from members in order to be able to contact them about group administration, but data on their marital status or sexuality will not be collected, since it is unnecessary and excessive for the purposes of group administration)

**a) We ensure that data is accurate and up-to-date**

ECS will ask members and volunteers to check and update their data on an annual basis. Any individual will be able to update their data at any point by contacting the Choir Secretary/Data Protection Officer.

**b) We ensure data is not kept longer than necessary**

ECS will keep records for no longer than is necessary to meet the intended use for which they were gathered (unless there is a legal requirement to keep records).

The storage and intended use of data will be reviewed in line with ECS data retention policy. When the intended use is no longer applicable (e.g. contact details for a member who has left the group), the data will be deleted within a reasonable period.

### c) We keep personal data secure

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

- Electronically held data will be held within a password-protected and secure environment.
- Physically held data (e.g. membership forms or sign-up sheets) will be destroyed once digitised.

### d) Transfer to countries outside the EEA

ECS 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.

#### Individual Rights

When ECS collects, holds and uses an individual's personal data, that individual has the following the rights over those data. ECS will ensure that its data processes comply with those rights and will make all reasonable efforts to fulfil requests from an individual in relation to those rights.

- **Right to be informed:** whenever ECS collects data, it will provide a clear and specific privacy statement explaining why they are being collected and how they will be used.
- **Right of access:** individuals can request to see the data that ECS holds on them and confirmation of how they are being used. Requests should be made in writing to the ChoirSecretary/Data Protection Officer 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.
- **Right to rectification:** individuals can request that their data be updated where they are inaccurate or incomplete. ECS will request that members and contractors check and update their data on an annual basis. Any requests for data to be updated will be processed within one month.

- **Right to object:** individuals can object to their data being used for a particular purpose. ECS will always provide a way for an individual to withdraw consent in all marketing communications. 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.
- **Right to erasure:** individuals can request for all data held on them to be deleted. ECS's data retention policy will ensure that data is not held for longer than is reasonably necessary in relation to the purpose they were 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.
- **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, ECS will restrict the data while they are verified).  
Although unlikely to apply to the data processed by ECS, we will also ensure that rights related to portability and automated decision making (including profiling) are complied with where appropriate.
 

**Member-to-member contact**

We only share members' data with other members with the subject's prior consent. As a membership organisation, ECS encourages communication between members. To facilitate this:

  - Members can request the personal contact data of other members via email to the Choir Director. These details will be given, as long as they are for the purposes of contacting the subject (e.g. an email address, not financial or health data) and the subject has consented to their data being shared with other members in this way.

## How we get consent

ECS will regularly collect data from consenting supporters for marketing purposes. This includes contacting them to promote performances, updating them about group news, fundraising and other group activities.

Any time data are collected for this purpose, we will provide:

- a method for users to show their positive and active consent to receive these communications (e.g. a 'tick box')
- a clear and specific explanation of what the data will be used for (e.g. 'Tick this box if you would like ECS to send you email updates with details about our forthcoming events, fundraising activities and opportunities to get involved').  
Data collected will only ever be used in the way described and consented to (e.g. we will not use email data to market third-party products unless this has been explicitly consented to).

## Cookies on the ECS Websites

The following cookies are implemented on the ECS websites:

COOKIE NAME	LIFE SPAN	PURPOSE
svSession	Permanent	Creates activities and BI
hs	Session	Security
ncap_ses_\${Proxy-ID}_\${Site-ID}	Session	Security
incap_visid_\${Proxy-ID}_\${Site-ID}	Session	Security
nlbi_{ID}	Persistent cookie	Security
XSRF-TOKEN	Persistent cookie	Security
smSession	Two weeks	Identify logged in site members

## **Data Retention Policy Introduction**

This policy sets out how ECS will approach data retention and establishes processes to ensure we do not hold data for longer than is necessary. It forms part of ECS Data Protection Policy.

## **Roles and Responsibilities**

The Choir Secretary (Jane Macleod) will determine what data is collected and how it is used and will also act as the Data Protection Officer for ECS. The Data Protection Officer is responsible for the secure, fair and transparent collection and use of data by ECS. Any questions relating to the collection or use of data should be directed to the Choir Director/Data Protection Officer.

## **Regular Data Review**

A regular review of all data will take place to establish if ECS 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 will take place in May 2020.

## **Data to Be Reviewed**

- ECS stores data on digital documents (e.g. spreadsheets) stored on personal devices held by the Choir Secretary
- Data stored on third-party online services (e.g. Dropbox, Outlook)
- Physical data stored at the home of the Choir Secretary

## **Who the Review Will Be Conducted By**

The review will be conducted by the Choir Secretary/Data Protection Officer.

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 are stored in active lists (e.g. where they could be used) and to sensitive data.
- 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.

The following criteria will be used to make a decision about what data to keep and what to delete.

### Criteria

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 their 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

## **Statutory Requirements**

Date stored by ECS may be retained based in statutory requirements for storing data other than data protection regulations. This might include but is not limited to:

- contracts and agreements with suppliers/customers
- insurance details

## **Other Data Protection Procedures**

Member data:

- When a member leaves ECS and all administrative tasks relating to their membership have been completed, any potentially sensitive data held on them will be deleted.
- Unless consent has been given, data will be removed from all email mailing lists.
- All other data will be stored safely and securely and reviewed as part of the next two- yearly review.

## **Mailing List Data**

- If an individual opts out of a mailing list, their data will be removed as soon as is practically possible.

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## **Volunteer Data**

- When a volunteer or freelancer stops working with ECS and all administrative tasks relating to their work have been completed, any potentially sensitive data held on them will be deleted.
- Unless consent has been given, data will be removed from all email mailing lists.

## **Other Data**

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