



Data Protection Policy, including Key Procedures

Aims of this Policy

Healthy Arts needs to keep certain information on its Full Members, Associate Members, artists, supported artists, volunteers and service users to carry out its day to day operations, to meet its objectives and to comply with legal obligations.

The organisation is committed to ensuring any personal data will be dealt with in line with the Data Protection Act 1998. To comply with the law, personal information will be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures. This document also highlights key data protection procedures within the organisation.

This policy covers Full Members, Associate Members, artists, supported artists and volunteers.

Definitions

In line with the Data Protection Act 1998 principles, Healthy Arts will ensure that personal data will:

- Be obtained fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specific and lawful purpose
- Be adequate, relevant but not excessive
- Be accurate and kept up to date
- Not be held longer than necessary
- Be processed in accordance with the rights of data subjects
- Be subject to appropriate security measures
- Not to be transferred outside the European Economic Area (EEA)

The definition of ‘Processing’ is obtaining, using, holding, amending, disclosing, destroying and deleting personal data. This includes some paper based personal data as well as that kept on computer.

The Personal Data Guardianship Code suggests five key principles of good data governance on which best practice is based. The organisation will seek to abide by this code in relation to all the personal data it processes, i.e.

- **Accountability:** those handling personal data follow publicised data principles to help gain public trust and safeguard personal data.
- **Visibility:** Data subjects should have access to the information about themselves that an organisation holds. This includes the right to have incorrect personal data corrected and to know who has had access to this data.
- **Consent:** The collection and use of personal data must be fair and lawful and in accordance with the DPA’s eight data protection principles. Personal data should only be used for the purposes agreed by the data subject. If personal data is to be shared with a third party or used for another purpose, the data subject’s consent should be explicitly obtained.
- **Access:** Everyone should have the right to know the roles and groups of people within an organisation who have access to their personal data and who has used this data.
- **Stewardship:** Those collecting personal data have a duty of care to protect this data throughout the data life span.

Type of information processed

Healthy Arts processes the following personal information: contact details for Full Members, Associate Members and artists who have worked for, or asked to be considered for work with, Healthy Arts; contact and anonymous personal details for service users who have taken part in, or requested information about, Healthy Arts projects; contact details for volunteers and supported artists who have been mentored, or asked to be considered for mentoring, as part of Healthy Arts projects.

Personal information is kept in the following forms: computer files, including details taken from paper copies of monitoring forms. Electronic and/or paper copies of contact details will be retained for the duration of a project then deleted/destroyed. Paper monitoring forms recording anonymous personal information for auditing purposes by funding bodies will be kept for twelve months after the end of a project then destroyed. These will be kept in a central file accessed only by the Executive Management.

Groups of people within the organisation who will process personal information are:

Full Members (including Project Managers); Associate Members; volunteers; supported artists. This will include:

- Recording names on signing in sheets at events for fire evacuation purposes
- Distributing and collecting in monitoring forms at events recording anonymous personal details (postcode area, age, sex, ethnic origin, disability)

The Executive Management (Full Members). This will include:

- Transferring contact details from emails and phone calls received to computer file registration sheets for projects. These will be sent electronically to Project Managers (see below).
- Transferring anonymous personal details from monitoring forms to Project Evaluation Summary documents (required by funding organisations), copies of which will be stored electronically for future Healthy Arts data requirements.
- Recording and maintaining up-to-date contact details of Full Members, Associate Members, artists, volunteers and supported artists. These will be deleted on request or if an individual has not responded to any emails or phone calls for twelve months.

Project Manager (Full Member). This will include:

- Project Manager will receive the contact details of individuals via a computer file registration sheet. These will be retained for the duration of the project for contacting individuals should, for example, a workshop be postponed for some reason. The registration sheet must be deleted on completion of the project.

The Treasurer (Full Member). This will include:

- Recording and maintaining up-to-date contact and payment/expenses details of Full Members, Associate Members, artists, volunteers and supported artists. These will be deleted on request or if an individual has not responded to any emails or phone calls for twelve months.

Responsibilities

Under the Data Protection Guardianship Code, overall responsibility for personal data in a not for profit organisation rests with the governing body. In the case of Healthy Arts, this is the Management Committee (Full Members).

All Full Members, Associate Members, volunteers, supported artists who process personal information must ensure they not only understand but also act in line with this policy and the data protection principles.

Healthy Arts often work with children, young people and vulnerable adults so breach of this policy will result in disciplinary proceedings meaning that the individual involved will no longer being involved in any future Healthy Arts projects.

Policy Implementation

To meet our responsibilities (Full Members, Associate Members, volunteers, supported artists) will:

- Ensure any personal data is collected in a fair and lawful way;
- Explain why it is needed at the start;
- Ensure that only the minimum amount of information needed is collected and used; - Ensure the information used is up to date and accurate;
- Review the length of time information is held;
- Ensure it is kept safely;
- Ensure the rights people have in relation to their personal data can be exercised

We will ensure that:

- Everyone managing and handling personal information is trained to do so.
 - Anyone wanting to make enquiries about handling personal information, whether a member, artist, supported artist, volunteer or service user, knows what to do;
- Any disclosure of personal data will be in line with our procedures.
- Queries about handling personal information will be dealt with swiftly and politely.

Training

Training and awareness raising about the Data Protection Act and how it is followed in this organisation will take the following forms:

On induction: Project Managers (Full Members) will ensure that all participating Full Members, Associate Members, volunteers and supported artists receive all the relevant project and policy documents including the Data Protection Policy.

Awareness raising: Full Members, Associate Members, volunteers and supported artists will receive annual reminders about the policy at the AGM and at Project Planning meetings.

Gathering and checking information

Before personal information is collected, we will consider:

- What details are necessary for meeting the project evaluation requirements of funding organisations
- What details are necessary for contacting service users about Healthy Arts projects that they are participating in

- What details are necessary for contacting Full Members, Associate Members, volunteers and supported artists about meetings, projects and other Healthy Arts events
- How long Healthy Arts need to store the information to ensure that it is still up-to-date and relevant whilst meeting auditing requirements.

We will inform people whose information is gathered about the following:

- Why the information is being gathered
- What the information will be used for
- Who will have access to their information (including third parties)

In most cases, this will be simply stated on the form that they complete online or on paper.

We will take the following measures to ensure that personal information kept is accurate:

- Sending out annual reminders asking Full Members, Associate Members, volunteers and supported artists to check and, if necessary, update their details. These will be deleted on request or if an individual has not responded to any emails or phone calls for twelve months.

Personal sensitive information will not be used apart from the exact purpose for which permission was given.

Data Security

The organisation will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The following measures will be taken:

- Password protected attachments for sensitive personal information sent by email - Password protection on personal information files
- Anonymous personal information kept in a central file

Any unauthorised disclosure of personal data to a third party by Full Members, Associate Members, volunteers or supported artists may result in disciplinary procedures.

Subject Access Requests

Anyone whose personal information we process has the right to know:

- What information we hold and process on them

- How to gain access to this information
- How to keep it up to date
- What we are doing to comply with the Act.

They also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block or erase information regarded as wrong.

Individuals have a right under the Act to access certain personal data being kept about them on computer and certain files. Any person wishing to exercise this right should apply in writing to The Secretary, Healthy Arts, c/o 144 Charles Street, Leigh, Lancs. WN7 1HD.

We may make a charge of £10 on each occasion access is requested. The following information will be required before access is granted:

- Full name and contact details of the person making the request
- Their relationship with the organisation (former/ current member, volunteer, supported artist, service user)
- Any other relevant information, e.g. timescales involved

We may also require proof of identity before access is granted. The following forms of ID will be required:

- Passport
- Birth certificate

Queries about handling personal information will be dealt with swiftly and politely.

We will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 40 days required by the Act from receiving the written request (and relevant fee).

Review

This policy will be reviewed at intervals of two years to ensure it remains up to date and compliant with the law.

Declaration

I confirm I have read and understood Healthy Arts' Data Protection Policy and will act in accordance with it.

I am connected with this organisation in my capacity as a

- Full Member
- Associate Member
- Volunteer
- Supported Artist

Signature:

Print name:

Date:

Please return this form to the designated officer.