

Data Protection Policy
Last Reviewed March 2021
Effective until March 2023



1. Purpose

This policy explains Rural Arts approach to data protection as regulated by The General Data Protection Regulation (UK GDPR) in relation to employees, volunteers, funders, customers, clients and other third parties.

2. Policy

Rural Arts needs to collect and use certain types of information about the Data Subjects it comes into contact with in order to carry out its work. This personal information will be collected and dealt with appropriately – whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this under the UK GDPR. The organisations and the people which Rural Arts holds information about, are referred to in this policy as data subjects. Rural Arts will ensure that everyone processing personal information is appropriately trained to do so and appropriately supervised; anybody wanting to make enquiries about handling personal information knows what to do; any enquiries about handling personal information are dealt with promptly and courteously; It describes clearly how it handles personal information; It will regularly review and audit the ways it holds, manages and uses personal information.

3. Responsibilities

Rural Arts is the Data Controller under the UK GDPR, which means that it determines what purposes personal information held will be used for. It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

The Operations Manager is Rural Arts' central point of contact for all data compliance issues and ensures compliance within the UK GDPR. Their role is to make sure Rural Arts is registered with the Information Commissioner's Office and to ensure our notification is up to date. It is their responsibility to ensure that all staff are aware of their data protection responsibilities through the circulation and explanation of this policy through induction and training. Relevant data protection issues will be included in induction training.

This requires all employees to comply with the Act in relation to information about other staff. Failure to do so will be regarded as serious misconduct and will be dealt with in accordance with the Rural Arts' disciplinary policy and procedure. If an employee is in a position to deal with personal information about other employees, the Employee will be given separate guidance on their obligations, and must ask if they are unsure.

4. Procedure

4.1 Disclosure

Rural Arts may share data with other agencies such as the local authority, funding bodies and other voluntary agencies.

The Data Subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows organisations to disclose data (including sensitive data) without the data subject's consent. These are:

- Carrying out a legal duty or as authorised by the Secretary of State
- Protecting vital interests of a Data Subject or other person
- The Data Subject has already made the information public
- Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- Monitoring for equal opportunities purposes – i.e. race, disability or religion
- Providing a confidential service where the Data Subject's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where you would wish to avoid causing stress on Data Subjects to provide consent signatures

Rural Arts regards the lawful and correct treatment of personal information as very important to successful working and to maintaining the confidence of those with whom it deals.

4.2 Information held by Rural Arts

4.2.1 Information about Rural Arts clients

Information held by Rural Arts relates to voluntary and community organisations, other organisations (including public and private sector) and individuals (including volunteers, employees, trustees/management committee members, suppliers) which support, assist, provide services to, work with or alongside, or fund voluntary and community organisations. Rural Arts will not give out information about any individual unless it is satisfied that the individual knows this type of disclosure may be made and/or the information is already in the public domain (or that there is some overriding reason for the disclosure).

4.2.2 Information about individuals will not be published without consent first being given. No details of individuals will be passed to other organisations for marketing, fundraising or circulating information unless the individual has been informed that this might happen and been given the opportunity to opt in as appropriate. Data will only be stored for as long as necessary.

4.2.3 Storage Manual files containing sensitive information will be labeled confidential and kept in locked filing cabinets, accessible only to relevant staff.

4.2.4. Computer records and files containing sensitive information will be password protected, accessible only to relevant staff.

4.3 Employee Records

Information held about employees will only be collected and recorded with good

reason, it will be stored securely and for only as long as required. Please see the Document Retention policy for details on how long Rural Arts retains information including employee records.

These records may include:

- Information gathered about an employee and any references obtained during recruitment
- Details of terms of employment, payroll, tax and National Insurance information
- performance information
- Details of grade and job duties
- Health records and absence records including holiday records and self-certification forms
- Details of any disciplinary investigations and proceedings
- Training records
- Contact names and addresses
- Correspondence with Rural Arts
- Other information provided to Rural Arts

Rural Arts believes these records are consistent with the principles of the UK GDPR and may give employees an annual summary of data held on them to ensure this is accurate. The information held will be for management and administrative use only, but from time to time, may need to disclose some information held about employees to relevant third parties.

It should also be noted that Rural Arts might hold the following information about an employee for which disclosure to any person will be made only when strictly necessary for the purposes set out below:

An employee's health, for the purposes of compliance with our health and safety and our occupational health obligations, for the purposes of HR management and administration, for example to consider how an employee's health affects their ability to do their job and, if the Employee is disabled, whether they require any reasonable adjustment to be made to assist him or her at work, the administration of insurance, pension, sick pay and any other related benefits in connection with unspent convictions to enable us to assess an employee's suitability for employment

4.4 Data Access Requests

A data subject may make a subject access request ("SAR") at any time to see the information which Rural Arts holds about them.

SARs must be made in writing, accompanied by the correct fee. A fee of £10 must be paid with all SARs. Upon receipt of a SAR Rural Arts will respond within 40 days. The following information will be provided to the data subject:

Whether or not Rural Arts holds any personal data on the data subject; A description

of any personal data held on the data subject; Details of what that personal data is used for, Details of any third-party organisations that personal data is passed to.

5. Principles

Rural Arts complies with the seven principles of good information handling enforced by the UK General Data Protection Regulation:

- (a) Processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency');
- (b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
- (c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- (d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- (e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');
- (f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to rules and regulations.