

**Bessie Cursons Theatre & Dance Academy**

All correspondence to be sent to Bessie Cursons,  
52 Rosebery Avenue, Portsmouth, PO6 2PZ.



**Policy: Data Protection (GDPR) - 2008 (DPA) Updated 2018 (GDPR)**

<b>Date of last review:</b>	<b>To be reviewed next before/on:</b>
21/05/2019	21/05/2020
<p><b>Purpose and Statement:</b></p> <p>The Bessie Cursons Theatre &amp; Dance Academy (Bessie Cursons Academy) is committed to ensuring the data processed by our dance school remains safe and secure.</p> <p>This policy has been written in line with legislative change, including both the Data Protection Act (1998) and the EU's General Data Protection Regulation (GDPR).</p> <p>Bessie Cursons Academy has determined the lawful reasons with which it processes personal data:</p> <ul style="list-style-type: none"><li>• Legal obligation – GDPR Article 6(1)(c)</li><li>• Legitimate interest – GDPR Article 6(1)(f)</li><li>• Contract - GDPR Article 6(1)(b)</li><li>• Data Subject: Consent – GDPR Article 6(1)(a).</li></ul> <p>The Bessie Cursons Academy avoids sharing data with third parties unless it is in a student's interest as previously mentioned in Enrolment form/ contracts. For example they may be needed for dance examinations entries and/or dance festival entries. The sharing of data with these third parties will always be consensual with the data subject and/or their parent/guardian, and only if the Bessie Cursons Academy is satisfied that their Data Protection policy is GDPR compliant, we will also ensure any paperwork containing such details will be deposited of safely.</p> <p><b>Main Aims for our policy:</b></p> <ul style="list-style-type: none"><li>• Specify the data Bessie Cursons Academy collect how it is stored/protected and the reason for collecting it.</li><li>• State how Bessie Cursons Academy use personal data in processing</li><li>• Disclose who has access to the data and how long we retain information for.</li><li>• Explain Data Subject's rights with Bessie Cursons Academy data including access, rectification and erasure.</li></ul>	
<p><b>Distribution:</b></p> <ul style="list-style-type: none"><li>• To be distributed to staff at the Bessie Cursons Academy.</li></ul>	

- This policy will be sent directly to members of the public on request.

**Review and monitoring of policy:**

- Reviewed annually or in instances of legislative change
- Monitoring is part of Managements duties.

**The following policy is based on the below principles:**

The GDPR includes the following rights for individuals:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling

**General Principles**

Bessie Cursons Academy is committed to providing fair and understandable privacy policies in relation to personal data.

Bessie Cursons Academy will at all times keep data in secure locations and not retain data unnecessarily or past the retention length as set out in this policy.

**Participants and Customers****How The Bessie Cursons Academy collect personal data:**

Parents/ guardians supply their personal data when signing up for classes through our paper Enrolment form/ contracts. This contract is always completed by a parent/guardian or the pupil themselves if they are over 18 years old.

**Why The Bessie Cursons Academy collect personal data:**

To attend any of The Bessie Cursons Academy activities participants/parents/guardians must agree to some processing of their personal data. This is due to Legitimate Interests – GDPR Article 6(1)(f), Legal Obligation GDPR Article 6(1)(c), Contract - Article 6(1)(b) and/or Consent - Article 6(1)(a).

Our participants must remain safe at all times; therefore information about participants must be collected in order to create accurate student records. This information is also used to provide students with appropriate classes, including dividing students into age groups.

Special category data is only collected with the consent of the data subject. Special category data The Bessie Cursons collects includes but is not limited to: Medical information, Disability information & Ethnicity.

As physical activity providers it is essential that this consent is given should a participant have any medical/disability needs. This allows us to incorporate participants safely into classes. It is also used in assessing if we can incorporate participants safely into classes.

Ethnicity and other sensitive data is to provide information to examination boards for statistical purposes. This data is always provided to third-parties as quantified data (i.e. cumulative numerical data only with no identifying information relating to any data subject).

**What data we collect:**

Participant Personal Data:

- Full Name - GDPR Article 6(1)(f)
- Date of Birth - GDPR Article 6(1)(f)
- Home Address - GDPR Article 6(1)(f)
- Previous Dance Examination Results - GDPR Article 6(1)(f)
- Any Other Dance Schools They Attend In The Area.- GDPR Article 6(1)(f)

**Participant Special Category Data:**

- Medical Information/History – GDPR Article 9 (a)
- Disability Information - GDPR Article 9 (a)

**Parent/Guardian Personal Data:**

- Name - GDPR Article 6(1)(f)
- Address (if different from the pupil) - GDPR Article 6(1)(f)
- Email Address - GDPR Article 6(1)(f)
- Mobile Telephone Number - GDPR Article 6(1)(f)
- 2 x Emergency Contact Name /Number - GDPR Article 6(1)(f)

**How data collected is sent internally:**

The Bessie Cursons Academy stores and transports data with all due diligence. Paper enrolment forms kept on file whilst a pupil is attending classes at The Bessie Cursons Academy.

**Storage/Retention of data:**

Access to enrolment forms is restricted and only available to authorised staff members. Emergency contact lists created from student data are stored in the Bessie Cursons Academy business phone. Access to these details is restricted through password protection and only available to authorised staff members. Hard copies of emergency contacts/ enrolment forms are carried by Bessie. When they are no longer in use or out-dated, they will be destroyed safely.

Our standard retention policy (without the data subject's right to access, rectification and erasure etc.) is THREE YEARS post final attendance.

Exceptions to our retention policy:

- First Aid records are kept for 21 years due to legal obligation
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will stored for is 6 years due to legal obligation
- 

**Third Parties/Data Processors:**

The Bessie Cursons Academy does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

Freelance Teachers:

As many of The Bessie Cursons Academy teachers are freelance staff the teachers will never be provided with personal details aside from participant's first name and last name and any medical information that is necessary to the running of a class.

#### Child Safeguarding Concerns:

In the unlikely event The Bessie Cursons Academy has a safeguarding concern in relation to one of participants, The Bessie Cursons Academy are legally required to provide data to the safeguarding board at the local council. We are fully satisfied that their GDPR processes are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

#### Event Programmes:

The Bessie Cursons Academy may occasionally produce programmes for events. These will only ever contain the pupil's first names (unless otherwise consented to). The name of a child's class may also be included. Participants/their Parent and/or Guardians may choose if they want to be included in the programme when they agree to participate at an event.

#### Examination Entry:

In order to enter examinations, The Bessie Cursons Academy must provide some personal data to examination boards (currently we work with: ISTD). This sharing of data is to be consented to by the data subject and/or parent/guardian upon signing up to classes at The Bessie Cursons Academy.

#### **Rights of the data subject and The Bessie Cursons Academy compliance with responses:**

Any data subject with personal data stored within The Bessie Cursons Academy is entitled to the rights of:

##### **Access**

You may contact The Bessie Cursons Academy at any time to access all data held relating to you and/or your child(ren). We will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, The Bessie Cursons Academy has the right to refuse the request or take steps in order to obtain consent from other involved parties.

The right of access does not apply to The Bessie Cursons Academy legal obligations such as Child Safeguarding records.

##### **Rectification**

You may contact The Bessie Cursons Academy at any time in order to rectify data held relating to you and/or your child(ren). We will ensure that we respond to a rectification request without undue delay and within one month of receipt.

##### **Erasure**

You may contact The Bessie Cursons Academy at any time in order to erase data held relating to you and/or your child(ren). We will ensure that we respond to an erasure request without undue delay and within one month of receipt.

The right to erasure does not apply to The Bessie Cursons Academy legal obligations such as First Aid records.

##### **- Restrict Processing**

You may contact The Bessie Cursons Academy at any time in order to restrict the data we process relating to you and/or your child(ren). We will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to terminate your involvement with The Bessie Cursons Academy until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

##### **- Data Portability**

You may contact The Bessie Cursons Academy at any time in order to obtain the data we process relating to you and/or your child(ren). We will ensure that we respond to a

request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to The Bessie Cursons Academy legal obligations.

- **Objection**

You may contact The Bessie Cursons Academy at any time in order to object to the processing of data relating to you and/or your child(ren). We will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. However we may have to terminate your involvement with The Bessie Cursons Academy until the restriction is lifted. This is due to Health and Safety and Child Safeguarding.

Any and all verbal requests are noted, and then contacted again either via phone or email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

### **Photos/Videos of Participants**

The Bessie Cursons Academy often use footage/photos used from lessons, shows, performances and examinations for marketing purposes both online and in print media. Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted when signing their enrolment contracts.

**Social Media:**

The Bessie Cursons Academy regularly shares photos/videos of students in classes, workshops, events and performances through social media platforms including; Instagram & Facebook. We may mention a pupils first name when we share posts on the above social media sites however we will ensure there is no other identifying information shared.

### **Staff (Employees/Freelance), Trustees, Volunteers and Potential Staff/Trustees and/or Volunteers**

For the purposes of this policy, the persons above will be referred to as 'staff'.

**How The Bessie Cursons Academy collect personal data:**

The Bessie Cursons Academy staff supply their personal data when applying for roles within the company. This is completed through a submission of a CV. Further information is collected when applicants are considered successful.

**Why The Bessie Cursons Academy collect personal data:**

It is The Bessie Cursons Academy legal obligation to collect staff's personal data in relation to their employment. This is due to Legal Obligation GDPR Article 6(1)(c) and/or Contract - Article 6(1)(b)

Should The Bessie Cursons Academy be unable to process staff's data, we would be contravening UK Employment law, our own employment contracts and our own Health & Safety and Child Safeguarding policies.

Special category data is only collected with the consent of the data subject. The Special category data The Bessie Cursons Academy collects but is not limited to is: Public Liability Insurance Policies, National Insurance Numbers, Home Address and Medical/Disability information. The Bessie Cursons Academy's lawful purpose for collecting this data is both Article 6(1)(b) – contract and Article 9(2)(b) – employment.

The Bessie Cursons Academy is also entitled to obtain and process data in relation to criminal convictions and DBS checks. Most posts within The Bessie Cursons Academy are exempt from the Rehabilitation of offenders act (1974) by the 1975 and 2001 Exceptions Amendment, as they involve working with vulnerable and/or young people. This is further supported by article 10 of GDPR.

**What data we collect:**

Personal data and some special category is collected.

It is essential to our business that we are provided, and allowed to process and store the following:

**Staff Personal Data:**

- Full Name Legal obligation – GDPR Article 6(1)(c) Legal Obligation
- Contact Details - GDPR Article 6(1)(c) Legal Obligation
- NI number - GDPR Article 6(1)(c) Legal Obligation
- Right to work in the UK - GDPR Article 6(1)(c) Legal Obligation
- Bank Details - Article 6(1)(b) Contract
- Qualifications - Article 6(1)(b) Contract

**Staff Special Category Data:**

- Criminal Record/DBS Checks - GDPR Article 6(1)(c) Legal Obligation & GDPR Article 10
- Medical/Disability - Article 6(2)(b) Contract & Article 9(2)(b)

**How data is sent internally:**

Any transfer of data regarding staff is conducted through encrypted emails and/or stored in our encrypted cloud-based server.

**Storage/Retention of data:**

All Staff personal data is stored on encrypted files on The Bessie Cursons Academy laptop. It is also stored on encrypted hardware within the office.

Most staff data is retained for 2 YEARS (post-employment).

Exceptions to our retention policy:

- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will stored for is 6 years due to legal obligation
- First Aid records are kept for a minimum of 21 years due to legal obligation

**Third Parties/Data Processors:**

The Bessie Cursons Academy does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

**Barclays Bank**

In order to process payments by BACs, staff's bank details and names must be added to our online banking system, we are satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

**Child Safeguarding Concerns:**

In the unlikely event The Bessie Cursons academy has a safeguarding concern in relation to one of participants and/or staff members, we are legally required to provide data to the safeguarding board at the local council and the Disclosure and Barring service. We are fully satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not

unnecessarily retained.

#### Website Biography:

The Bessie Cursons Academy website includes staff biographies, these are available for public viewing. Consent is sought before any/all staff profiles are added to the website.

#### **Rights of the data subject and The Bessie Cursons Academy compliance with responses:**

Any data subject with personal data stored by The Bessie Cursons Academy is entitled to the rights of:

- **Access**

You may contact The Bessie Cursons Academy at any time to access all data held relating to you. We will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, we have the right to refuse the request or take steps in order to obtain consent from other involved parties.

The right of access does not apply to The Bessie Cursons Academy's legal obligations such as confidential Child Safeguarding records.

- **Rectification**

You may contact The Bessie Cursons Academy at any time in order to rectify data held relating to you. We will ensure that we respond to a rectification request without undue delay and within one month of receipt.

The right to rectification does not apply to The Bessie Cursons Academy's legal obligations such as payment record information.

- **Erasure**

You may contact The Bessie Cursons Academy at any time in order to erase data held relating to you. We will ensure that we respond to an erasure request without undue delay and within one month of receipt.

The right to erasure does not apply to The Bessie Cursons Academy's legal obligations such as First Aid records.

- **Restrict Processing**

You may contact The Bessie Cursons Academy at any time in order to restrict the data we process relating to you. We will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest and legal obligations in most of the data collected- we may not be able to restrict processing.

- **Data Portability**

You may contact The Bessie Cursons Academy at any time in order to obtain the data we process relating to you and reuse it across different services. We will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

Please note, this does not apply to The Bessie Cursons Academy's legal obligations.

- **Objection**

You may contact The Bessie Cursons Academy at any time in order to object to the processing of data relating to you. We will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest and legal obligations in most of the data collected- we may not be able to accept your objection.

Any and all verbal requests are noted, and then contacted again either via phone or email to

verify the request. Verbal requests will be responded to in the time frames mentioned above.

The Bessie Cursons Academy adheres to the principles of the Data Protection Act (DPA),

### **Complaints and Data Breaches**

#### **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to The Bessie Cursons Academy's Principal: Bessie Cursons.

Email: [bessiecursonsacademy@gmail.com](mailto:bessiecursonsacademy@gmail.com)

Telephone: 07956 683109

Address: 52 Rosebery Avenue, Cosham, Portsmouth, PO6 2PZ

If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by contacting the Independent Commissioner's Office (ICO).

ICO Telephone Number: 0303 123 1113

#### **Data Breaches:**

If MTA experiences a data breach of any kind, we have a legal obligation to report this to ICO within 72 hours. The data breach will be reported by Bessie Cursons. In the instance Bessie is unavailable to report the breach, the next most senior staff member shall do so. The Bessie Cursons Academy will also inform all the victims of the data breach as soon as possible if there is a high risk of adversely affecting individuals' rights and freedoms. The Bessie Cursons Academy will store and record all data breaches.