

The Castle Players: Data Protection Policy

Reviewed January 2024

Need for Policy

The Castle Players Limited ("the Castle Players") is a UK-based organisation that records personal data as part of a "relevant filing system", including data that is not stored on a computer but is structured so that specific data is readily accessible. They therefore fall under the requirements of the Data Protection Act 1998 (The Act) and further, of the UK General Data Protection Regulation (UK GDPR or GDPR).

Legal requirements

UK GDPR places obligations on those who record and use personal data (Data Controllers). They must be open about that use (through the Data Protection Register) and follow sound and proper practices (guided by the Data Protection Principles). This Policy describes how the Castle Players complies with the requirements and also the spirit of UK GDPR.

Definitions

Personal Data.

Personal data means data which relate to a living individual who can be identified from those data, or from other information which is in the possession of, or is likely to come into the possession of, the data controller, and which includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Some personal data can be more sensitive than others, requiring higher protection, and known as "special categories of personal data", sometimes "sensitive data". Special category data may only be collected with the specific permission of the individual. The only special category data that may ever be collected by Castle Players relates to ethnicity.

Data Subject

Data Subject means an individual who is the subject of personal data.

Data Controller

Data Controller means a 'person' (not just individuals but also organisations such as companies and other corporate and unincorporated bodies of persons) who (either alone or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Key principles of GDPR

UK GDPR sets out 7 key principles for data controllers. In summary they require that data shall be:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date;
5. 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;
6. processed in a manner that ensures appropriate security of the personal data.

7. Further, the data controller shall be accountable to demonstrate compliance with the foregoing.

(Full version at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>)

Rights of individuals (Data Subjects)

GDPR further sets out 8 rights pertaining to data subjects:

1. The right to be informed about the collection and use of their personal data.
2. The right to access and receive a copy of their personal data
3. The right to have inaccurate personal data rectified, or complete if incomplete
4. The right to have personal data erased
5. The right to restrict the processing of personal data (which does not remove an organisation's ability to store it)
6. The right to of an individual to obtain and reuse their own personal data ("data portability")
7. The right to object to the processing of their personal data, including an absolute right to stop that data being used for direct marketing.
8. Rights related to the prevention of automated decision making including profiling

The Castle Players will uphold these rights and will inform Data Subjects of their rights by reference to this policy on our website

Schedules

The Act contains two important schedules. These outline the conditions that have to be met when processing personal data, at least one of which must be met to be acting within the law. The activities of the Castle Players fall under Clause 6 of Schedule 2 - Conditions for Processing Personal Data:

- "The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data is disclosed."

It is in the Castle Players' legitimate interest to keep data on members, associates (members of the group who are not members of the company), members of the "Friends" and audience members (existing bookings and transaction records) and it is also necessary to process this data to inform members, associates and Friends of the Castle Players' activities and to use data held on audience members for marketing purposes.

If Special Category Personal Data is processed by the Castle Players it must be with the explicit permission of the data subject. Castle Players will only collect ethnicity data within the Special Category, which will be anonymised and stored separately from other personal data so that no direct link is possible.

Notification of the Data Commissioner

As a Not for Profit Organisation, and, as the data is used either for maintaining membership records and for advertising marketing and public relations, the Castle Players has an exemption from notifying the Data Commissioner of our activities.

Processing of Personal Data

Membership and Associate data:

The Membership Secretary of the Castle Players will hold the definitive database for membership and associates. As the requirements of Clause 2 have been satisfied no action is required for existing members and associates. Consent will be required from new members and associates for their personal data to be held on this database.

A nominated person will be provided with a backup copy of the members/associates' database every quarter.

The members/associates' database will be reviewed annually to ensure that all records are up to date and are relevant (i.e. contain current members/associates).

If COPIES of the membership database are distributed for a particular show these COPIES are to be controlled. Any Email/social media groups set up for a show are to be deleted at the end of the production. An email confirming the deletion is to be sent to the Membership Secretary.

Any significant changes to the membership database should be distributed to the holders of the controlled copies.

Marketing Database:

The Leader of the Castle Players Marketing Team will hold the definitive copy of the personal details of members of the public on the publicity database. Data subjects on this database will be asked once whether they wish to remain on the database. A signed consent will be required from potential new Data Subjects for this database.

A nominated person will be provided with a backup copy of the marketing database annually.

Friends' Database:

The Coordinator of the Friends will hold the definitive copy of this database. Data subjects on this database will be asked once whether they wish to remain on the database. A signed consent will be required from potential new Data Subjects for this database.

A nominated person will be provided with a backup copy of the Friends' database biannually.

All databases will be reviewed annually. The review shall be recorded by changing the revision number of the database and including the revision number and date in the database's file name along with a comment on the nature of the updates made.

Special Category Personal Data

Ethnicity data may occasionally be collected for grant applications and the like and will be controlled by the Administration Secretary of the Castle Players. Ethnicity data will only be stored such that no link is possible to other personal data.

Digital Images

New members and associates will be informed that the Castle Players will take digital images (including video) for record and publicity purposes. The images may be used on the Castle


Players' website. Individuals may only be named if the individual has specifically agreed to this.

Responsible people

The Data Controller for the membership data and the sensitive data will be the Membership Secretary of the Castle Players.

The Data Controller for the publicity database will be the Leader of the Marketing Team.

The Data Controller for the Friends database will be The Coordinator of the Friends.

..... Chair - The Castle Players

Date:... 30th January 2024.