



Data Protection Policy

Acknowledgement:

This policy draws on the example policy published by www.smallcharitysupport.uk

Introduction to the Legislation

The [Data Protection Act 2018](#) is the UK's implementation of the General Data Protection Regulation (GDPR). It sets out how organisations, businesses and government departments should use personal information.

Opera Anywhere (OA") is required to comply with the Act and undertakes to do so. OA will ensure that all personal data that it holds will be:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

Definitions

1. A "Data Subject" is an identifiable individual person about whom OA holds personal data.
2. For the purposes of this Policy, "Contact Information" means any or all of the person's:
full name (including any preferences about how they like to be called);
full postal address;
telephone and/or mobile number(s);
e-mail address(es);
social media IDs/Usernames (e.g.: Facebook, Skype, Twitter, Hangouts, WhatsApp)
3. "Personal Data" is any piece of information that someone can use to identify, with some degree of accuracy, a living person.
4. "Sensitive Personal Data" is a specific set of "special categories", such as racial origin, political opinion, religious belief, that must be treated with extra security.



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Context

OA is a small charity holding a minor amount of personal data on a small number of people. The Trustees understand and accept their responsibility under the Data Protection Act 2018 to hold all personal data securely and use it only for legitimate purposes with the knowledge and approval of the data subjects.

By the following operational policies and procedures, the Trustees undertake to uphold the principles and requirements of the GDPR in a manner that is proportionate to the nature of the personal data being held by OA. The policies are based on the Trustees' assessment, in good faith, of the potential impacts on both OA and its data subjects of the personal data held by OA being stolen, abused, corrupted or lost.

Lawful Processing

OA will obtain, hold and process all personal data in accordance with the GDPR for the following lawful purposes.

The majority of information collected, held and processed will include Contact Information (as defined above). The categories of information are shown in the following paragraphs

By Consent

People who are interested in, and wish to be kept informed of, the activities of OA.

Subject to the person's consent, this may include information selected and forwarded by OA on activities relevant to those of OA by other organisations.

Note: this will not involve providing the person's personal data to another organisation.

The information collected may additionally contain details of any particular areas of interest about which the person wishes to be kept informed. The information collected will be held and processed solely for providing the news and communications requested by the person.

By Contract

People who sell services or goods to, and/or purchase services and/or goods from OA.

The information collected will additionally contain:

- a) Details of the services and/or goods;
- b) Bank and other details necessary and relevant to the making or receiving of payments for the services/goods,

The information provided will be held and processed for the sole purpose of managing the contract between OA and the person for the supply or purchase of services/goods.

By Legal Obligation

People where there is a legal obligation on OA to collect, process and share information with a third party – e.g.: the obligations to collect, process and share with The Charity Commission details of trustees or details of accidents or injuries that need to be retained. Any Sensitive Personal Data required, for example as part of an insurance claim, would be managed on a case-by-case basis.

The information provided will be held, processed and shared with others solely for the purpose meeting OA's legal obligations.



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Legitimate Interest

Performers, Volunteers, Including Trustees

In order to be able to operate efficiently, effectively and economically, it is in the legitimate interests of OA to hold such personal information on its performers, volunteers and trustees as will enable OA to communicate on matters relating to the operation of OA, e.g.:

- the holding of meetings;
- providing information about OA activities – particularly those activities which, by their nature, are likely to be of particular interest to individual volunteers/trustees;
- seeking help, support and advice from volunteers/trustees, particularly where they have specific knowledge and experience;
- Ensuring that any particular needs of the performer/volunteer/trustee are accommodated appropriately when organising meetings, accommodation and catering.

Recordings

OA makes audit recording of director / trustee meetings to help ensure accurate written minutes of the meetings.

OA makes occasional video recordings of rehearsals and performances to help in the development of productions and the introduction of new performers.

Personnel

Data Protection Officer

In the considered opinion of the Trustees the scope and nature of the personal data held by OA is not sufficient to warrant the appointment of a Data Protection Officer.

Accordingly, no Data Protection Officer is appointed.

Data Controller

The Board of Trustees is the Data Controller for Opera Anywhere.

Data Processors

The Board of Trustees will appoint two of its number, or other appropriate persons, to be the Data Processors for OA.

OA stores and processes information on computers it owns and the file hosting service Dropbox. It uses TicketSource to sell tickets to events, Mailchimp to email audience members and supporters on its behalf and Intuit QuickBooks to manage business accounts. All three companies have public statements on their commitment to GDPR and details of their conformance.

For event bookings, OA as the event organiser is the Data Controller and so retains full control of customers' personal data such as name, address, email, phone number. TicketSource is contracted to process OA customer bookings, and therefore TicketSource is the Data Processor.

With regards to email activity data, Opera Anywhere, is the data controller, and Mailchimp is the data processor. The contract with Mailchimp includes an agreement that Mailchimp may engage Sub-processors to process OA Data on OA's behalf.

In the case of the accounting services, the Trustees note Intuit QuickBooks statement:



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“.....Intuit acts as an independent controller of the personal information placed in our products and services.” [<https://quickbooks.intuit.com/uk/gdpr/>]

Opera Anywhere uses Google Calendar and Google Drive to share schedules and event information with performers and crew together with private facebook to share information relating to specific productions and performances with the team involved. These private groups are also used by the team to share photos of rehearsals and performances. Performer data is limited to performer names.

Access to Data

Except where necessary to pursue the legitimate purposes of OA, only the Data Processors shall have access to the personal data held by OA.

Training

The Board of Trustees and Data Processors will periodically undergo appropriate training commensurate with the scale and nature of the personal data that OA holds and processes under the GDPR.

Information Technology

Data Processing Location

Data Processors shall only process OA's personal data in a secure location, and not in any public place, e.g: locations where the data could be overlooked by others, or removable data storage devices would be susceptible to loss or theft.

Computers/laptops in use for data processing will not be left powered-up and unattended at any time.

Data Backups

To protect against loss of data by accidental corruption of the data or malfunction of a removable data storage device (including by physical damage), all OA's personal data shall be backed up periodically and whenever any significant changes (additions, amendments, deletions) are made to the data.

Backup copies of the data shall be held in separate secure locations which are not susceptible to common risks such as fire, flood or theft.

Obsolete or Broken Equipment

Equipment used to hold personal data, whether permanently or as interim working copies, which come to the end of their useful working life, shall be disposed of in a manner which ensures that any residual personal data held on the equipment cannot be recovered by unauthorised persons.

Privacy Impact Assessment

Trustees' Data

The volume of personal data is very low – fewer than 10 individuals

The sensitivity of the data is low-moderate: the most sensitive data being date of birth, previous names and previous addresses;

The risk of data breach is small as the data are rarely used, with the majority of the data being held for a combination of legal obligation and legitimate interest.



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Overall impact: LOW

Volunteers Data

The volume of personal data is low – less than 25 individuals

The sensitivity of the data is low: the most sensitive data being an e-mail address;

The risk of data breach is small – primarily the accidental disclosure of names & e-mail addresses.

Overall impact: LOW

Supporters' Data

The volume of personal data is low-moderate.

The sensitivity of the data is moderate: the most sensitive data being bank account details for donations.

The risk of data breach is small – primarily the accidental disclosure of names & e-mail addresses.

Overall impact: MODERATE

Client Data

The volume of personal data is low. This relates to enquiries and bookings made by individuals rather than organisations such as receiving houses

The sensitivity of the data is moderate: the most sensitive data being bank account details for donations;

The risk of data breach is small – primarily the accidental disclosure of names & e-mail addresses.

Overall impact: LOW

Performer Data

The volume of personal data is moderate.

The sensitivity of the data is high: the most sensitive being names, addresses and bank account details;

The risk of data breach is moderate – primarily the accidental disclosure of names & e-mail addresses.

Data Breach

In the event of any data breach coming to the attention of the Data Controller the Trustees will immediately notify the Information Commissioner's Office.

In the event that full details of the nature and consequences of the data breach are not immediately accessible (e.g.: because Data Processors do not work on every normal weekday) the Trustees will bring that to the attention of the Information Commissioner's Office and undertake to forward the relevant information as soon as it becomes available.