

## **Data Protection and Use of Adult Student/Member & Applicants Data**

- Adult is deemed to be 18 years of age.
- For our youth student members please see section 32

### **DATA PROTECTION ACT 1998 AND GENERAL DATA PROTECTION REGULATION**

1 The Data Protection Act 1998 (DPA) regulates the processing of personal data in any format by Class Act Drama Centre, including both digital and hard copy personal data and all other formats. 'Personal data' is any information relating to a living individual, and 'processing' is any activity carried out involving personal data, including holding and storing it. On 25<sup>th</sup> May 2018 the DPA will be superseded in the UK by the General Data Protection Regulation (GDPR), which provides individuals with enhanced rights, and imposes increased responsibilities on organisations processing personal data. This statement applies under both the DPA and GDPR.

2 This statement establishes the Centre's procedures governing the collection and release of student member data and is provided to members at the application and registration stages and displayed on our website. It includes information about how member data is used, and where it is supplied to other external parties.

3 Class Act Drama Centre is the data controller for all personal data that it holds and processes, except where it is done in the capacity of a data processor on behalf of another data controller.

#### Contact Details

Class Act Drama Centre

Unit 217 The Custard Factory, Gibb Street

Digbeth

Birmingham

B9 4AA

4 The Centre's Protection Officer is:

Georgia Thompson

classactdrama@aol.com

### **NOTIFICATION TO APPLICANTS AND REGISTERED STUDENT MEMBERS**

5 Class Act Drama Centre may obtain, hold and process the personal data of student members including personal details, family and social circumstances, education and training records and financial details. It may obtain, hold and process the sensitive personal data (the

term used by the DPA) and special category data (the term used by GDPR) of students physical or mental health. The following information is not requested or held by the centre : racial or ethnic origin, religious or philosophical beliefs or biometric data.

**6** Personal data and sensitive personal data/special category data held by the Centre relating to student/members is obtained directly from the student member or applicant, or in some cases from a third party organisation involved in the services provided by the Centre that has obtained the information in the first instance, for example social workers who apply on behalf of their client. The Data Protection Act gives special protection to sensitive personal data.

The only information that we retain of a sensitive and personal nature is medical and SEN information which our staff require to support and teach student members effectively. Sensitive personal data is not shared with other class members within a class based setting unless it is deemed crucial to the safety and success of the class overall. In these instances staff will obtain specific consent to inform other class members of this sensitive personal data prior, so that the student member can make a decision whether or not to still proceed with the class. In the event of the student member being a minor parental consent will be sought.

**7** The Centre holds the personal data and sensitive personal data/special category data of its student members in order to implement and manage all services and processes relating to student members, including student member recruitment, admission, registration, teaching and learning, examination, certification and graduation and other services such as student member support and careers. Only information required for these purposes is obtained and processed, and without it the Centre may not be able to provide its services. Information is passed between various sections of the Centre for operational reasons as is necessary and proportionate for intended purposes.

**8** Student member personal data is collected and processed by the Centre as it is necessary for the performance of the contract under which the Centre provides services to students. Some processing activities may also be carried out under a legal obligation (for example, disclosing personal data to external parties under statutory powers), where it is necessary to protect the vital interests of the student member or another party (for example, disclosures to external parties to ensure the safety and wellbeing of individuals), where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (for example, collecting or disclosing information in order to meet regulatory or statutory requirements), or where it is necessary for legitimate interests pursued by the Centre or a third party (the legitimate interests will relate to the efficient, lawful and proportionate delivery of services and will not be to the detriment of the interests or rights of

individuals). Where any of these legal bases do not apply, the consent of an individual to process their personal data will be sought.

**9** Where students members sensitive personal data/special category data is collected and processed by the Centre this will be on the legal basis of explicit consent of the student, employment or social security/protection requirements, protecting the vital interests of the student member or another party, the exercise or defence of a legal claim, reasons of substantial public interest, purposes of medical or health care, or where the information has been made public by the student. Any processing will be proportionate and relate to the provision of services by the Centre. When this data is used for monitoring and reporting purposes it will be anonymised if possible.

**10** The Centre may disclose student member's personal data and sensitive personal data/special category data to external agencies to which it has obligations. It may also disclose information to Police or security agencies and regulatory authorities.

If student members have unpaid debts to the Centre at the end of their course the Centre may, at its discretion, pass this information to debt collecting agencies in order to pursue the debt.

**11** The Centre also uses student member personal data as follows:

- a) The Centre may contact student members declaring a disability to confidentially discuss available support.
- b) Provide progress reports to sponsors of student members (except relatives).
- c) Provide references to education institutions and employers, usually with the consent of the student member
- d) Provide contact details with casting agents only with the full consent of student member.
- e) Disclose information about students members and course graduates for the purpose of promoting the Centre but only with the consent of the student member or graduate if they are personally identified.
- f) Disclosing information to external parties for safeguarding and duty of care purposes, for example to medical practitioners and law enforcement agencies.
- g) Produce certificates for students members
- h) Graduates of courses may be contacted after graduation by the centre to offer ongoing support with career plans, including coaching and job opportunities.

**12** On graduating, all students members automatically become members of the Centre's Alumni Association. They receive the opportunity to remain in touch with fellow graduates and

to be kept up to date on Centre news, events, products, services and opportunities to support the Centre. If you do not wish to receive these communications you must notify Georgia Thompson, this can be done at any time after you graduate.

**13** A basic academic record for individual student members will be kept permanently by the Centre. More detailed records regarding student members ( other than basic contact details and academic records ) will be destroyed/deleted 6 months after the date a student member officially informs us in writing that they have left or withdrawn from a course.

### **INDIVIDUAL RIGHTS**

**14** Individuals whose personal data and sensitive personal data/special category data is held by the Centre have the following rights regarding their data:

- a) The right to request access to their personal data held by the Centre.
- b) The right to have inaccurate or incomplete personal data rectified.
- c) The right to erasure of personal data – this will only apply where there is no legitimate reason for the Centre to continue to process the personal data. There will usually be a requirement for the Centre to keep a basic student member record indefinitely.
- d) The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the Centre in specific situations.
- e) The right to data portability – student members have the right to request provision of some elements of their information (for example academic progress details) in digital form in order to provide it to other organisations.
- f) The right to object – student members can object to the processing of their personal data by the Centre in certain circumstances, including the sending and receipt of direct marketing material.
- g) All requests to exercise any of these rights should be made to the Centre's Data Protection Officer.

**15** Where the processing of personal data or sensitive personal data/special category data is based on the consent of the student, they have the right to withdraw their consent at any time by contacting the department or service who obtained that consent or the Centre's Data Protection Officer Georgia Thompson.

**16** If a student member is unhappy with the Centre's handling of their personal data, or believes that the requirements of the DPA or GDPR may not be fully complied with, they should

contact the Centre's Data Protection Officer in the first instance. The Centre's formal complaint procedure can be invoked if appropriate, and they also have the right to submit a complaint to the Information Commissioner's Office; further details can be found at [www.ico.org.uk](http://www.ico.org.uk).

### **STUDENT USE OF PERSONAL DATA**

**17** Student members of the Centre are permitted to process personal data only for use in connection with their course studies, research or production purposes. They may do this only with the express prior permission of their supervising member of staff, and only in accordance with any guidance or Code of Practice issued by the Centre and in force at that time. This applies whether or not those activities are carried out on equipment owned by the Centre and whether or not they are carried out on Centre premises. This means that the personal data must be: fairly and lawfully obtained and processed; used only for specified and legitimate purposes; accurate and up-to-date; held securely; kept to the minimum possible and anonymised or pseudonymised where possible; not published, put online or taken outside of the European Economic Area without the consent of the individual concerned; and be deleted or destroyed when it is no longer relevant to retain it. The individuals about whom data are held are entitled to inspect the data unless it is held only for research or production purposes and will not be released in such a way as to identify the individuals concerned.

**18** Student members needing to process personal data for academic, research or production purposes must make themselves aware of the general requirements of the Data Protection Act 1998 and the General Data Protection Regulation, and in particular must abide by the data protection principles set out in Schedules I, II and III of the DPA, and Articles 5, 6 and 9 of GDPR. Student members can do this by obtaining a copy of the Centre's current guidance on data protection, and further relevant information from their supervising member of staff.

**19** Student members who fail to comply with any guidance or Code of Practice in force may be held personally liable for any resulting breaches of the Data Protection Act 1998 or General Data Protection Regulation.

### **TRIALS & AUDITIONS**

**20.** The Centre will obtain, hold and process the personal data of applying candidates and student members in relation to trials and auditions. If an applicant is not successful in receiving a role that they applied for, basic contact data will be held for the express purpose of offering the applicant appropriate alternative or future castings.

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## **Data Protection and Use of Youth Student/Member Applicants & Parents Data**

### **PRIVACY NOTICE – HOW WE USE YOUTH STUDENT MEMBER & PARENT DATA**

**21** The Centre holds the legal right to collect and use personal data relating to youth student members and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law.

**22. The categories of youth student member information that we collect, hold and share include:**

- a) Personal information (such as name and address)
- b) Attendance information (such as sessions attended, number of absences and absence reasons)
- c) SEN information
- d) Relevant medical information
- e) Individual Assessment Data
- f) Exclusion / Behaviour Information
- g) School they attend

**23. Why we collect and use this information**

We may collect and hold personal information relating to our youth student members and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use the youth student member data:

- a) To support youth student member learning
- b) To monitor and report on youth student member progress
- c) To provide appropriate pastoral care
- d) To assess the quality of our services
- e) To comply with the law regarding data sharing
- f) To safeguard youth student members

**24. The categories of parental information that we collect, hold and share include:**

- a) Personal information (such as name and address)
- b) Emergency contact numbers

In the event of supplying us with emergency contact numbers from extended family members please ensure you have obtained consent from them to do so. The onus of responsibility to provide consent will be from the primary parent whose name appears on youth student membership forms.

## **25. Storing youth student member and parent's data**

Personal data relating to youth student members at the Centre and their families is stored in line with the Centre's GDPR Data Protection Policy.

In accordance with the GDPR, the Centre does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task the data was collected for originally.

## **26. Who we share youth student member and parent information with**

- The Department for Education (DfE) if requested
- Relevant NHS staff in the event of an emergency
- Child protective services
- Local Authority if requested
- The Police in the event of an emergency or if requested.

## **27. Why we share youth student member and parent information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

## **28. Requesting access to you or your child's personal data**

Under data protection legislation, parents and youth student members have the right to request access to information about them that we hold. To make a request for your personal information please contact our Data Protection Officer Georgia Thompson [classactdrama@aol.com](mailto:classactdrama@aol.com)

You also have the right to:

- a) object to processing of personal data that is likely to cause, or is causing, damage or distress
- b) prevent processing for the purpose of direct marketing
- c) object to decisions being taken by automated means
- d) in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **TRIALS & AUDITIONS**

**29.** The Centre will obtain, hold and process the personal data of applying candidates, youth student members and parent contact details in relation to trials and auditions. If an applicant is not successful in receiving a role that they applied for, basic contact data will be held for the express purpose of offering the applicant appropriate alternative or future castings.

### **30. Contact**

If you would like to discuss anything in this privacy notice, please contact Georgia Thompson [classactdrama@aol.com](mailto:classactdrama@aol.com)

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### **31. DATA PROTECTION AND USE OF DATA THROUGH OUR WEBSITES**

This policy covers the websites operated by Class Act Drama Centre

We comply with data protection legislation such as the Data Protection Act 1998. This regulates the processing of personal data relating to you and grants you various rights in respect of your personal data. We'd like to reassure you that any personal data you give us will be treated in complete confidence.

The aim of this statement is to tell you how we use any personal data we collect about you through our websites. Please read it carefully before you proceed.

### **32. WHAT INFORMATION DO WE COLLECT?**

You do not have to give us any personal data in order to use most of our websites.

However, by registering with us, you agree that we may process the data detailed below for the purposes outlined in our Privacy Policy.

### **33. Adult student members, parents and youth student members**

If you wish to enrol a student member with the Centre, we will collect the following personal data where relevant to age:

- a) parent or guardian's name; student member's name, contact and address details; relationship to the student member; emergency contact numbers; name, age and date of birth of student; and any medical conditions or learning difficulties the student member has. If the student member is over 16 years of age, please ensure that you have their permission to share these details with us if you are applying on their behalf.
- b) The Centre will from time to time take photographs and film footage of student members during class time for use in Centre marketing and publicity material (both online and offline). Consent will be sought at every occasion and consent forms issued. If you do not wish to be photographed/filmed please let us know in writing. If you do not wish your child to be photographed/filmed please let us know in writing.
- c) Online payments made to the Centre are processed securely by PayPal or Lloyds and the information you provide is communicated in a strongly-encrypted format between PayPal or Lloyds and your bank or credit card company. The Centre does not directly collect, process or store financial information when you pay for our services online.



### **34. Teaching Staff**

If you wish to apply to become a teacher, we will collect details such as :

- a) your name, contact details, time at your last address, whether you are car owner and have a full clean driving license, date of birth and training qualifications. We will also collect details of any relevant criminal convictions and will need to see a copy of your DBS certificate before offering you a position. We will only retain your DBS certificate reference number and date of issue.
- b) If you wish to apply to become a teacher through our centre website, we will collect your name, contact details and information contained in your CV in order to make this information available to the relevant Principals for their own recruitment purposes. . If you provide details of a reference, it is your responsibility to make sure that the person is aware that you have forwarded his/her details for these purposes. If you are taken on by a Principal, we will also keep details of your DBS certificate reference number and date of issue and any training qualifications.

### **35. Other individuals**

If you wish to contact us for other purposes, we ask for your contact details so we can respond to your queries.

If you contact us about a hire booking, a children's party, private lessons, course information, free trial information we will collect details of your name or applying parent and child's name, date of birth, numbers of persons attending and type of service requested.

### **36. Sensitive personal data**

The Data Protection Act gives special protection to sensitive personal data . The only information that we retain of a sensitive and personal nature is medical and SEN information which our staff require to support and teach student members effectively. Sensitive personal data is not shared with other class members within a class based setting unless it is deemed crucial to the safety and success of the class overall. In these instances staff will obtain specific consent to inform other class members of this sensitive personal data prior, so that the student member can make a decision whether or not to still proceed with the class. In the event of the student member being a minor parental consent will be sought.

### **37. Automatically collected information**

We may collect information on which pages of our websites you visit, IP addresses, the type of browser you use and the times you access our websites. However, this information is aggregated and is not used to identify you.

### **38. HOW WILL INFORMATION ABOUT YOU BE USED AND SHARED?**

The information we collect allows us to:

- a) locate and put you in touch with a service we provide in your area
- b) process your request to become a teacher

- c) provide teaching services in singing, dance and drama and the organisation of performances, classes, courses & summer schools.
- d) administer our websites and provide customer services
- e) meet legal, regulatory and compliance requirements including the administration of the Centre's statutory obligations relating to children
- f) gather management information for research purposes and to form statistical and trend analysis
- g) communicate with you
- h) send you surveys and competitions
- i) improve our websites and the products and services we offer to you and to provide you with online personalised services and targeted advertising including through the use of cookies when you visit our websites
- j) provide you with information about our products and services which may be of interest to you from time to time.
- k) We may employ the services of a third party to help us in certain areas, such as website hosting, support and maintenance, and child protection issues. In some cases, the third party may receive your information. However, at all times, we will control and be responsible for the use of your information.
- l) We may also use aggregated information so we can administer and improve our websites, analyse trends and gather broad demographic information. We may pass this information to third parties.
- j) We may also disclose your personal data when we believe this is required by law, to enforce or comply our terms and conditions or to protect the rights, property, safety of the Centre, our customers or others.

### **TRIALS & AUDITIONS- ONLINE APPLICATIONS**

**39.** The Centre will obtain, hold and process the personal data of applying candidates and student members in relation to trials and auditions that are applied for online, even if the applicant does not turn up for the audition. If an applicant is not successful in receiving a role that they applied for or does not attend, basic contact data will be held for the express purpose of offering the applicant appropriate alternative or future castings.

### **40. TRANSFER OF YOUR INFORMATION OUTSIDE THE EU**

Some of the recipients of your personal data (including sensitive personal data) may be located

in countries outside of the European Economic Area such as the US but we remain responsible for making sure that your personal data is given adequate protection and held securely. By submitting your personal data to our websites, you agree that such transfers may take place.

#### **41. MARKETING COMMUNICATIONS**

From time to time, the Centre and its teaching staff may wish to provide you with information about the Centre's products and services (including by online targeted advertising, post, phone, email and text) which may be of interest to you.

If you do not wish to receive such information, please contact [classactdrama@aol.com](mailto:classactdrama@aol.com) to unsubscribe at any time.

#### **42. LINKS**

Our websites may contain links to other third party websites over which we have no control. We are not responsible for privacy policies or practices of any websites to which you choose to link from from our sites. We encourage you to review the privacy policies of those other web sites so you can understand how they collect, use and share your information.

#### **43. SECURITY**

We have implemented reasonable technical and organisational measures designed to secure your personal data from accidental loss and from unauthorised access, use, alteration or disclosure. However, the Internet is an open system and we cannot guarantee that unauthorised third parties will never be able to defeat those measures or use your personal data for improper purposes.

#### **44. SALE OF THE BUSINESS**

In the event that the business is sold or integrated with another business, your details will be disclosed to our advisers and any prospective purchaser's adviser and will be passed to the new owners of the business.

#### **45. HOW TO CONTACT US**

You are entitled to see the information held about you. You may review, correct, update or change your personal data at any time.

If you have any other questions about this policy or your personal data, please contact Georgia Thompson [classactdrama@aol.com](mailto:classactdrama@aol.com)

#### **46. CHANGES TO OUR PRIVACY POLICY**

If our privacy policy changes in any way, we will place an updated version on this page. Regularly reviewing this page ensures that you are always aware of what information we collect, how we use it and under what circumstances, if any, we will share it with other parties.

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## **DATA PROTECTION- ADDITIONAL CONSIDERATIONS**

### **47.DATA PROTECTION FOR OUR CUSTOMERS WHO PAY BY STANDING ORDER & CHEQUE.**

The Centre does not keep copies of standing order agreements forms, nor does it keep copies of cheques and related banking information for any of our fee paying customers. Standing orders are collected from our customers and immediately posted direct to the customer's bank manager and branch. We do keep records of standing order membership numbers and also payment dates in relation to the standing order so that we can check any banking errors on behalf of our customers and for the Centre's accounts.

### **48.DATA PROTECTION FOR CUSTOMERS WHO PAY VIA INTERNET BANKING, BACS OR PAYPAL.**

Online payments made to the Centre are processed securely by PayPal or Lloyds and the information you provide is communicated in a strongly-encrypted format between PayPal or Lloyds and your bank or credit card company. The Centre does not directly collect, process or store financial information when you pay for our services online.

### **49.DATA PROTECTION FOR ADULTS ATTENDING ACTING FOR CAMERA COURSES.**

All student members will be asked to complete a contributor's consent and release form. We are unable to film any student member without their written consent. This also protects all student members when working in group projects.

Filming or taking photographs in class or courses by student members with their own equipment is not permitted. Nor is the uploading of photographs, visual and audio recordings to social media or the internet which have been taken in class, courses, backstage or during performances which include staff members or other student members. Student members who fail to comply with this guidance may be held personally liable for any resulting breaches of the Data Protection Act 1998 or General Data Protection Regulation.

Class and course venues are private property. Filming within private property without the owner's written consent is illegal. The Centre will obtain all such permissions when filming in privately owned venues for the express purpose of creating a specific film project. However this permission does not include or cover student members making personal recordings on their own equipment.

A copy of our contributor's consent and release form is available upon request.

Section 33 b covers information relating to filming and photography relating to Centre marketing and advertising.

## **50.DATA PROTECTION FOR YOUTH STUDENT MEMBERS – FILM PROJECTS**

All youth student members parents will be asked to complete a contributor's consent and release form. We are unable to film any youth student member without written parental consent. This also protects all youth student members when working in group projects.

Filming or taking photographs in class or courses by student members with their own equipment is not permitted. Nor is the uploading of photographs, visual and audio recordings to social media or the internet which have been taken in class, courses, backstage or during performances which include staff members or other student members. Youth student members who fail to comply with this guidance may be held personally liable for any resulting breaches of the Data Protection Act 1998 or General Data Protection Regulation.

Class and course venues are private property. Filming within private property without the owner's written consent is illegal. The Centre will obtain all such permissions when filming in privately owned venues for the express purpose of creating a specific film project. However this permission does not include or cover student members making personal recordings on their own equipment.

A copy of our contributor's consent and release form is available upon request.

Section 33 b covers information relating to filming and photography relating to Centre marketing and advertising.

## **51.DATA PROTECTION STAFF**

We do not release private phone numbers, addresses or contact details of our staff to any of our student members or parents of youth student members. Contact work based email and work based contact numbers will be provided if requested.

## **52.CHANGES TO OUR PRIVACY POLICY**

If our privacy policy changes in any way, we will place an updated version on this page. Regularly reviewing this page ensures that you are always aware of what information we collect, how we use it and under what circumstances, if any, we will share it with other parties.

