

Eastern School of Performing Arts



EASTERN SCHOOL OF PERFORMING ARTS

General Data Protection Regulation Policy

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Statement

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Directives that were in place. It was approved by the EU Parliament in 2016 and comes into effect on 25th May 2018.

GDPR states that personal data should be 'processed fairly & lawfully' and 'collected for specified, explicit and legitimate purposes' and that individuals data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals. Eastern School of Performing Arts is committed to protecting the rights and freedoms of individuals with respect to the processing of students, parents, visitors and staff personal data.

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

Eastern School of Performing Arts is registered with the ICO (Information Commissioners Office) under registration reference: ZA280995 Certificates are on display on the information boards at the school.

GDPR includes 7 rights for individuals

1) The right to be informed

Eastern School of Performing Arts works in partnership with New College Stamford, who are a registered learning provider with Pearson/BTEC and as so, are required to collect and manage certain data. We need to know parent's names, addresses, telephone numbers, email addresses. We need to know Students' full names, addresses, date of birth and Education school, along with any SEN requirements. We are requested to provide this data to Pearson, LAMDA and Associated Board of Dance for examination purposes; this information is sent via a secure electronic file transfer system.

We are required to collect certain details of visitors to our school. We need to know visitors names, telephone numbers, and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

As an employer Eastern School of Performing Arts is required to hold data on its Teachers; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers, photographic ID such as passport and driver's license, bank details. This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to Capita for the processing of DBS checks. DBS Numbers and date of issue are also held on a central staffing record.

Eastern School of Performing Arts uses Cookies on its website to collect data for Google Analytics, this data is anonymous.

2) The right of access

At any point an individual can make a request relating to their data and Eastern School of Performing Arts will need to provide a response (within 1

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month). Eastern School of Performing Arts can refuse a request, if we have a lawful obligation to retain data but we will inform the individual of the reasons for the rejection. The individual will have the right to complain to the ICO if they are not happy with the decision.

3) The right to erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However Eastern School of Performing Arts has a legal duty to keep students and parents details for a reasonable time*, Eastern School of Performing Arts retain these records for 3 years after leaving the school, accident and injury records for 3 years or until the student reaches 21 years, and until the student reaches 24 years for Child Protection records. Staff records must be kept for 6 years after the member leaves employment, before they can be erased. This data is archived securely onsite and shredded after the legal retention period.

4) The right to restrict processing

Students, parents, visitors and staff can object to Eastern School of Performing Arts processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

5) The right to data portability

Eastern School of Performing Arts requires data to be transferred from one IT system to another; such as from Eastern School of Performing Arts to New College, Stamford, for examinations with London Academy of Dramatic Arts and Associated Board of Dance. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR.

6) The right to object

Students, Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

7) The right not to be subject to automated decision-making including profiling.

Automated decisions and profiling are used for marketing based organisations. Eastern School of Performing Arts does not use personal data for such purposes.

Storage and use of personal information

All paper copies of students and staff records are kept in a locked filing cabinet, within a locked office at Eastern School of Performing Arts, Stamford. All electronic records are kept on a secure data system with New College Stamford. Access is only available to members of staff who have passed through New College Stamford clearance.

Members of staff can have access to paper files but information taken from the files about individual students is confidential and apart from archiving, these records remain on site at all times. These records are shredded after the retention period.

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Information about individual students is used in certain documents, such as, registers, Individual learning plans, referrals to external agencies and disclosure forms. These documents include data such as student names, date of birth and sometimes address. These records are shredded after the relevant retention period.

Eastern School of Performing Arts collects a large amount of personal data every year including; names and addresses of those on the enquiry list. These records are shredded if the student does not apply or attend, or it is added to the students file and stored appropriately.

Information regarding families' involvement with other agencies is stored both electronically on New College Stamford portal and in paper format, this information is kept in a locked filing cabinet at Eastern School of Performing Arts. These records are shredded after the relevant retention period.

Eastern School of Performing Arts stores personal data held visually in photographs or video clips or as sound recordings for both examination compliance and publicity purposes. All transfers of data are through secure sharing facilities. Students sign consent forms at the start of their course, and photographs, videos, sound recordings are not held with names upon a student leaving.

Access to all Office computers is password protected. When a member of staff leaves the company these passwords are changed in line with this policy and our Safeguarding policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in a locked filing cabinet.

GDPR means that Eastern School of Performing Arts must;

- * Manage and process personal data properly
- * Protect the individual's rights to privacy
- * Provide an individual with access to all personal information held on them

This Policy was adapted at a meeting at Eastern School of Performing Arts in May 2018 Signed on behalf of Eastern School of Performing Arts



Kelly-Ann Gordon

Policy reviewed: July 2020

Next review date: July 2021

- * please see attached Learning Alliance Retention periods for records.

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Retention periods for records

DBS check	6 months	Recommend at ion	<p>DBS Code of Practice</p> <p>The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken</p>
<i>Pay</i>			
Wage/ salary records (including overtime, bonuses and expenses)	6 years	Requirement	Taxes Management Act 1970
Statutory Maternity Pay (SMP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Maternity Pay (General) Regulations 1986
Statutory Sick Pay (SSP) records	3 years after the end of the tax year to which they relate	Requirement	The Statutory Sick Pay (General) Regulations 1982
Income tax and National Insurance returns/ records	At least 3 years after the end of the tax year to which they relate	Requirement	The Income Tax (Employments) Regulations 1993 (as amended)

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Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years after employment ends	Recommendation	Chartered Institute of Personnel and Development
<i>Health and safety</i>			
Staff accident records (for organisations with 10 or more employees)	3 years after the date the record was made (there are separate rules for the recording of accidents involving hazardous substances)	Requirement	Social Security (Claims and Payments) Regulations 1979
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)

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Assessments under Health and Safety Regulations and records of consultations with safety representatives	Permanently	Recommendation	Chartered Institute of Personnel and Development
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Financial records			
Accounting records	3 years from the end of the financial year for private companies, 6 years for PLC	Requirement	Companies Act 2006
	6 years for charities	Requirement	Charities Act 2011
Administration records	Retention period	Status	Authority
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive
Minutes/minute books	10 years from the date of the meeting for companies	Requirement	Companies Act 2006
	6 years from the date of the meeting for Charitable Incorporated Organisations	Requirement	The Charitable Incorporated Organisations (General) Regulations 2012
	Permanently	Recommendation	Chartered Institute of Personnel and Development