

**Data Protection Policy**

**Statement**

The Data Protection Act 1998 regulates the processing of information relating to individuals. This includes obtaining, holding, using and disclosing such information. The Act covers computerised records, manual filing systems and card indexes.

The Young Creatives will hold the minimum personal information necessary to enable it to perform its functions. All such information is confidential and needs to be treated with care to comply with the law.

**Dissemination**

All paid staff and volunteers will be made aware of this policy and procedure as part of their induction. It will be made freely available to all The Young Creatives users via our website.

**Definition**

The Young Creatives paid staff and volunteers – This includes all full and part time paid staff as well as volunteers which includes freelance contracted staff.

**Review date**

This Data Protection Policy will be reviewed every 2 years by the Artistic Director, to ensure that its operation is satisfactory. This policy was created in Sept 2017. Next review date Sep 2022.

**The use of personal data**

The Young Creatives hold personal data on a variety of individuals including:

• Those who have registered and/or subscribed to one off workshops, or become regular weekly members of The Young Creatives, and their parents.

• Other individuals and organisations with an interest in the organisation.

• Prospective, current and former staff.

• Suppliers.

• Theatre, charity and funding contacts.

• Volunteers.

This data is held in both electronic and paper-based formats.

Personal information must be dealt with properly irrespective of how it is collected, recorded, used and disposed of and there are safeguards to ensure this in the Data Protection Act 1998.

For employees and volunteers this will include (but not be restricted to) the conduct of normal business management and employment matters. For others this will include (but not be restricted to) the conduct of The Young Creatives normal business operations.

**Data protection principles**

The Young Creatives Portsmouth will process all personal information in accordance with the Data Protection Act and will adhere to the principles of data protection as detailed in the Act. The eight principles require personal information is:

* Accurate and up-to-date.
* Adequate, relevant and not excessive.
* Kept secure (see Data Retention Policy for more information).
* Not be kept for longer than is necessary.
* Not transferred to countries outside the European Economic Area, unless the information is adequately protected.
* Processed in line with the rights of individuals.
* Processed fairly and lawfully.
* Processed for specified purposes.

In addition, The Young Creatives will ensure that:

* Anyone that wants to make enquiries about handling personal information knows how to do so.
* Employees managing and handling personal information understand they are responsible for following good data protection practice and are appropriately supervised and trained to do so.
* Methods of handling personal information are clearly described.
* Queries about handling personal information are dealt with promptly and courteously.
* The Artistic Director has specific responsibility for data protection in the organisation.

**Consent**

The Young Creatives seeks to use personal data only for the purposes of legitimate interests and, where practicable, with consent. Individuals have the right to know what personal data The Young Creatives holds about them and for this to be correct. Please see the “accessing personal data” section for more information.

It is a condition of employment that staff consent to The Young Creatives processing their personal data. This is stated in their contract so by signing they signify their agreement. For other individuals and registered groups, The Young Creatives may gather data during the course of its normal activities. It will be used only for legitimate purposes.

**Sensitive personal data**

Sensitive personal data is defined under the Act to include matters such as race, gender, health needs, disabilities or family details. Sometimes it is necessary to process sensitive information to ensure The Young Creatives can operate policies on matters such as sick pay, equal opportunities and protect the health and safety of the individual. Because this information is considered sensitive, and it is recognised that the processing of it may cause particular concern or distress to individuals, employees and others affected will be asked to give express consent for The Young Creatives Portsmouth to do this.

**Individuals’ rights**

If an individual has a query regarding the accuracy of their personal data, that query will be dealt with fairly and impartially. Individuals have the following rights regarding data processing, and the data that are recorded about them:

* Not to have significant decisions that will affect them taken solely by automated process.
* To be informed about the mechanics of automated decision-taking processes that will significantly affect them.
* To make subject access requests regarding the nature of information held and to whom it has been disclosed.
* To prevent processing for purposes of direct marketing.
* To prevent processing likely to cause damage or distress
* To request the Commissioner to assess whether any provision of the Act has been contravened.
* To sue for compensation if they suffer damage by any contravention of the Act.
* To take action to rectify, block, erase or destroy inaccurate data.

**Third party access**

Third party access is not to be entered into lightly and must never be done without authorisation from the Artistic Director. Third parties given access to the organisation’s data must demonstrate compliance with The Young Creatives Portsmouth’s IT Security, Data Protection and Data Retention policies. If appropriate, The Young Creatives Portsmouth will require third parties to sign a confidentiality declaration.

**Accessing personal data**

Individuals have the right to see the personal data that The Young Creatives holds about them and for that data to be corrected if it is wrong. Minor requests may be dealt with informally in the course of normal administration, at the discretion of the Artistic Director. Formal requests for access to personal data should be in writing to:

The Young Creatives Portsmouth & Havant

C/O Marie Amey

101 Leominster Rd

Portsmouth

PO6 4BY

***Date: March 2023***