

# Summerbell Dance Academy

## General Data Protection Regulation Policy

### 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. Summerbell Dance Academy is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, 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.

Summerbell Dance Academy is registered with the ICO (Information Commissioners Office) under registration reference: 00010086195 Certificates are available on request.

### GDPR includes 7 rights for individuals

#### 1) The right to be informed

Summerbell Dance Academy is a registered Performing Arts provider with IDTA and as so, is required to collect and manage certain data. We need to know parent's names, addresses, telephone numbers, email addresses. We need to know children's' full names, addresses and date of birth, along with any SEN requirements. For performances we are requested to provide this data to North Yorkshire County Council; this information is sent to the Local Authority via a secure electronic file transfer system.

Summerbell Dance Academy 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 Summerbell Dance Academy will need to provide a response (within 1 month). Summerbell Dance Academy 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, Summerbell Dance Academy has a legal duty to keep children's and parents details for a reasonable time. Summerbell Dance Academy retain these records for 1 year after leaving our classes. Children's accident and injury records will be retained for 19 years (or until the child reaches 21 years whichever comes first). This data is archived securely onsite and shredded after the legal retention period.

### 4) The right to restrict processing

Parents can object to Summerbell Dance Academy 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

Summerbell Dance Academy requires data to be transferred from one IT system to another; such as from Summerbell Dance Academy to the Local Authority, for performance BOPA licences, and dance Associations for examinations. 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

Parents 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. Summerbell Dance Academy does not use personal data for such purposes.

## **Storage and use of personal information**

There are no paper copies of students or parent's data except for class registers. These registers will not contain Children's full names and therefore are unidentifiable. Any necessary paper documentation of children's records will be kept in a locked filing cabinet. These records are shredded after the retention period.

Summerbell Dance Academy stores personal data held visually in photographs or video clips or as sound recordings. No names are stored with images in photo albums, displays, on the website or on Summerbell Dance Academy's social media sites. Students/ parents have a right to opt out of photographs or video clips at any time.

Access to all Office computers is password protected.. 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 Summerbell Dance Academy 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

## Retention periods for records

Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision (e.g. until after the next Ofsted inspection)	Requirement	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980  Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
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)

<i>Health and safety</i>			
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)
Assessments under Health and Safety Regulations and records of consultations with safety representatives	Permanently	Recommendation	Chartered Institute of Personnel and Development
<b>Financial records</b>	<b>Retention period</b>	<b>Status</b>	<b>Authority</b>
Accounting records	3 years from the end of the financial year for private companies, 6 years for PLC	Requirement	Companies Act 2006