



## NYMAZ Data Management Policy

- Policy prepared by: Millie Raw Mackenzie
- Last approved by board/management: [29 June 2018]
- Next review date: [December 2018]

### 1. Context and overview

#### **Introduction:**

NYMAZ needs to gather and use certain information about individuals.

These can include project participants, parents/carers, partner organisation staff, professionals engaging with workforce development, and other people the organisation has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards – and to comply with the law.

This data management policy ensures NYMAZ:

- Complies with data protection law and follows good practice
- Protects the rights of participants, staff and partners
- Is transparent about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

#### **Data protection law:**

The General Data Protection Regulation (GDPR) applies in the UK and across the EU from May 2018. It requires personal data shall be:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals;
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research or statistical purposes shall not be considered to be incompatible with the initial purposes;
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or

statistical purposes subject to implementation of the appropriate technical and organisational measures required by GDPR in order to safeguard the rights and freedoms of individuals;

6. Processed in a manner that ensures appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
7. The controller shall be responsible for, and be able to demonstrate, compliance with the principles.

## 2. Scope of personal information to be processed

NYMAZ processes the following types of personal data: names of individuals; postal addresses; email addresses; telephone numbers. For diversity monitoring and evaluation purposes, NYMAZ collects certain demographic information about project participants including age, gender, ethnicity, and life circumstances.

NYMAZ collects the information directly from the data subject, through network sign-up forms; ticket order forms; project registration forms. NYMAZ also holds data relating to professional contacts which is publicly available or has been given to NYMAZ through professional networking.

Personal data is stored on NYMAZ's online CRM (Insightly); in online accounts for Mailchimp and Eventbrite, only for the purposes of sending e-mails and taking event ticket payment and bookings, respectively; on three staff computers, accessed via a shared Dropbox folder, and only for the duration of the management of events and projects; and in certain circumstances in hard copy format, kept in a secure place.

NYMAZ will ensure that the data it holds is accurate by holding data only in the locations necessary as described above, and assigning one master database as a shared address book. The master database will be held using online CRM Insightly, and collected data will be transferred to it at the earliest opportunity. NYMAZ will ensure that the data it holds is relevant to the purpose, not excessive, and is up-to-date, and will review the master database against any new data collected annually. NYMAZ will ensure that the data is only held for the duration necessary to carry out the purpose and not kept for longer than is necessary.

## 3. Uses and conditions for processing

Outcome/Use	Processing required	Data to be processed	Conditions for processing	Evidence for lawful basis
Network e-bulletins and e-newsletters	E-mail sent via Mailchimp	Name and e-mail address	Legitimate Interest	The individual has previously opted to receive e-bulletins or e-newsletters from NYMAZ and has had the option to unsubscribe with each e-mail received.
Annual Review Mailing	Mail merge of data from	Name, job title, postal address	Legitimate Interest	The individual is being contacted in a professional capacity at a business

	Insightly database			address. Evidence that the individual has been informed of the processing of their data and their rights to be stored on Mailchimp.
E-mail invitations	Mail merge of data from Insightly database	Name and e-mail address	Legitimate Interest	The individual is being contacted in a professional capacity at a business e-mail address. Evidence that the individual has been informed of the processing of their data and their rights to be stored on Mailchimp.
Monitoring & Evaluation reports	Statistic report from Substance Views database	Age, gender, ethnicity, life circumstances	Consent	Consent given on project registration form. Evidence of consent to be stored in Dropbox.

This table will be updated as and when new uses and conditions for processing data arise.

#### The 6 lawful bases for processing:

- **Consent** of the data subject
- **Contract** – necessary for the performance of a contract with the data subject
- **Legal obligation** – necessary for compliance with a legal obligation
- **Vital interests** – necessary to protect the vital interests of a data subject or another person
- **Public task** – necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller
- **Legitimate interests** – necessary for NYMAZ's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

#### The two bases most likely to be used by NYMAZ for processing:

##### 1. Consent

- freely and unambiguously given for specific purposes; 'granular';
- evidence of an affirmative action by the data subject to have indicated consent
- evidence that the data subject can reasonably understand:
  - who is using their personal information
  - what information and for what purpose
  - which communication channels
- audit trail demonstrates how and when consent obtained (and can be matched with privacy notice in use at the time)
- simple process for withdrawing consent (unsubscribe) with each communication
- **'Soft opt-in'**
  - record of notification statement provided at time of soft opt-in detailing intended use of personal information, including:
    - opportunity to opt out
    - who is using their personal information
    - what information and for what purpose

- which communication channels
- simple process for withdrawing consent (unsubscribe) with each communication

## 2. Legitimate interest

- evidence of process by which the rights and freedoms of the individual have been weighed against the interests of NYMAZ:
  - how the individual has been informed of this processing
  - what information the individual has been given to help them exercise their rights
  - how any negative outcomes can be mitigated

## 4. Data Sharing

NYMAZ sometimes shares personal data with certain third-party organisations. Any organisation which processes data on behalf of NYMAZ is also subject to compliance with GDPR as a Data Processor. NYMAZ will ensure that any third party data processor is able to sufficiently demonstrate its data security and compliance with GDPR.

### Insightly

NYMAZ stores and processes personal data using the online CRM platform Insightly. The system allows NYMAZ to store personal information about individuals in one place. Types of data held by Insightly on behalf of NYMAZ include names, job titles, e-mail addresses, telephone numbers, business postal addresses. Insightly's privacy policy can be found at: <https://www.insightly.com/privacy-policy/>

### Mailchimp

NYMAZ stores and processes personal data using Mailchimp in order to distribute Network e-bulletins, NYMAZ e-newsletters, and event invitations. Mailchimp acts as the data processor, and only authorised Mailchimp employees have access to NYMAZ's distribution lists. Usually, individuals sign up to NYMAZ's Mailchimp lists, at which point they give their consent for Mailchimp and NYMAZ to process their data for the purposes described at the time. Individuals are given the opportunity with every communication they receive via Mailchimp to view and update the data held about them, and to unsubscribe from the list. Mailchimp's privacy policy can be found at: <https://mailchimp.com/legal/privacy/>

### Eventbrite

NYMAZ stores and processes personal data using Eventbrite in order to take bookings and payment for NYMAZ events. Eventbrite, as the data processor, will process personal data to help administer the event on behalf of NYMAZ (for example, sending confirmation, promotional and feedback emails, processing payments, etc.) and to help NYMAZ target, and understand the success of, their event and event planning (for example, providing event reports, using analytics to gain insights into the effectiveness of various sales channels, etc.) Eventbrite's privacy policy can be found at: <https://www.eventbrite.com/privacypolicy/>

### National Foundation for Youth Music

NYMAZ shares information with its funder, the National Foundation for Youth Music, for monitoring and evaluation purposes. Sometimes this information includes case studies, photographs, videos and audio recordings featuring participants from NYMAZ projects. Where personal information about an individual is shared with Youth Music, such as their

name, age, and other demographic information, consent is always received from the individual or the person responsible for that individual prior to the information being shared.

### **Trinity College London**

When an individual is working towards a qualification, such as an Arts Award or a Certificate for Music Educators, NYMAZ may have responsibility for passing on that individual's personal data for enrolment with the examination board.

### **Social Media**

For the purposes of evaluation and marketing, NYMAZ documents its work by taking photographs or videos of participants engaging in activity. These are sometimes shared with social media platforms including Facebook, Instagram, Twitter and Youtube. When working with children and vulnerable adults, permission is always obtained in writing from those responsible for the participants before any photographs or videos are taken, including consent to share content on social media platforms. Where permission is refused for a particular child to be photographed, care is taken to ensure that that child is not photographed.

### **Disclosing data for other reasons**

Under certain circumstances NYMAZ may be required to disclose personal data to law enforcement agencies without the consent of the data subject. NYMAZ will ensure the request is legitimate and will seek legal advice where necessary.

## **5. Security measures**

NYMAZ ensures that the personal data it stores is protected from a data security breach. The following measures are in place to protect data from breach.

- Digital data is held and accessed on four devices – two desktop computers and two laptops – each of which is password protected.
- Laptops are kept securely by NYMAZ staff when taken out of the office, and are not left unattended in any public areas.
- Data is stored using online and cloud software accessed only by NYMAZ staff and protected by login and password details.
- Device and cloud storage account passwords are strong and unique to each device.
- Dropbox, the cloud software used by NYMAZ, employs a data back-up system which saves a history of all deleted and previous versions of files, and allows users to restore them for up to 30 days.
- Notifications from Dropbox alert the account holder to any unusual activity in the account, such as a log-in from an unknown device.
- Only NYMAZ staff have access to the NYMAZ devices. When a self-employed worker needs to access the NYMAZ cloud storage using their own device, they ensure that the device is password protected, and that data is not duplicated onto their device. Self-employed workers are given limited access only to data that is necessary to their work with NYMAZ.
- Anti-virus software is installed on all devices and kept up-to-date.
- Software and operating system updates are installed at the earliest opportunity.
- Hard copy data is held in secured filing cabinets in the NYMAZ office. Hard copy data which is no longer required is shredded.

- Hard copy documents containing personal data are not left in view out of hours or taken off-site unless they relate to and are required at a specific event.
- Personal and sensitive data is not sent via e-mail unless unavoidable.

## **6. Automated processing**

NYMAZ does not use automated processing or decision making, nor any profiling of individuals.

## **7. Subject access requests**

All individuals who are the subject of data held by NYMAZ are entitled to:

- Ask what information NYMAZ holds about them and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how the company is meeting its data protection obligations

In all marketing communications individuals are notified of the process for updating the details NYMAZ holds about them, or to unsubscribe from further communications. Individuals are also notified at the point of submitting data to NYMAZ that they may withdraw their consent for NYMAZ to process their data at any time, by contacting NYMAZ directly on [info@nymaz.org.uk](mailto:info@nymaz.org.uk) or 01904 543382.

In the case of a subject access request, NYMAZ will ensure that the identity of the individual is verified, before complying with the request as soon as possible, and within 30 days.

## **8. “Right to be forgotten”**

Data subjects may exercise their right to be forgotten by requesting that NYMAZ remove personal data relating to the individual from NYMAZ's databases and data storage. In the case that an individual requests this, NYMAZ will take reasonable steps to comply with the request, whilst also complying with the law. Data is held by NYMAZ in a limited number of locations. Third party data processors Insightly, Mailchimp and Eventbrite include tools for searching for and removing data about individuals.

## **9. Privacy notices**

NYMAZ aims to ensure that individuals are aware that their data is being processed, and that they understand:

- Who is processing their data
- What data is involved
- The purpose for processing that data
- The outcomes of data processing
- How to exercise their rights.

In addition to this Data Management Policy, which is available on the NYMAZ website, NYMAZ issues privacy notices to individuals at the point that they submit their personal data to NYMAZ. The privacy notice below is one variation used for subscribers to the NYMAZ Professional Networks.

NYMAZ is a youth music charity championing the transformative potential of music for children and young people in North Yorkshire and rural England. We would like to store your personal data so that we can send you regular Network e-bulletins and invitations, and to keep you informed via e-mail about the work of NYMAZ. Please tick the boxes to give your consent for us using your personal data.

- NYMAZ can send me information via e-mail.
- NYMAZ can send me infrequent marketing materials about NYMAZ's work by post.

You can withdraw your consent at any time. To do this, please contact us on [info@nymaz.org.uk](mailto:info@nymaz.org.uk) or 01904 543302. For more information about our privacy practices and how we use your data please visit [www.nymaz.org.uk](http://www.nymaz.org.uk).