



## **RL Dance Studios GDPR Data and Privacy Policy**

### **Purpose and Statement:**

RL Dance Studios (RLDS) is committed to ensuring the data processed by our school remains safe and secure.

This policy has been written in line with legislative change, including both the Data Protection Act (1998) and the EU's General Data Protection Regulation (GDPR).

RL Dance Studios has determined the lawful reasons with which it processes personal data:

- Legal obligation – GDPR Article 6(1)(c)
- Legitimate interest – GDPR Article 6(1)(f)
- Contract – GDPR Article 6(1)(b)

There is also some limited data we process with consent from the Data Subject; Consent – GDPR Article 6(1)(a).

While RL Dance Studios avoids sharing data with third parties at most times, some data is shared in accordance with our business practices. The sharing of data with third parties will always be consensual with the data subject and/or their parent/guardian, and only if RLDS is satisfied that their Data Protection policy is GDPR compliant.

### **Main Aims for the Policy:**

- Specify the data RL Dance Studios collect, how it is stored/protected and the reason for collecting it
- State how RL Dance Studios use personal data in processing
- Disclose who has access to the data and how long we retain information for
- Explain Data Subject's rights with RL Dance Studios data including access, rectification and erasure

### **Distribution:**

- To be sent to all staff, freelance staff and volunteers as part of induction and training
- To be displayed on the RL Dance Studios website.
- This policy will be sent directly to members of the public on request

#### **Review and monitoring of Policy:**

- Reviewed annually or in instances of legislative change

#### **The following policy is based on the below principles:**

The GDPR includes the following rights for individuals:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling

#### **General Principles:**

RL Dance Studios is committed to providing fair and understandable privacy policies in relation to personal data.

RL Dance Studios will, at all times, keep data in secure locations and not retain data unnecessarily or past the retention length as set out in this policy.

In the rare instance a data processor that is not an RL Dance Studios employee is used, such as a third party, the data subject will either be asked for consent pre to supplying the data or be notified and have the right to object to processing.

#### **Participants and Customers**

##### **How RL Dance Studios collect personal data:**

RL Dance Studios customers and participants supply their personal data when signing up for classes through our registration form either via the website, our class management software, form submission, paper form or other means.

This is either completed by a parent/guardian or the child themselves if they deemed able to do so.

Personal data may also come to us unsolicited via enquiries through our website, social media platforms or generic email account.

**Why RL Dance Studios collect personal data:**

To attend any of RL Dance Studios' activities participants/parents/guardians must agree to some processing of their personal data. This is due to Legitimate Interests – GDPR Article 6(1)(f), Legal Obligation GDPR Article 6(1)(c), Contract - Article 6(1)(b) and/or Consent - Article 6(1)(a).

Should RL Dance Studios be unable to process participant's data, we would be contravening both our Health & Safety and Child Safeguarding policies. We would also be ignoring best practice regarding working with children/vulnerable adults.

Our participants must remain safe at all times, therefore information about participants must be collected in order to create registers and accurate student records. This information is also used to provide students with appropriate classes, including dividing students into age groups.

Special category data is only collected with the consent of the data subject. Special category data RL Dance Studios collects may include but is not limited to: Medical/Disability information, Income information, Ethnicity, Gender and Sexuality.

As physical activity providers it is essential that this consent is given should a participant have any medical/disability needs. This allows us to incorporate participants safely into classes. It is also used in assessing if we can incorporate participants safely into classes.

Income information is only collected in instances where a participant applies to attend our classes at a concessionary price, or on a bursary. This financial support is means tested, and therefore is subject to documented proof. Proofs of entitlement to concession are shredded after the entitlement has been noted.

Ethnicity and other sensitive data is to provide information to funding bodies for statistical purposes if needed.

This data is always provided to third parties as quantified data (i.e. cumulative numerical data only with no identifying information relating to any data subject).

**What data we collect:**

Personal data and some special category is collected.

It is essential to our primary function (providing classes to participants) that we are provided, and allowed to process and store the following:

**Participant Personal Data:**

- Full Name - GDPR Article 6(1)(f)
- Date of Birth - GDPR Article 6(1)(f)
- Home Address - GDPR Article 6(1)(f)
- Sex - GDPR Article 6(1)(f)
- Permission to go home alone - GDPR Article 6(1)(f)
- School/Educational Institution - GDPR Article 6(1)(f)
- Exam results (vocational exams taken through RL Dance Studios only) - GDPR Article 6(1)(f)
- Classes attended/Price paid - GDPR Article 6(1)(f)

**Participant Special Category Data:**

- Medical Information/History – GDPR Article 9 (a)
- Disability Information - GDPR Article 9 (a)
- Ethnicity – GDPR Article 9 (a & j) – further explicate consent sought
- Gender/Sex – GDPR Article 9 (a & j) – further explicate consent sought
- Sexuality – GDPR Article 9 (a & j) – further explicate consent sought

**Parent/Guardian Personal Data:**

- Name - GDPR Article 6(1)(f)
- Address - GDPR Article 6(1)(f)
- Email Address - GDPR Article 6(1)(f)
- Mobile Telephone Number - GDPR Article 6(1)(f)
- Work/Home Number - GDPR Article 6(1)(f)
- Emergency Contact Number - GDPR Article 6(1)(f)

**Parent/Guardian Special Category Data:**

- Concession Type – further explicate consent sought
- Documented proof of financial need – further explicate consent sought
- Bank Details – further explicate consent sought in the instance of refunds etc.

**How data collected is sent internally:**

RL Dance Studios transports data with all due diligence.

Enrolment forms are sent to RL Dance Studios through an email server directly from class management software which has controlled access. Enrolment forms and the data collected are stored on our class management software. In the rare case we receive a paper enrolment forms then they are destroyed after no more than 4 weeks.

### **Storage/Retention of data:**

Data received through enrolment forms is uploaded automatically into our class management software. Access to these files is restricted through password protected accounts and only given to staff members if necessary.

Registers and emergency contact lists created from student data are stored in our class management system or on encrypted files on office-based hardware and backed up regularly in our encrypted cloud-based server. Access to these files is restricted through password protection and only available to authorised staff members.

Hard copies of registers and emergency contacts are carried by authorised staff members. They are locked away while not in use. When they are no longer in use or out-dated, they are destroyed thoroughly. This is mainly for use during performances where the council may need hard copies, but is not limited to this use.

Waiting lists are stored on our class management software or an encrypted cloud-based server.

Our standard retention policy (without the data subject's right to access, rectification and erasure etc.) is THREE YEARS post final attendance.

Exceptions to our retention policy:

- Financial records are kept for 6 years due to legal obligation
- First Aid records are kept for 21 years due to legal obligation

- Photo consent may be kept indefinitely
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will be stored for is 6 years due to legal obligation
- Bank details are deleted after the action concerning them is complete

### **Third Parties/Data Processors:**

RL Dance Studios does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes. Listed below are some examples of the third parties used by RL Dance Studios. This is not an exhaustive list.

### **Freelance Teachers:**

As many of RL Dance Studios teachers are freelance staff, we have confidentiality and data processor agreements in place. Teachers will never be provided with personal details aside from participant's first names and any medical information that is pertinent to the running of a class (subject to consent from the data subject).

### **Mailerlite:**

RL Dance Studios uses a company 'Mailerlite' to provide newsletters, class updates and marketing via email. This is an optional process, which people consent to during enrolment or sign-up directly through our website. Data Subjects can opt-out and erase/rectify their record stored with Mailerlite at any time. Unsubscribing from emails may mean you are not fully updated on all school events, class updates, Year End Show information and more. It is the decision of the parent/guardian whether they wish to continue receiving our emails and may mean they miss out on information.

RL Dance Studios is satisfied that their GDPR regulations are thorough, and the information stored in Mailerlite (email addresses, etc) is secure.

### **ClassforKids:**

RL Dance Studios uses Classforkids as their class management software and to making bookings into classes, workshops, camps and other events.

By purchasing through Classforkids you must agree to their own (GDPR Compliant) policies. RL Dance Studios is satisfied that their GDPR regulations are thorough, and the information stored in Classforkids is secure. We have a processor agreement in place, and copies are available upon request.

**Sqaure:**

RL Dance Studios uses Square to process certain payments, send invoices and more. RL Dance Studios is satisfied that their GDPR regulations are thorough, and the information stored in Square is secure.

**Child Performance Licensing:**

In order to process child performance licences, RL Dance Studios are legally required to provide some personal data to local councils (including but not limited to full name, date of birth and school details). This is an optional consent, which will be sought at the time of sending participation consent forms.

RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

**Child Safeguarding Concerns:**

In the unlikely event RL Dance Studios has a safeguarding concern in relation to one of our participants, RL Dance Studios are legally required to provide data to the safeguarding board at the local council.

RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

**Event Programmes:**

RL Dance Studios may occasionally produce programmes for events. These will only ever contain the first name and first initial of a child's last name (unless otherwise consented to). The name of a child's class/routine may also be included. Participants/their Parent and/or Guardians may choose if they want to be included in the programme when they agree to participate at an event.

**Examination Entry:**

In order to enter examinations, RL Dance Studios must provide some personal data to examination boards (currently RL Dance Studios work with: TDSC). This sharing of data is to be consented to by the data subject and/or parent/guardian upon being entered for the exam.

**Rights of the data subject and RL Dance Studios compliance with responses:**

Any data subject with personal data stored within RL Dance Studios is entitled to the rights of:

- Access

You may contact RL Dance Studios at any time to access all data held relating to you and/or your child(ren). RL Dance Studios will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, RL Dance Studios has the right to refuse the request or take steps to obtain consent from other involved parties. The right of access does not apply to RL Dance Studios' legal obligations, such as Child Safeguarding records.

- Rectification

You may contact RL Dance Studios at any time to rectify data held relating to you and/or your child(ren). RL Dance Studios will ensure that we respond to a rectification request without undue delay and within one month of receipt. The right to rectification does not apply to RL Dance Studios' legal or financial obligations such as payment record information.

- Erasure

You may contact RL Dance Studios at any time to erase data held relating to you and/or your child(ren). RL Dance Studios will ensure that we respond to an erasure request without undue delay and within one month of receipt. The right to erasure does not apply to RL Dance Studios' legal obligations such as First Aid records or safeguarding documentation.

- Restriction of Processing

You may request that RL Dance Studios restrict the use of your personal data and/or that of your child(ren). RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt, in accordance with GDPR.

However, please note that much of the data we collect is processed under our legitimate interests, particularly in relation to Health and Safety and Child Safeguarding. If processing is restricted, we may be unable to safely and lawfully provide our services, and your membership with RL Dance Studios may need to be paused or withdrawn until the restriction is lifted.

- Data Portability

You may contact RL Dance Studios at any time to obtain the data we process relating to you and/or your child(ren) and reuse it across different services. RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to RL Dance Studios' legal obligations.



- **Objection**

You may contact RL Dance Studios at any time to object to the processing of data relating to you and/or your child(ren). RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

Please note that certain data is processed under our legitimate interests, particularly in relation to Health and Safety and Child Safeguarding. As a result, if you request a restriction on this processing, it may not be possible for us to continue providing services, and your membership with RL Dance Studios may need to be paused or revoked until the objection is resolved.

- **Rights related to automated decision-making including profiling**

You may contact RL Dance Studios at any time to object to profiling relating to you and/or your child(ren). RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest in most of the data collected- we may have to temporarily pause or suspend your membership with RL Dance Studios until the profiling restriction is lifted. This is due to Health and Safety and Child Safeguarding.

RL Dance Studios has a lawful reason for profiling; Legitimate Interests and consent. None of RL Dance Studios' decision making is automated. Profiling is only used in circumstances where a participant may have certain health/disability needs which may prevent them from taking part in classes (as it would be unsafe to do so).

All verbal requests are noted and then contacted again either via phone or email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

### **Photos/Videos of Participants**

RL Dance Studios often use footage/photos used from shows, performances and classes for marketing purposes both in print media and the website. Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted.

Some attendees at events may film/take photos for their own personal use (e.g. parents of other participants). Participants/their Parent and/or Guardians may choose if they do not wish themselves/their child to be depicted. You may view more of our Photo/Video policy in our Terms & Conditions.

### **Social Media:**

RL Dance Studios regularly share photos/videos of students in workshops, events and performances through social media platforms including but not limited to; Instagram, Facebook, Twitter, Email. These will never be shared with any identifying information (age, address etc.).

### **Staff (Employees/Freelance), Trustees, Volunteers and Potential Staff/Trustees and/or Volunteers**

For the purposes of this policy, the aforementioned persons above will be referred to as 'staff'.

#### **How RL Dance Studios collect personal data:**

RL Dance Studios staff supply their personal data when applying for roles within the company.

This is either completed through an application form or submission of a CV.

Further information is collected when applicants are considered successful. Unsolicited data may come to RL Dance Studios in the form of applicants emailing regarding work/volunteer opportunities.

#### **Why RL Dance Studios collect personal data:**

It is RL Dance Studios' legal obligation to collect staff's personal data in relation to their employment. This is due to Legal Obligation GDPR Article 6(1)(c) and/or Contract - Article 6(1)(b)

Should RL Dance Studios be unable to process staff's data, we would be contravening UK Employment law, our own employment contracts (both PAYE and Freelance) and our own Health & Safety and Child Safeguarding policies.

Special category data is only collected with the consent of the data subject. Special category data RL Dance Studios collects includes but is not limited to: Medical/Disability information, Ethnicity, Gender and Sexuality. RL Dance Studios' lawful purpose for collecting this data is both Article 6(1)(b) – contract and Article 9(2)(b) – employment. This also ensures we are confirming to our Equal Opportunities policy. Any data is always recorded as quantified data (i.e. cumulative numerical data only with no identifying information relating to any data subject).

RL Dance Studios is also entitled to obtain and process data in relation to criminal convictions and DBS checks. Most posts within RL Dance Studios are exempt from the Rehabilitation of offenders act (1974) by the 1975 and 2001 Exceptions Amendment, as they involve working with vulnerable and/or young people. This is further supported by article 10 of GDPR.

#### **What data we collect:**

Personal data and some special category is collected.

It is essential to our business that we are provided, and allowed to process and store the following:

**Staff Personal Data:**

- Full Name Legal obligation – GDPR Article 6(1)(c) Legal Obligation
- Date of Birth - GDPR Article 6(1)(c) Legal Obligation
- Contact Details - GDPR Article 6(1)(c) Legal Obligation
- Pension Information - GDPR Article 6(1)(c) Legal Obligation
- NI number - GDPR Article 6(1)(c) Legal Obligation
- UTR number - GDPR Article 6(1)(c) Legal Obligation
- Right to work in the UK - GDPR Article 6(1)(c) Legal Obligation
- References - GDPR Article 6(1)(c) Legal Obligation
- Bank Details - Article 6(1)(b) Contract
- Tax details - GDPR Article 6(1)(c) Legal Obligation
- Qualifications - Article 6(1)(b) Contract
- Pay Details - GDPR Article 6(1)(c) Legal Obligation
- Performance Details - Article 6(1)(b) Contract
- Annual Leave Details - Article 6(1)(b) Contract
- Sick/Compassionate/Maternity/Paternity Leave Details - Article 6(1)(b) Contract
- Safeguarding Concerns - GDPR Article 6(1)(c) Legal Obligation
- Emergency Contact - GDPR Article 6(1)(b) Contract

**Staff Special Category Data:**

- Criminal Record/DBS Checks - GDPR Article 6(1)(c) Legal Obligation & GDPR Article 10
- Medical/Disability - Article 6(2)(b) Contract & Article 9(2)(b)
- Ethnicity – Further explicit consent sought- Article 9(2)(a & b)
- Sexuality – Further explicit consent sought - Article 9(2)(a & b)

How data is sent internally: Any transfer of data regarding staff is conducted through encrypted emails and/or stored in our encrypted cloud-based server.

Any unsolicited information is received to an encrypted email server.

**Storage/Retention of data:**

All Staff personal data is stored on in our cloud-based server on password protected devices. Any hard copies are stored in a locked cabinet. All of these files have restricted access to authorised staff only.

Most staff data is retained for 6 YEARS (post-employment).

Exceptions to our retention policy:

- Pension details are stored for 75 years (post-employment) due to legal obligation
- Child Safeguarding records are kept indefinitely on a case-by-case basis, the minimum these will stored for is 6 years due to legal obligation

- First Aid records are kept for a minimum of 21 years due to legal obligation

Unsuccessful applicant data is stored 6-months post campaign, this includes unsolicited data from potential applicants.

### **Third Parties/Data Processors:**

RL Dance Studios does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

Starling Bank: In order to process payments by BACs, staff's bank details and names must be added to our online banking system. RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

HMRC: In order to fulfil our legal obligations to HMRC, RL Dance Studios must supply PAYE staff's personal data each month and at the end of every financial year. RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

References: In order to supply references for staff members, some personal data must be divulged. This will only be done with the data subject's consent, as RL Dance Studios may not be fully aware of the recipients GDPR policies.

### **Child Performance Licensing:**

In order to process child performance licences, RL Dance Studios are legally required to provide some staff's personal data to local councils (including but not limited to: full name and DBS details).

RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

### **Child Safeguarding Concerns:**

In the unlikely event RL Dance Studios has a safeguarding concern in relation to one of participants and/or staff members, RL Dance Studios are legally required to provide data to the safeguarding board at the local council and the Disclosure and Barring service.

RL Dance Studios is satisfied that their GDPR process are thorough and any data will be stored in a secure environment, and not unnecessarily retained.

Website Biography: RL Dance Studios' website may include staff biographies; these are available for public viewing. Consent is sought before any/all staff profiles are added to the website.

### **Rights of the data subject and RL Dance Studios compliance with responses:**

Any data subject with personal data stored within RL Dance Studios is entitled to the rights of:

- Access  
You may contact RL Dance Studios at any time to access all data held relating to you. RL Dance Studios will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request will also include data regarding others, RL Dance Studios has the right to refuse the request or take steps in order to obtain consent from other involved parties. The right of access does not apply to RL Dance Studios's legal obligations such as confidential Child Safeguarding records.
- Rectification  
You may contact RL Dance Studios at any time in order to rectify data held relating to you. RL Dance Studios will ensure that we respond to a rectification request without undue delay and within one month of receipt. The right to rectification does not apply to RL Dance Studios' legal obligations such as payment record information.
- Erasure  
You may contact RL Dance Studios at any time in order to erase data held relating to you. RL Dance Studios will ensure that we respond to an erasure request without undue delay and within one month of receipt. The right to erasure does not apply to RL Dance Studios' legal obligations such as First Aid records.
- Restrict Processing  
You may contact RL Dance Studios at any time in order to restrict the data we process relating to you. RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.

However, due to our legitimate interest and legal obligations in most of the data collected- we may not be able to restrict processing.

- Data Portability  
You may contact RL Dance Studios at any time in order to obtain the data we process relating to you and reuse it across different services. RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to RL Dance Studios' legal obligations.
- Objection  
You may contact RL Dance Studios at any time in order to object to the processing of data relating to you. RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. However, due to our legitimate interest and legal obligations in most of the data collected- we may not be able to accept your objection.
- Rights related to automated decision making including profiling  
You may contact RL Dance Studios at any time in order to object to profiling relating to you). RL Dance Studios will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to RL Dance Studios' legal obligations.

RL Dance Studios has a lawful reason for profiling; Legitimate Interests and consent. None of RL Dance Studios' decision making is automated. Profiling is only used in circumstances where a staff member has a criminal conviction.

Any and all verbal requests are noted, and then contacted again either via phone or email to verify the request. Verbal requests will be responded to in the time frames mentioned above.

### **Training and Data Protection in Practise**

All members of staff (PAYE, Freelance and Voluntary) must agree to this Data Protection policy prior to accepting a contract of employment.

Training is supplied as part of management and supervision. It is also included in all induction and training periods.

RL Dance Studios is registered as a Data Controller with the Independent Commissioners Office (ICO).

### **Complaints and Data Breeches**

#### **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to RL Dance Studios Data Privacy Lead: Risa Larmand

Email: [risa@rldancestudios.com](mailto:risa@rldancestudios.com)

Telephone: 07830 185111

If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by contacting the Independent Commissioner's Office (ICO).

ICO Telephone Number: 0303 123 1113

#### **Data Breeches:**

If RL Dance Studios experiences a data breach of any kind, we have a legal obligation to report this to ICO within 72 hours. The data breach will be reported by the Principal. In the instance they are unavailable to report the breach, the next most senior staff member shall do so.

RL Dance Studios will also inform all the victims of the data breach as soon as possible if there is a high risk of adversely affecting individuals' rights and freedoms.

RL Dance Studios will store and record all data breaches.

