

# BFG Privacy Policy

The Blackford Fiddle Group, BFG, is committed to ensuring the secure and safe management of data held by the BFG in relation to members and other individuals. The Management Committee have a responsibility to ensure compliance with the terms of this policy, and to manage individuals' data in accordance with the procedures outlined in this policy

The BFG needs to gather and use certain information about individuals. This data contains Personal Data but no Sensitive Personal Data (known as Special Categories of Personal Data under the GDPR).

This Policy sets out the BFG's duties in processing that data, and the purpose of this Policy is to set out the procedures for the management of such data.

## Legislation

It is a legal requirement that the BFG process data correctly; the BFG must collect, handle and store personal information in accordance with the relevant legislation, ie

- the General Data Protection Regulation (EU) 2016/679 ("the GDPR");
- the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications);
- any legislation that, in respect of the United Kingdom, replaces, or enacts into United Kingdom domestic law, - the General Data Protection Regulation (EU) 2016/679, the proposed Regulation on Privacy and Electronic Communications or any other law relating to data protection, the processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union

## Data

The BFG holds a variety of member's data (also referred to as data subjects) which is known as Personal Data. The Personal Data held and processed by the BFG is detailed within the Fair Processing Notice.

"Personal Data" is that from which a living individual can be identified either by that data alone, or in conjunction with other data held by the BFG.

## Processing of Personal Data

The BFG is permitted to process Personal Data on behalf of data subjects provided it is doing so on one of the following grounds:

- Processing with the consent of the data subject (see "Consent");
- Processing is necessary for the performance of a contract between the BFG and the data subject or for entering into a contract with the data subject;
- Processing is necessary for the BFG's compliance with a legal obligation;
- Processing is necessary to protect the vital interests of the data subject or another person;
- Processing is necessary for the purposes of legitimate interests.

## Fair Processing Notice

The BFG has produced a Fair Processing Notice (FPN) which it is required to provide to all members whose Personal data is held by the BFG. That FPN must be provided to the member from the outset of processing their Personal Data and they should be advised of the terms of the FPN when it is provided to them.

The Fair Processing Notice sets out the Personal Data processed by the BFG and the basis for that Processing.

## Consent

Consent as a ground of processing will require to be used from time to time by the BFG when processing Personal Data. It should be used by the BFG where no other alternative ground for processing is available. In the event that the BFG requires to obtain consent to process a data subject's Personal Data, it shall obtain that consent in writing. The consent provided by the data subject must be freely given and the data subject will be required to sign a relevant consent form if willing to consent. Any consent to be obtained by the BFG must be for a specific and defined purpose (i.e. general consent cannot be sought), example sharing a video of a performance.

## Data Storage and Security

All Personal Data held by the BFG must be stored securely, whether electronically or in paper format.

If Personal Data is stored on **paper** it should be kept in a secure place where unauthorised personnel cannot access it. When the Personal Data is no longer required it must be disposed of by the BFG Management Committee so as to ensure its destruction.

Personal Data stored **electronically** must also be protected from unauthorised use and access. Personal Data should be password protected. If Personal data is stored on removable media (CD, DVD, USB memory stick) then that removable media must be stored securely at all times when not being used.

#### Breaches

A data breach can occur at any point when handling Personal Data and the BFG has reporting duties in the event of a data breach or potential breach occurring. Breaches which pose a risk to the rights and freedoms of the data subjects who are subject of the breach require to be reported externally

The BFG takes the security of data very seriously and in the unlikely event of a breach will take the following steps:

As soon as the breach or potential breach has occurred, and in any event no later than 2 days after it has occurred, the Management Committee must be notified in writing of (i) the breach; (ii) how it occurred; and (iii) what the likely impact of that breach is on any data subject(s);

The BFG must seek to contain the breach by whatever means available;

The Management Committee must consider whether the breach is one which requires to be reported to the Information Commissioners Office (“ICO”) and data subjects affected;

The Management Committee will require to report any breaches which pose a risk to the rights and freedoms of the data subjects who are subject of the breach to the Information Commissioner’s Office (“ICO”) within 72 hours of the breach occurring. The Management Committee must also consider whether it is appropriate to notify those data subjects affected by the breach.

#### Data Subjects Rights : Subject Access Requests

Data Subjects are permitted to view their data held, whether in written or electronic form, by the BFG upon making a request to do so (a Subject Access Request). Upon receipt of a request by a data subject, the BFG must respond to the Subject Access Request within one month of the date of receipt of the request. The BFG:

must provide the data subject with an electronic or hard copy of the personal data requested, unless any exemption to the provision of that data applies in law

where the personal data comprises data relating to other data subjects, must take reasonable steps to obtain consent from those data subjects to the disclosure of that personal data to the data subject who has made the Subject Access Request, or

where the BFG does not hold the personal data sought by the data subject, must confirm that it does not hold any personal data sought to the data subject as soon as practicably possible, and in any event, not later than one month from the date on which the request was made.

#### Data Subjects Rights : Correct Inaccuracies

Data Subjects have the right to require the BFG to correct any inaccuracies in their information.

#### Data Subjects Rights : The Right to be Forgotten

A data subject can exercise their right to be forgotten by submitting a request in writing to the BFG seeking that the BFG erase the data subject’s Personal Data in its entirety. This will be reviewed by the Management Committee on its merits, including any outstanding instrument loans.

#### Data Subjects Rights : The Right to Restrict or Object to Processing

A data subject may request that the BFG restrict its processing of the data subject’s Personal Data, or object to the processing of that data. In the event that any direct marketing is undertaken from time to time by the BFG, a data subject has an absolute right to object to processing of this nature by the BFG, and if the BFG receives a written request to cease processing for this purpose, then it must do so immediately.

#### Archiving, Retention and Destruction of Data

The BFG cannot store and retain Personal Data indefinitely. It must ensure that Personal data is only retained for the period necessary. The BFG shall ensure that all Personal data is archived and destroyed as set out in the Fair Processing Notice.