Sheffield Music Academy
Inspiring Young Musicians

Sheffield Music Academy Data Protection Policy

To be reviewed every three years

Introduction

We hold personal data about our employees, students, students' parents, guardians or carers, suppliers and other individuals for a variety of purposes. This policy sets out how we seek to protect personal data and ensure staff understand the rules governing their use of personal data to which they have access in the course of their work. In particular, this policy requires staff to ensure that the General Manager is consulted before any significant new data processing activity starts to make sure that the relevant compliance steps are addressed.

Definitions

It is important that the following terms are understood:

"Business purposes"- the purposes for which personal data may be used by us, e.g. personnel, administrative, financial, regulatory, payroll and business development purposes.
Business purposes include the following

- compliance with our legal, regulatory and corporate governance obligations and good practice;
- gathering information as part of investigations by regulatory or governmental bodies (such as our funders) or in connection with legal proceedings or request
- ensuring business policies are adhered to (such as our Safeguarding Policy);
- operational reasons, such as training and quality control, ensuring the confidentiality of commercially sensitive information, security vetting, credit scoring and checkin
- investigating complaints;
- checking references, ensuring safe working practices, monitoring and managing staff access to systems and facilities and staff absences, administration and assessments
- monitoring staff conduct, disciplinary matters;
- marketing the Academy;
- improving services

"Personal data" - information relating to identifiable individuals, such as job applicants, current and former employees, students, students' parents or carers, agency, contract and other staff, audience members, suppliers and marketing contacts. Personal data we gather may include: individuals' contact details, educational background, financial and pay details, details of certificates and diplomas, education and skills, marital status, nationality, job title, and CV. This list is not exhaustive.

"Sensitive personal data"- personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, physical or mental health or condition, criminal offences, or related proceedings - any use of sensitive personal data should be strictly controlled in accordance with this policy.

Our procedures

Fair and lawful processing:

We must process personal data fairly and lawfully in accordance with individuals' rights. This generally means that we should not process personal data unless:

- the individual whose details we are processing has consented
- the processing is necessary to perform legal obligations or exercise legal rights, or otherwise in our legitimate interests and does not unduly prejudice the individual's privacy.

In most cases this will apply to routine data processing activities.

Our Parent Agreement and our website contain notices regarding data protection. The notices:

- set out the purposes for which we hold personal data;
- highlight that our work may require us to give information to third parties
- explain the right of access to the personal data that we hold about them.

We have registered our data processing with the Information Commissioner's Office in the UK. We must only process personal data in accordance with that registration. Our General Manager can point you to the registration or you can check online at www.ico.org.uk.

In some cases we obtain details of our students and their parents or carers for emergency contact only and it is agreed that these will not be used for non-emergency purposes or for marketing unless we have specific consent from the data subject.

We must observe the terms of our Safeguarding Policy and/or Parent Agreement. Photographs of individuals are personal data too and SMA will gather explicit consent to photographs and their various uses with each family.

In most cases where we process sensitive personal data we will require the data subject's explicit consent to do this unless exceptional circumstances apply or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety at work). Any consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

We will also be receiving sensitive personal data from job applicants. Because job applicants are working with children there might be more details than we would normally expect including details of the school that they currently work at. All job applicants are expected to go through a full DBS check.

We must ensure that any personal data we process is accurate, adequate, relevant and not excessive given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Individuals may ask that we correct inaccurate personal data relating to them and staff are welcome to also suggest changes where applicable, through the office.

Staff agree not to send direct marketing material to someone electronically (e.g. via email or SMS) unless they have checked first with the General Manager.

Individuals (staff, students and their families) must take reasonable steps to ensure that personal data is accurate and updated as required.

Staff will keep personal data secure against loss or misuse Where other organisations process personal data as a service on our behalf (e.g. payroll or outsourcing companies), the General Manager will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third party organisations. Before passing any personal data to a third party; staff will check with the General Manager that that third party has been through our processes and that a written agreement is in place with them.

SMA will not retain personal data for longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained.

It is a Department of Education requirement that financial details relating to a bursary application are kept for three years, which we must therefore apply accordingly.

Subject access requests
Please note that under the Data Protection Act 1998, individuals are entitled (subject to certain exceptions) to request access to information held about them. This may include any opinions employees have added to their records. Subject access requests (SARs) should be referred to the General Manager.

Individuals should contact the General Manager if they would like to correct or request information held which may incur a small fee, as permitted by applicable law. This fee will be no more than £10. There are also restrictions on the information to which you are entitled under applicable law.

Reporting breaches
All members of staff have an obligation to report actual or potential data protection compliance failures. This allows us to:

- investigate the failure and take remedial steps if necessary; and,
- report the breach to regulatory authorities or the police where it is advisable to do so.

10 Consequences of failing to comply

We take compliance with this policy very seriously as failure to comply puts its employees and the Academy at risk. The importance of this policy means that if staff do not comply with any requirement may lead to disciplinary action under our procedures, which may result in dismissal.

Any questions or concerns about this policy should be directed to the General Manager.