



NONSUCH THEATRE LIMITED
trading as **NONSUCH**

DATA PROTECTION POLICY

1. Aims of this Policy

Nonsuch Theatre Limited needs to keep certain information on its service users, clients, customers, employees, contractors, members and partner organisations to carry out its day to day operations, to meet its objectives and to comply with legal obligations.

The organisation is committed to ensuring any personal data will be dealt with in line with the Data Protection Act 1998. To comply with the law, personal information will be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures. This document also highlights key data protection procedures within the organisation.

This policy covers service users, clients, customers, employees, contractors, members and partner organisations.

2. Definitions

In line with the Data Protection Act 1998 principles, Nonsuch Theatre Limited will ensure that personal data will:

- Be obtained fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specific and lawful purpose
- Be adequate, relevant but not excessive
- Be accurate and kept up to date
- Not be held longer than necessary
- Be processed in accordance with the rights of data subjects
- Be subject to appropriate security measures
- Not to be transferred outside the European Economic Area (EEA)

The definition of 'Processing' is obtaining, using, holding, amending, disclosing, destroying and deleting personal data. This includes some paper based personal data as well as that kept on computer.

The Personal Data Guardianship Code suggests five key principles of good data governance on which best practice is based. The organisation will seek to abide by this code in relation to all the personal data it processes, i.e.

- **Accountability:** those handling personal data follow publicised data principles to help gain public trust and safeguard personal data.

- **Visibility:** Data subjects should have access to the information about themselves that an organisation holds. This includes the right to have incorrect personal data corrected and to know who has had access to this data.
- **Consent:** The collection and use of personal data must be fair and lawful and in accordance with the DPA's eight data protection principles. Personal data should only be used for the purposes agreed by the data subject. If personal data is to be shared with a third party or used for another purpose, the data subject's consent should be explicitly obtained.
- **Access:** Everyone should have the right to know the roles and groups of people within an organisation who have access to their personal data and who has used this data.
- **Stewardship:** Those collecting personal data have a duty of care to protect this data throughout the data life span.

3. Types of Information

Nonsuch Theatre Limited processes the following personal information:

- Information on applicants for posts (including references)
- Employee and contractor information (including freelancers)
 - contact details, bank account numbers, payroll information, supervision and appraisal notes
- Organisation Members
 - contact details
- Space users, customers, audience members
 - contact details, bank details (only for payments),
- Individuals engaging in funded participation projects
 - contact details, date of birth, ethnicity, gender, employment status and any other information required as part of funding agreements which will be made clear to any individual at the time of joining such a programme.

Personal information is kept in the following forms:

- paper based
- secure digital database systems.

Groups of people within the organisation who will process personal information are: employed staff, freelancers, trustees, members and volunteers.

4. Responsibilities

Under the Data Protection Guardianship Code, overall responsibility for personal data in a not for profit organisation rests with the governing body. In the case of Nonsuch Theatre Limited, this is the board of directors.

The governing body delegates tasks to the Data Controller. The Data Controller is responsible for:

- understanding and communicating obligations under the Act
- identifying potential problem areas or risks
- producing clear and effective procedures
- notifying and annually renewing notification to the Information Commissioner, plus notifying of any relevant interim changes

All employed staff, contractors (including freelancers), trustees, volunteers and partner organisations who process personal information must ensure they not only understand but also act in line with this policy and the data protection principles.

Breach of this policy will result in disciplinary proceedings and an internal investigation.

Nonsuch Theatre's Data Controller is:

Edward Boott, Artistic Director & Chief Executive

5. Policy Implementation

To meet our responsibilities employed staff, contractors (including freelancers), trustees, volunteers and partner organisations will:

- Ensure any personal data is collected in a fair and lawful way;
- Explain why it is needed at the start;
- Ensure that only the minimum amount of information needed is collected and used;
- Ensure the information used is up to date and accurate;
- Review the length of time information is held;
- Ensure it is kept safely;
- Ensure the rights people have in relation to their personal data can be exercised

We will ensure that:

- Everyone managing and handling personal information is trained to do so.
- Anyone wanting to make enquiries about handling personal information, whether a member of staff, volunteer or service user, knows what to do;
- Any disclosure of personal data will be in line with our procedures.
- Queries about handling personal information will be dealt with swiftly and politely.

6. Training

Training and awareness raising about the Data Protection Act and how it is followed in this organisation will take the following forms:

On induction:

- Inductees will be provided with a copy of this policy and any other policy of partner organisations or digital services to which Nonsuch Theatre Limited subscribe.
- Basic training on not disclosing passwords, keeping files locked and location of keys private.
- All inductees whether employees, freelancers or organisations must sign to accept these policies before any contract will be given.

Awareness raising:

- Biannual reminders about this policy in team meetings.
- Monthly change of passwords required for digital services.
- Annual updating of this policy.

7. Gathering and Checking Information

Before personal information is collected, we will consider:

- What details are necessary for our purposes of business
- How long we are likely to need this information

We will inform people whose information is gathered about the following:

- why the information is being gathered
- what the information will be used for
- who will have access to their information (including third parties)

We will take the following measures to ensure that personal information kept is accurate:

- send reminders for users to update their personal data

Personal sensitive information will not be used apart from the exact purpose for which permission was given.

We aim to gather as little information as possible in order to fulfil our duties to funders, partners and ensure that our activities can be accurately and effectively evaluated.

8. Data Security

The organisation will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The following measures will be taken:

- All data provided in paper format will be stored in a locked office, anybody who hasn't signed this policy will not be allowed to be in the office unsupervised.
- Password protection on personal information files.

- Setting up computer systems to allow restricted access to certain areas
- Personal data can only be taken off site, in paper or digital (cloud-based) forms and will always be password protected. Individuals taking this data offsite must ensure the device stays within their possession at all times.

Any unauthorised disclosure of personal data to a third party by an employee may result in disciplinary procedures.

Any unauthorised disclosure of personal data to a third party by a freelancer, contractor and partner organisation may result in contractual review or termination.

Any unauthorised disclosure of personal data to a third party by a volunteer or trustee may result in a review of their relationship with Nonsuch Theatre Limited.

The Board and trustees are accountable for compliance of this policy. A trustee could be personally liable for any penalty arising from a breach that they have made.

Any unauthorised disclosure made by a volunteer may result in the termination of the volunteering agreement.

9. Subject Access Request

Anyone whose personal information we process has the right to know:

- What information we hold and process on them
- How to gain access to this information
- How to keep it up to date
- What we are doing to comply with the Act.

They also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block or erase information regarded as wrong.

Individuals have a right under the Act to access certain personal data being kept about them on computer and certain files. Any person wishing to exercise this right should apply in writing to Edward Boott, Artistic Director, N_SPACE, 32a Clarendon Street, Nottingham, NG1 5JD.

We may make a charge of £20 on each occasion access is requested.

The following information will be required before access is granted:

- Full name and contact details of the person making the request
- their relationship with Nonsuch Theatre Limited

We may also require proof of identity before access is granted. The following forms of ID will be required:

- Passport

- Photocard driving license
- PASS card
- Proof of address (bank statement, utility bill)

Queries about handling personal information will be dealt with swiftly and politely.

We will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 40 days required by the Act from receiving the written request (and relevant fee).

10. Review

This policy will be reviewed at intervals of up to 2 years to ensure it remains up to date and compliant with the law.

11. Declaration

I confirm I have read and understood Nonsuch Theatre Limited's Data Protection Policy and will act in accordance with it.

I am connected with this organisation in my capacity as a (please delete as appropriate)

- Member of staff
- Contractor/Freelancer
- Volunteer
- Partner organisation
- Trustee/ management committee member

Signature:

Print name:

Date:

Please return this form to:

Nonsuch Theatre Limited, N_SPACE, 32a Clarendon Street, Nottingham, NG1 5JD

In case of any queries or questions in relation to this policy please contact Nonsuch Theatre Limited's Data Protection Officer:

Edward Boott, Artistic Director
edward@nonsuchtheatre.com
0115 837 1950