



# Midlands Area Regional Brass Band Committee

## Data Protection Policy

### Terms

The Midlands Area: The Midlands Regional Qualifying Championships of the National Brass Band Championships of Great Britain.

*The Committee*: The Midlands Area Regional Brass Band Committee.

*Data Subject*: the person or organisation whose data is being stored by *The Committee*.

GDPR: UK General Data Protection Regulation.

Regional Secretary: the secretary (contest organiser) of *The Committee*.

Data Protection Officer: the member of *The Committee* with overall responsibility for data protection.

Trophy Officer: the member of *The Committee* responsible for The Midlands Area trophies.

### References

The latest version of the following policies and procedures referenced in this policy document will be available on the website of *The Committee* at <https://mabbc.org/policies>.

- Code of Conduct for the Midlands Area Regional Brass Band Committee.

### Data Protection Requirements

This policy sets out how *The Committee* manages the personal data of its committee members, the bands entering *The Midlands Area*, suppliers and other third parties.

This policy is intended to ensure that *The Committee*:

- Complies with data protection law and follow good practice.
- Protect the rights of those of whose data *The Committee* are storing.
- Are transparent about how *The Committee* stores and processes individuals' data.
- Are protected from the risks of a data breach.

This policy also applies to anyone who processes data on behalf of *The Committee*.

All members of *The Committee* should be aware of and adhere to this policy (Code of Conduct for the Midlands Area Regional Brass Band Committee).

This policy does not override any applicable national data privacy laws and regulations, specifically GDPR and the Data Protection Act of 2018 and any subsequent legislation.

### Policy Scope

This policy applies to all personal data processed by *The Committee* process regardless of the media on which that data is stored, or whether it relates to past or present members and officials, suppliers, or any other *Data Subject*.

Anyone with responsibilities for the band organisation, whether they are employees, or volunteers must read, understand, and comply with this document when processing personal data.



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Any breach of the rules contained within this policy may result in disciplinary action being taken.

### Data Protection Principles

*The Committee* adheres to the following six core principles regarding the processing of personal data, namely that such data should be:

- 1) Processed lawfully, fairly and in a transparent manner.
- 2) Collected only for specified, explicit and legitimate purposes of the current year's contest management and administration ("purpose limitation").
- 3) Adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed ("data minimisation").
- 4) Accurate, and where necessary, kept up to date ("accuracy").
- 5) Not kept in a form which permits identification of *Data Subjects* for longer than is necessary ("storage limitation"), which is usually from one contest year to the next.
- 6) Is processed in a way which ensures its security, using appropriate technical and organisational measures to protect against unauthorised or unlawful processing, and against accidental loss, destruction, or damage ("integrity and confidentiality"),

In addition to these six core principles there are other obligations upon *The Committee* (as the controller of the data) and the rights of the *Data Subject* in relation to their data. These include requirements that personal data be not transferred to another brass band event or organisation without appropriate safeguards in place, i.e. with express permission of the *Data Subject*.

### Fair, Lawful, and Transparent Processing

*The Committee* must process personal data lawfully, fairly and in a transparent manner. What this means is that *The Committee* can only process personal data for one of the specified purposes (or legal bases) set out in the GDPR. These include the following:

- The *Data Subject* has given consent to the processing of their personal data for one or more specific purposes relating to the administration of *The Midlands Area*.
- Processing is required for fulfilling a contract to which the *Data Subject* is a party, or to take steps at the *Data Subject* request.
- Processing is necessary for compliance with a legal obligation to which *The Committee* is subject.
- Processing is necessary to protect the vital interests of the *Data Subject* or their members and officials.
- Processing is necessary for the purposes of the legitimate interests pursued by *The Committee*, except where such interests are overridden by the interests or fundamental rights and freedoms of the *Data Subject* which require protection of personal data, such as where the *Data Subject* is a child.

When *The Committee* collect personal data, whether directly from the person or from a third party, then *The Committee* are obliged to provide that person with certain information about that personal data including what *The Committee* will do with it, who *The Committee* will share it with and what our legal basis for processing is.

### Consent

*The Committee* can only process personal data based on one or more of the lawful bases set out in the GDPR and listed above: these include with the consent of the *Data Subject*.



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Consent can be difficult to obtain under the GDPR. Consent must be freely given, specific, informed, and unambiguous. To consent to the processing of their personal data, a *Data Subject* should indicate their agreement either by a statement or by positive action: consent cannot be assumed to have been given in the absence of any express agreement. *Data Subjects* must be easily able to withdraw their consent at any time. *The Committee* will keep records of all consents, so that *The Committee* can demonstrate our compliance with this data protection requirement.

*The Committee* is responsible for implementing appropriate technical and organisational measures to ensure compliance with the data protection principles detailed above. As part of that responsibility, the Regional Secretary will be appointed as the *Data Protection Officer* with overall responsibility for data protection.

*The Committee* will also:

- Ensure and document GDPR compliance.
- Inform members of *The Committee* on the GDPR and on our associated policies and procedures.

### Limitation

When *The Committee* collects personal data, it must be only for explicit and legitimate purposes that is the administration and management of The Midlands Area. *The Committee* may not process the data in any manner that is incompatible with these purposes.

If the purposes for data collection and processing change, then *The Committee* must inform each *Data Subject* of these new purposes, and if necessary, *The Committee* must gain their consent.

### Data Minimisation

The data that *The Committee* collect, and process must be limited to what is strictly necessary and relevant for our intended purposes. When any data is no longer needed for these purposes, *The Committee* must then either delete or anonymise it.

### Accuracy

The *Data Protection Officer* must ensure the accuracy of any personal data at the point of collection, and at regular intervals afterwards, and either delete or correct inaccurate or out-of-date personal data.

### Storage Limitation

Personal data must not be kept in an identifiable form for any longer than is necessary for the stated purposes for which the data is processed. This period will be a maximum of three years: for bands, this being for as long as they remain on the Grading Tables without entering the *Midlands Area*. Therefore, *The Committee* must ensure that when personal data is no longer needed, it is deleted or anonymised. *The Committee* will require third parties to also delete or anonymise data where and when applicable.



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### Implementation

#### Data About The Members of *The Committee*

Members of *The Committee* will be requested at the first committee meeting after an AGM, to agree to the sharing of their contact details with each other. This is required for the emailing of agendas and minutes and for the participation in email or social media discussions.

Members of *The Committee* will also be requested to agree to their names being published on *The Committee's* website and in the Midlands Area programme. Contact details will be included on the website only at the individual request of each member of *The Committee* (the norm being that this information is not published).

All agreements to the sharing of this data will be included in the minutes of the relevant committee meeting.

#### AGMs

The name of attendees at an AGM and the band they are representing will be included in the minutes of the AGM. Attendees will be requested to complete a form, the completion of which signifies consent to this.

#### Data About Brass Bands

To enter the Midlands Area, the entry form for the contest will request the following personal data:

- The name the band's conductor
- The contact details of the band's contest secretary (name, address, email address, and telephone number).
- The signatures of the band's contest secretary and chair.

Returning an entry form will indicate consent to that contest secretary's personal details on the form to be stored by the Regional Secretary until the following year's contest.

The name of the band and their conductor will be included in the programme for that year's Midlands Area and will be reported indefinitely on *The Committee's* website.

The Regional Secretary will have sole access to the contact details of each band's contest secretary.

The Regional Secretary will update these contact details as and when notified by each band and use the latest contact details for each band to invite them to the following year's Midlands Area.

The contact details of bands who do not enter the Midlands Area for three consecutive years will be destroyed.

Emails received from bands will be retained for a maximum of three years.

Emails sent to bands by the Regional Secretary, will include an "unsubscribe" postscript with wording like "This email is intended for the contest secretary of each Midlands Area brass band present in the grading tables. If this email has reached you in error, please reply and I will remove you from our mailing list."

Brass Band Players Ltd are responsible for the accuracy of the information/data in the player registration lists which they supply to Regional Secretary. Discrepancies between the registration cards issued to the bands by the Brass Band Players Ltd and the player registration lists will be referred by the Regional Secretary to Brass Band Players Ltd for a resolution.



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The player registration lists and signature forms are retained until the appeal process for that Midlands Area is completed, after which they are destroyed.

For each of the bands winning prize money at the *Midlands Area*, the treasurer will request each of these bands to supply their bank details for the purposes of paying them: any bank details supplied to the treasurer in previous years will not be presumed to be still valid.

For bands winning trophies at the Midlands Area, a member of each band will be requested to complete a trophy form with their contact details (name, address, email address, and telephone number) and a signature. Completing this form will indicate consent for the Trophy Officer to store this data until the trophy has been returned undamaged to a member of *The Committee*, after which the data, including any emails sent to bands, will be destroyed.

### Data About Suppliers

The contact details of suppliers, such as the contest venue, trade stands, percussion hire, and printers are presumed to be in the public domain and are retained (and verified) as required by the Regional Secretary.

### Emails

All emails will be sent to recipients as “bcc” to ensure that email addresses are not shared amongst recipients. The exception is when an email is sent to an individual person or just to member of *The Committee* (see above).

When forwarding emails from bands, the original senders’ contact details should be redacted.

### Policy Review

This policy will be reviewed annually.

Last Reviewed: **xxxxxx**