



### 1. Purpose

Policy is intended to ensure that personal information is dealt with properly and securely by MBF and in accordance with the EU General Data Protection Regulation (the GDPR) and other related legislation, and guidance from the [Information Commissioner's Office](#) (ICO).

### 2. General provisions

- a. This policy applies to all personal data processed by Macclesfield Barnaby Festival (MBF), including all electronic data and manual files that come within a filing system, i.e. where the data is structured in some way that is searchable on the basis of specific criteria.
- b. The Board of Trustees is the Data Controller for MBF.
- c. In the considered opinion of the Trustees that the scope and nature of the personal data held by the MBF is not sufficient to warrant the appointment of a Data Protection Officer. Accordingly, no Data Protection Officer is appointed.
- d. The Chair of the Board of Trustees shall take responsibility for the MBF's ongoing compliance with this policy.
- e. The Board of Trustees will appoint a Lead Trustee to support with the ongoing compliance with this policy.
- f. This policy and Data Handling Procedures shall be reviewed annually by the Lead Trustee.
- g. Policy and Data Handling Procedures will be reviewed by the Board of Trustees no less than every 3 years.
- h. The Board of Trustees understands it is exempt from registration with the Information Commissioner's Office as an organisation that processes personal data. This will be reviewed by the Board of Trustees on a regular basis.

### 3. Related policies and documents:

- Data Protection Handling Procedures, includes Cyber Security procedures
- Register of Systems, includes data retention and deletion policy
- Information Asset List
- Data management action plan
- [Privacy Statement](#)
- Visual Imagery Policy

### 4. Data protection principles

MBF is committed to processing data in accordance with its responsibilities under the GDPR. Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;



- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

### **3. Lawful, fair and transparent processing**

- a. To ensure its processing of data is lawful, fair and transparent, the MBF shall maintain a Register of Systems. This means register of all systems or contexts in which personal data is processed by MBF.
- b. The Register of Systems shall be reviewed at least annually by the Lead Trustee.
- c. Individuals have the right to access their personal data and any such subject access requests made to the MBF will be passed to a Trustee and actioned in line with the Data Handling Procedures.

### **4. Lawful purposes**

- a. All data processed by MBF must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. MBF shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in MBF's systems.

### **5. Data minimisation**



MBF shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

## **6. Accuracy**

- a. MBF shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

## **7. Archiving / removal**

- a. To ensure that personal data is kept for no longer than necessary, the MBF shall put in place a deletion or archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.
- c. This will be kept in the Register of Systems.

## **8. Security**

- a. MBF shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

## **9. Breach**

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, MBF shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

## **10. Disclosure of Personal Information**

MBF will disclose personal information to a third party as legally required to do so, e.g. for the prevention or detection of a crime, for the assessment of tax or duty and any other obligations imposed by law or in connection with legal proceedings.

AGREED BY THE MBF BOARD OF TRUSTEES.....Date June 2021  
REVIEW.....June 2024 or earlier if new legislation comes into force before that date