

# Inc Arts Privacy Policy



<b>Policy:</b> Privacy Policy		
<b>Date Adopted:</b>	<b>Date of last review:</b>	<b>To be reviewed next before/on:</b>
2019	26/10/2020	25/10/2021
<p><b>Purpose and Statement:</b></p> <p>Inc Arts is committed to ensuring the data processed by our charity remains safe and secure.</p> <p>This policy has been written in line with legislative change, including both the Data Protection Act (1998) and the EU’s General Data Protection Regulation (GDPR).</p> <p>Inc Arts has determined the lawful reasons with which it processes personal data:</p> <ul style="list-style-type: none"> <li>• Legal obligation – GDPR Article 6(1)(c)</li> <li>• Legitimate interest – GDPR Article 6(1)(f)</li> <li>• Contract - GDPR Article 6(1)(b)</li> </ul> <p>There is also some limited data we process with consent from the Data Subject; Consent – GDPR Article 6(1)(a).</p> <p>While Inc Arts avoids sharing data with third parties at most times, some data is shared in accordance with our business practices. The sharing of data with third parties will always be consensual with the data subject, and only if Inc Arts is satisfied that their Data Protection policy is GDPR compliant.</p> <p><b>Main Aims for the policy:</b></p> <ul style="list-style-type: none"> <li>- Specify the data Inc Arts collect, how it is stored/protected and the reason for collecting it</li> <li>- State how Inc Arts use personal data in processing</li> <li>- Disclose who has access to the data and how long we retain information for</li> <li>- Explain Data Subject’s rights with Inc Arts data including access, rectification and erasure</li> </ul>		
<p><b>Distribution:</b></p> <ul style="list-style-type: none"> <li>• To be displayed on the Inc Arts website</li> <li>• This policy will be sent directly to members of the public on request</li> <li>• Confirmation of receipt of information - Signed statement from recipient to be held on file</li> </ul>		
<p><b>Review and monitoring of policy:</b></p> <ul style="list-style-type: none"> <li>• Reviewed annually or in instances of legislative change</li> <li>• Monitoring is part of Management and Supervision</li> </ul>		

**The following policy is based on the below principles:**

The GDPR includes the following rights for individuals:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- the right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling

**General Principles**

Inc Arts is committed to providing fair and understandable privacy policies in relation to personal data.

Inc Arts will, at all times, keep data in secure locations (including, but not limited to, encrypted and access restricted files) and not retain data unnecessarily or past the retention length as set out in this policy.

In the rare instance a data processor that is not an Inc Arts employee is used, such as a third party, the data subject will either be asked for consent pre to supplying the data or be notified and have the right to object to processing.

**Participants and Customers**

**How Inc Arts collect personal data:**

Inc Arts members supply their personal data when signing up for membership or events through our contact form via the website.

Personal data may also come to us unsolicited via enquiries through our website and to our generic email account.

**Why Inc Arts collect personal data:**

To hear from Inc Arts about upcoming events and campaigns, individuals must agree to some processing of their personal data. This is due to Legitimate Interests – GDPR Article 6(1)(f), Legal Obligation GDPR Article 6(1)(c), Contract - Article 6(1)(b) and/or Consent - Article 6(1)(a).

**What data we collect:**

We may collect, use, store and transfer different kinds of personal data about you which we have explained using the following categories:

- Identity Data includes first name, last name.
- Contact Data includes email address, home address, company address, billing contact details and billing address.
- Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.
- Financial Data includes bank account and payment card details.

- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website
- Usage Data includes information about how you use our website.

**How data collected is sent internally:**

Inc Arts transports data with all due diligence.

Sign-up forms are sent to Inc Arts through an encrypted email server directly from our website which has controlled access. Received sign-up forms are stored on an encrypted email server for no more than 6 months.

**Storage/Retention of data:**

Data received through sign-up forms is uploaded manually into our database software. Our database is stored both in encrypted files on office-based hardware and backed up regularly in our encrypted cloud-based server. Access to these files is restricted through password protection and only available to authorised staff members.

Our standard retention policy (without the data subject's right to access, rectification and erasure etc.) is THREE YEARS post sign-up.

**Third Parties/Data Processors:**

Inc Arts does not actively share data with third parties, however there are certain instances where sharing information is crucial to our business processes.

**MailChimp:**

Inc Arts uses a USA based company 'MailChimp' to create newsletters and send some marketing via email. This is an optional process, which people consent to via email or sign-up directly through our website. Data Subjects can opt-out and erase/rectify their record stored with MailChimp at any time.

Inc Arts is satisfied that their GDPR regulations are thorough, and the information stored in MailChimp (email addresses) is secure. We have a processor contract in place, and copies are available upon request.

**GoFundMe:**

Inc Arts uses GoFundMe to process donations to Inc Arts through our website and on social media.

By donating through GoFundMe you must agree to their own (GDPR Compliant) policies. Inc Arts is satisfied that their GDPR regulations are thorough, and the information stored in GoFundMe is secure. We have a processor agreement in place, and copies are available upon request.

**Eventbrite:**

Inc Arts sometimes uses Eventbrite for event ticketing and to process event payments where applicable. By registering through Eventbrite you must agree to their own (GDPR Compliant) policies. Inc Arts is satisfied that their GDPR regulations are thorough, and the information stored in Eventbrite is secure. We have a processor agreement in place, and copies are available upon request.

Chanua Health:

Inc Arts works with Chanua Health to supply free emotional well-being support to those requesting it. By signing up via Chanua Health you must agree to their own (GDPR Compliant) policies. Inc Arts is satisfied that their GDPR regulations are thorough, and the information stored with Chanua Health is secure. We have a Service Level Agreement (SLA) in place which covers the sharing of data and copies are available upon request.

**Rights of the data subject and Inc Arts compliance with responses:**

Any data subject with personal data stored within Inc Arts is entitled to the rights of:

- **Access**  
You may contact Inc Arts at any time to access all data held relating to you. Inc Arts will ensure that we respond to a subject access request without undue delay and within one month of receipt. If the information request also includes data regarding others, Inc Arts has the right to refuse the request or take steps in order to obtain consent from other involved parties.
- **Rectification**  
You may contact Inc Arts at any time in order to rectify data held relating to you. Inc Arts will ensure that we respond to a rectification request without undue delay and within one month of receipt.
- **Erasure**  
You may contact Inc Arts at any time in order to erase data held relating to you. Inc Arts will ensure that we respond to an erasure request without undue delay and within one month of receipt.
- **Restrict Processing**  
You may contact Inc Arts at any time in order to restrict the data we process relating to you. Inc Arts will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.
- **Data Portability**  
You may contact Inc Arts at any time in order to obtain the data we process relating to you and reuse it across different services. Inc Arts will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt. Please note, this does not apply to Inc Arts' legal obligations.
- **Objection**  
You may contact Inc Arts at any time in order to object to the processing of data relating to you. Inc Arts will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.
- **Rights related to automated decision making including profiling**  
You may contact Inc Arts at any time in order to object to profiling relating to you. Inc Arts will ensure that we respond to a request to restrict processing without undue delay and within one month of receipt.  
However, due to our legitimate interest in most of the data collected- we may have to revoke your membership with Inc Arts until the profiling restriction is lifted.  
Inc Arts has a lawful reason for profiling; Legitimate Interests and consent.  
None of Inc Arts' decision making is automated.

## **Photos/Videos of Participants**

Inc Arts sometimes uses footage/photos from events and meetings for marketing purposes both on social media and the website. Participants may choose if they do not wish to be depicted.

### **Social Media:**

Inc Arts regularly share photos/videos of events and meetings through social media platforms including; Instagram, Facebook, Twitter, Email. These will never be shared with any identifying information (age, location etc.). There may be times where we will share first names, but only with the explicit consent of the participants.

## **Funders**

### **How Inc Arts collect personal data:**

Inc Arts funders supply their personal data when donating to the charity both online and in person.

### **Why Inc Arts collect personal data:**

Inc Arts collect data regarding funders through GDPR Article 6(a) consent.

In some instances funders data is processed in order to process donations, including Gift Aid. Some funders information is processed to provide marketing when further fundraising drives are collected.

### **What data we collect:**

We may collect, use, store and transfer different kinds of personal data about you which we have explained using the following categories:

- Identity Data includes first name, last name, UK Taxpayer status.
- Contact Data includes email address, home address, company address, billing contact details and billing address.
- Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.
- Financial Data includes bank account and payment card details.

### **How data is sent internally:**

Any transfer of data regarding funders is conducted through encrypted emails and/or stored in our encrypted cloud-based server.

Any unsolicited information is received to an encrypted email server.

### **Storage/Retention of data:**

Funders personal details are stored in encrypted files both in office hardware and backed up to our encrypted cloud-based server.

Most funders' data is retained for 2 YEARS (post-donation).

Exceptions to our retention policy:

- Financial Information, including Gift Aid receipts, are retained for 6 years due to our legal obligations

### **Training and Data Protection in Practise**

All members of staff (Freelance and Voluntary) must agree to this Data Protection policy prior to accepting a contract of employment.

Inc Arts is registered as a Data Controller with the Independent Commissioners Office (ICO). The registered Data Protection Officer (DPO) is Director Amanda Parker (admin@incarts.uk).

### **Complaints and Data Breaches**

#### **Complaints:**

Complaints in regard to the handling of any personal data can be made directly to Inc Arts'

Director: Amanda Parker

Email: admin@incarts.uk

Telephone: 07932559358

If you feel that your complaint was not handled in the correct manner, or still have concerns, you may escalate the complaint by by contacting the Independent Commissioner's Office (ICO).

ICO Telephone Number: 0303 123 1113

#### **Data Breaches:**

If Inc Arts experiences a data breach of any kind, we have a legal obligation to report this to ICO within 72 hours. The data breach will be reported by the DPO. In the instance they are unavailable to report the breach, the next most senior staff member shall do so.

Inc Arts will also inform all the victims of the data breach as soon as possible if there is a high risk of adversely affecting individuals' rights and freedoms.

Inc Arts will store and record all data breaches.