



Data Rights Policy

Policy Ref: TMP42v2

This policy will not discriminate either directly or indirectly against any individual on grounds of sex, race, ethnicity or national origin, gender, sexual orientation, marital status, religion or belief, age, disability, socioeconomic status, offending background or any other personal characteristic.

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Signed

Date July 2020

Reviewed By Martin Heaton
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Signed

Date July 2020

Record of Changes

Version	Issue Date	Changes	Initials
v1	July 2019	Initial issue	JM
v2	July 2020	General procedural review, references updated, formatting changes	JM

Date of Next Review: July 2021

Definition

Throughout this policy document **TMP Studios CIC** is referred to as 'TMP College'.

Background

TMP College is committed to protecting the privacy of anyone whose personal data we hold.

As an organisation we have to comply with data protection legislation, principally the Data Protection Act 2018¹ and General Data Protection Regulation (GDPR)².

To help us demonstrate how we comply with data protection legislation, TMP College has implemented a Data Protection Policy which outlines our approach to data privacy.

Data protection legislation places obligations on TMP College to protect the personal information of individuals. We have to make sure we process personal data in line with data protection principles and ensure that the rights of Individuals (Data Subjects) are met. These are outlined TMP College's Data Protection (GDPR) policy.

Individual's rights under data protection legislation

We will follow current data protection and other legislative guidance when dealing with requests from Individuals (Data Subjects) to exercise their data rights.

The right to be informed

We will tell Individuals what we are doing with their personal data, why we need to collect it, what we will do with it and who we will share it with. We will give Individuals this information in our Privacy Notices. Where we need to collect, process or share Individual's personal information for any purpose not outlined on the Privacy Notices, we will provide separate information and obtain consent where necessary.

The right to access

This is known as a Data Subject Access Request. Full details are available in TMP College's Data Protection (GDPR) policy.

¹ <https://ico.org.uk/for-organisations/data-protection-act-2018/>

² <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>

If an individual wishes to request information we hold about them, we would prefer them to send a request email to the Data Protection Officer: jackiemanning@music-projects.com

However any request in writing or email from the Individual (Data Subject) will be considered as a valid request, as long as it contains the relevant information to enable us to deal with the request.

If the individual requesting information is not known to the relevant Department or Business area, we may ask to see proof of identity. The following forms of identity will be accepted as proof of identity (please note, we will require sight of the original):

- A copy of a passport
- A copy of a driving licence
- A copy of a Bank, Building Society or credit card statement in the Data Subject's name for the last quarter
- A copy of a Council Tax bill

How can an individual request information on behalf of someone else?

If an individual is requesting information on behalf of someone else they must provide written evidence that they have the Data Subject's authority to ask for the information on their behalf, e.g. signature on the Data Subject Access form, a letter written by them, evidence of Power of Attorney, etc.

If the request is approved, the individual will be provided with either a printout or a photocopy of paper records. Where information is requested to be provided by email, we will only agree to this if it can be sent via an approved secure method.

We will respond to any request within 30 days, where we are unable to approve the request for information or are unable to provide the information within 30 days, we will notify the Individual. Verification of identity of the person/organisation making the request will be required.

How does an enforcing body request information?

Requests for disclosure of personal information in connection with investigation of crime or any other enforcing body investigation should be made on a Police and Enforcing Bodies disclosure request form and emailed for the attention of the Data Protection Officer. ID will be requested and verified.

Will a charge be made for providing the information?

Information will normally be provided free of charge. However, there may be certain circumstances when a charge can be made: for example, where the request is manifestly unfounded or excessive, TMP College may charge a 'reasonable fee' for the administrative costs of complying with the

request. TMP College can also charge a reasonable fee if an Individual (Data Subject) requests further copies of their data following a request.

TMP College will follow guidance from the ICO to determine if a charge applies and advise the applicant of costs prior to collating the information.

The right to rectification

For amendments to an individual's personal information such as updating details we have collected for normal business processing, e.g. contact details; change of address; emergency/next of kin; contact details; course details and medical details etc. the relevant Department should be contacted to tell them what is incorrect and ask for it to be corrected.

For anything that is not considered routine business processing, the Data Protection Officer should be contacted, who will then take steps to action the request.

TMP College will aim to deal with requests for rectification as soon as possible. We will respond within one month; this will be extended by two months where the request for rectification is complex.

The right to erasure/deletion

Requests for the erasure (deletion) or removal of personal data where there is no lawful basis for its continued processing, should be made to the relevant Department. TMP College has the right to refuse a request for erasure under certain circumstances – please refer to the Data Protection (GDPR) policy for further details.

We will aim to deal with right to erasure requests within one month. Where we are unable to complete the request within this timescale, we will inform the individual.

Right to restriction

Requests to restrict TMP College from processing personal data can be made, however there may be reasons why we may not be able to comply. If a request is determined to be valid, we will take steps to immediately restrict processing of personal data as set out in our Data Protection (GDPR) policy.

Right to data portability

Details on this are outlined in the Data Protection (GDPR) policy. Requests should be made to the relevant Department. We will aim to respond within one month or within one month advise the individual if we need to extend the timeframe by two months, where the request is complex, or a number of requests have been received.

Right to objection

An individual may object to processing under certain circumstances, please refer to the Data Protection (GDPR) policy. Requests should be made to the relevant Department. We will aim to deal with requests within one month and advise you if we cannot meet this timescale.

Rights in relation to profiling and automated decision-making

Profiling and automated decision-making are two different things, although automated decision-making can include profiling. We will specify any profiling or automated decision-making in our Privacy Notices or other communication as necessary. Further information is in our Data Protection (GDPR) policy.

Reporting a concern

Individuals who are unhappy with the way we have processed their personal information, or feel that their request for information or to exercise their data rights have not been dealt with appropriately, should contact the Data Protection Officer in the first instance.

Contact Details

Email the Data Protection Officer: **jackiemanning@music-projects.com**

Complaints can be escalated to the Information Commissioner's Office (ICO).

ICO helpline: 0303 123 1113

See the ICO Concerns website for more information³.

³ <https://ico.org.uk/make-a-complaint/>