



THE WORSHIPFUL COMPANY OF ARTS SCHOLARS PRIVACY POLICY

Addressing the General Data Protection Regulation (GDPR) 2018 [EU]

and

the Data Protection Act (DPA) 2018 [UK]

For information on this Policy or to request Subject Access please contact the Clerk.

Email: clerk@artsscholars.org

Phone: 01252 560852

Post:

The Clerk
5 Queen Anne's Gate
White House Walk
Farnham
Surrey GU9 9AN

- **Our Intent.** The Worshipful Company of Arts Scholars (“The Company”) regards the lawful and correct treatment of personal data as very important to successful working, and to maintaining the confidence of members and of those with whom we deal:
 - We are committed to safeguarding the privacy of our Members.
 - The Company will only use the information that we collect about Members lawfully and in accordance with the General Data Protection Regulation (GDPR) and the new British Data Protection Bill.
 - The Company will adhere to the principles of data protection, as detailed in the Data Protection Act and GDPR. Specifically, these require that personal data must:
 - Be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
 - Be obtained only for one or more of the purposes specified in the DPA and GDPR, and shall not be processed in any manner incompatible with that purpose or those purposes.
 - Be adequate, relevant and not excessive in relation to that/those purpose(s).
 - Be accurate and, where necessary, kept up to date.
 - Not be kept for longer than is necessary (subject to archiving requirements).
 - Be processed in accordance with the rights of data subjects under the DPA.
 - Be kept secure by the data controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal data.
 - Not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal data.

This Policy is therefore intended to comply with the Data Protection Act and GDPR but may change over time.

- **Undertaking.** In complying with the letter, as well as the spirit, of the law, we will ensure that:
 - We take appropriate technical and organisational security measures to safeguard personal data against unlawful or unauthorized processing of personal data and against the accidental loss of, or damage to, personal data.
 - Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.
 - Set out clear procedures for responding to requests for information and ensure that we:
 - Deal promptly and courteously with any enquiries about handling personal data.
 - Describe clearly how we handle personal data.
 - Regularly review and audit the ways we store, manage and use personal data.
 - Any Members or employees processing personal data are appropriately trained and understand that they are responsible for following good data protection practice.
 - Regularly assess and evaluate our methods and performance in relation to handling personal data.
 - All Members and any employees are aware of the implications of a breach of the rules and procedures identified in this policy, and are aware that such a breach must be reported to the Clerk as soon as possible or, in his absence, the Master or any other Warden and Member of Court.
- **Member’s Terms & Conditions.** This Policy, the Privacy Statement and Consent forms part of Terms & Conditions for being a member of the Company. In legal terms, members are “Data Subjects,” i.e. “individual Members.” However, we may also, under this, collect personal information regarding their spouse if appropriate (e.g. keeping record of name; displaying on seating plans).

- **Data Protection Officer.** The Data Controller has decided that the Company does not hold sufficient sensitive data or comprise sufficient numbers to warrant a Data Protection Officer (Clerk's Report – for the Court Meeting 7th December 2017 and Court Resolution – Court Meeting 17th May 2018).
- **Data Controller.** The Company of Arts Scholars are, from a legal perspective, classed as the 'Data Controller'. The Master, supported by the Court, exercises this control. The Clerk acts as the Master's representative in managing and processing the Company's data and is the Company's principal Data Processor. Notwithstanding that the Master and Court are ultimately responsible for ensuring the safe and correct handling of data, and take an active interest in how data is handled, the Clerk is responsible for:
 - Keeping the Court updated about data protection responsibilities, risks and issues.
 - Reviewing all data protection procedures and policies on a regular basis.
 - Arranging data protection guidance and advice for all Court members and those included in this policy.
 - Answering questions on data protection from Members, Court Members and other stakeholders.
 - Responding to individuals such as Members and Suppliers who wish to know what data is being held on them by The Company.
 - Approving with third parties that handle The Company's data (e.g. such as IT providers, accountants, auditors and Caterers), data processing aspects of contracts or agreements.
 - Ensuring all systems, services, software and equipment meet acceptable security standards.
 - Checking and scanning security hardware/software regularly to ensure proper functioning.
 - Approving data protection statements attached to emails and event notices.
- **Raising Concerns.** The formal mechanism for members to raise concerns regarding the processing of personal data is primarily to email: clerk@artsscholars.org or send a letter by registered mail to The Clerk, 5 Queen Anne's Gate, White House Walk, Farnham, GU9 9AN.
- **Requesting Personal Data.** Members can request details of their own personal data held by The Company through a Subject Access Request (SAR). The form for doing this can be obtained from the Clerk or through the Company's website.
- **Purpose of Processing Personal Data.** We collect personal data primarily to support and advance the aims of the Company¹, support the City and the Lord Mayor and raise money and support charitable and educational works.
- **Lawful Basis of Processing Personal Data.** The lawful basis of processing their personal data is very largely by **Consent**. This is gained through Members agreeing to the holding of specified personal data by signing a Consent Form:
 - Once Members have agreed to this Privacy Notice of our Terms & Conditions by signing the Consent Form, Members will be registered for the processing of their personal data, based upon their Consent.
 - The information we hold should be accurate and up-to-date. The personal information which we hold will be held securely in accordance with our internal data protection and security policies.
 - The type or categories of personal data we will collect about Members is shown on the Consent Form. If Members apply for further roles or appointments within the Company, we may request further information and retain additional records, such as interview notes. Equally minutes of meetings and records of decisions may include their name and other information about Members.
 - Their name and contact details will primarily only be used internally within the Company. However, if Members participate in a dinner or charitable outreach activity, we will normally have to provide their name and possibly other details (e.g. dietary requirements) to other stakeholders.

¹ Primarily to promote, support, and encourage the sharing of knowledge and expertise in the scholarship, curation, trade, collection, preservation or ownership of items of decorative, artistic, cultural or historic significance and activities relating thereto.

- Personal data will only be transferred outside the EEA or other EU designated areas of adequacy, for specific events. If this is required, consent will be explicitly requested from Members.

For certain financial matters (e.g. late payment of quarterage or non-payment for an event Members have attended) the Company reserves the right to contact Members as a legitimate interest.

- **Sensitive Personal Data.** We will never collect sensitive personal data about Members without their explicit consent and a clear explanation why it is required.
- **Spouse Personal Data.** The only data held specifically on a spouse will be his or her name, which will be provided by the Member from time to time when applying for places at an event. The purpose is to create a viable seating plan and guest list; the latter may be shared with the Master. Completing an application form with their spouse's/personal guest's name shown indicates that Members have received his or her consent for the name to be held and shown on a seating plan and guest list.
- **Dietary Requirements.** Where selection of a particular dietary option at events may identify the Member by religion or indicate a health problem, those data are considered high risk. The consent for release of dietary requirements to caterers and to be displayed on place cards is encapsulated in the Consent Form.
- **Sale or Passing of Personal Data to Third Parties.** We will not sell or pass their personal data to any commercial or charitable organisation. Members of the Court, whose names have traditionally appeared annually in the White and Blue Books, will be asked to give their consent for this to continue. Names of Liverymen and contact details will no longer be supplied by us to the editors of these books.
- **Retention of Personal Data.** We will retain their personal data as follows:
 - **Information Held Under Consent.** Whilst Members are a member of the Company. Upon leaving, we will request their consent to continuing to hold their name and relevant details to support our historical records.
 - **Data Subject's Rights.** Under GDPR Members have a number of Rights which we have outlined below:
 - **Right of Access.** Members are entitled to access their personal data so that Members are aware of and can verify the lawfulness of the processing. This is achieved through the mechanism of a Subject Access Request (SAR) and Members have the right to obtain:
 - Confirmation that their data is being processed (held).
 - Access to their personal data (a copy).
 - Other supplementary information that corresponds to the information in this privacy notice.
 - Under GDPR and from 25 May 2018, this information will be provided without charge, without delay and within one month. If an extension is required or requests are considered manifestly unfounded or excessive, in particular because they are repetitive, the Company may choose to:
 - Charge a reasonable fee taking into account the administrative costs of providing the information.
 - Refuse to respond. The reasons for this will be formally notified to Members and their rights to appeal to the appropriate Supervisory Authority, i.e. UK Information Commissioner's Office (ICO) will be highlighted.
 - **Identify Verification.** To protect their personal data, the Company may seek to verify their identity before releasing any information, which will normally be in electronic format. As a member this will normally be a simple process, however, if the SAR is made from a member living overseas, or former member, or by the relative of a deceased member, then additional verification steps are likely.

- **Right of Rectification.** Members are entitled to have personal data rectified if it is inaccurate or incomplete. The Company will respond within one month of their request. In the unlikely event the Company does not take action to the request for rectification, we will inform Members of their rights to complain or seek judicial remedy.
- **Right of Erasure.** Members may request the deletion or removal of personal data where there is no compelling reason for its continued processing. The Right to Erasure does not provide an absolute 'right to be forgotten'. However, Members do have a right to have personal data erased and to prevent processing in specific circumstances:
 - Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
 - When Members withdraw consent.
 - When Members object to the processing and there is no overriding legitimate interest for continuing the processing.
 - The personal data was unlawfully processed.
 - The personal data has to be erased in order to comply with a legal obligation.
 - The personal data is processed in relation to the offer of information society services to a child, which the Company does not provide.
- **Right to Restrict Processing.** Members have a right to 'block' or suppress processing of personal data. When processing is restricted, the Company is permitted to store the personal data, but not further process it. In this event exactly what is held and why will be explained to Members.
- **Right to Data Portability.** Members may request to obtain and reuse their personal data for their own purposes across different services. This allows Members to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability. The Right to Data Portability only applies:
 - To personal data Members have provided to the Company.
 - Where the processing is based on their consent or for the performance of a contract.
 - When processing is carried out by automated means. In these circumstances the Company will provide a copy of their data in CSV format and/or PDF free of charge, without undue delay and within one month. If there is a delay to this, Members will be informed.
- **Right to Object.** Members have the right to object to:
 - Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling).
 - Direct marketing (including profiling).
 - Processing for purposes of scientific/historical research and statistics.
 The Company does not participate in the first and third activities, however the Company does conduct marketing activities (i.e. 'marketing' Arts Scholars' and other event opportunities for Members).
- **Automated Decision Making and Profiling.** The Company does not employ any automated decision-making or conduct profiling of Data Subjects. However, if Members have consented to be held on our Membership database, we may periodically send Members marketing information (e.g. Calling Notices; Clerk's Updates) so that Members are informed of upcoming events and other opportunities. Elements of these may be automated, but they do not involve automated decision-making or profiling

• **Disclosure.** The Company may disclose personal data which it holds to third parties in order to carry out our work. The individual/service user will be made aware in most circumstances how and with whom their personal data will be shared. There are circumstances where the law allows The Company to disclose personal data (including sensitive personal data) without the data subject's consent.

These are:

- Carrying out a legal duty or as authorised by the Secretary of State.

- Protecting vital interests of an individual/service user or other person.
- The individual user has already made the information public.
- Conducting any legal proceedings, obtaining legal advice or defending any legal rights.
- Monitoring for equal opportunities purposes – i.e. race, disability or religion.
- Providing a confidential service where the individual/service user's consent cannot be obtained or where it is reasonable to proceed without consent.

Signed:

Date:

Master The Worshipful Company of Arts Scholars 17 May 2018 – 16 May 2019

Signed:

Date:

Master The Worshipful Company of Arts Scholars 17 May 2019 – 14 May 2020

Signed:

Date:

Master The Worshipful Company of Arts Scholars 15 May 2020 – 13 May 2021