



DATA PROTECTION POLICY

2Funky Arts

April 2024

SUMMARY OF THE POLICY

A QUICK GUIDE TO DATA PROTECTION

- ◆ 2Funky Arts Ltd (2Funky Arts) is allowed to collect and use data about individuals.
- ◆ It must use and look after the data carefully and not share or use data for reasons other than those for which they were collected.
- ◆ Individuals have a number of rights concerning their data, including the right to see what information 2Funky Arts holds, and to make sure the data is accurate.
- ◆ 2Funky Arts will inform individuals why and for what purpose their data is being used.
- ◆ Although individuals may be asked to give their consent to provide the data, there are circumstances where the 2Funky Arts does not need consent to process individuals' data.
- ◆ Extra care will be taken when the 2Funky Arts receives requests – including from people or bodies outside the organisation – for information about individuals. We will not release any information about our members without seeking their permission or unless there is a legitimate reason to do so.
- ◆ All staff have a responsibility to ensure personal data is used appropriately and kept secure. Failure to safeguard data may result in disciplinary action being taken.

1. INTRODUCTION

1.1 2Funky Arts needs to keep certain information about employees, participants, volunteers, artists, board members, donors, clients and other users to allow it to monitor, for example, attendance, performance, achievements and health and safety. It is also necessary to process information so that staff can be recruited and paid and legal obligations to funding bodies and statutory bodies complied with.

1.2 To comply with the law, information must be used fairly, stored safely and not disclosed to any other person unlawfully.

1.3 To do this the 2Funky Arts must comply with the Data Protection Principles which are set out in the General Data Protection Regulations (GDPR) and UK data protection legislation. In summary these state that personal data shall be:

- ◆ Processed lawfully, fairly and in a transparent manner.
- ◆ Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- ◆ Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- ◆ Accurate and kept up to date; inaccurate personal data will be erased or rectified without delay.
- ◆ Not kept for longer than is necessary for the purposes for which the personal data are processed.
- ◆ Kept secure against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

1.4 The data controller is responsible for and must be able to demonstrate, compliance with these principles.

1.5 Definitions of what constitutes Personal Data are set out in Appendix 1.

1.6 2Funky Arts and all staff or others who process or use any personal information, including third parties who process data on 2Funky Arts' behalf, must ensure that they follow these principles at all times. In order to ensure that this happens, 2Funky Arts has developed this Data Protection Policy.

2. STATUS OF THE POLICY

This policy does not form part of the formal contract of employment, but it is a condition of employment that employees will abide by the rules and policies made by 2Funky Arts. Any failure to follow the policy can, therefore, result in disciplinary proceedings.

3. NOTIFICATION OF DATA HELD AND PROCESSED (PRIVACY NOTICES)

3.1 All staff, volunteers, clients and other users are entitled to:

- ◆ Know what information on the 2Funky Arts holds and processes about them and why
- ◆ Know how long the data will be kept
- ◆ Know how to gain access to it
- ◆ Know what, if any third parties the 2Funky Arts may share data with

- ◆ Know how to keep it up to date
- ◆ Know what the 2Funky Arts is doing to comply with its obligations under the GDPR and subsequent legislation.

3.2 2Funky Arts will, therefore, provide all staff, volunteers, clients and other relevant users with a standard form of notification. This will state all the types of data 2Funky Arts holds and processes about them and the reasons for which it is processed.

3.3 This information (Privacy Notices) will be included in the appropriate documentation such as registration and volunteer application forms, staff recruitment documentation, amongst others. The format for Privacy Notices is included as Appendix 2.

4. RESPONSIBILITIES OF STAFF

4.1 Staff are responsible for complying with this policy as it relates to their own and other people's data and also comply with the guidance in Appendix 3.

4.2 If, and when, as part of their responsibilities, staff collect information about other people they must ensure that records are:

- 4.2.1.1. - accurate
- 4.2.1.2. - up to date
- 4.2.1.3. - fair
- 4.2.1.4. - kept and disposed of safely and securely

4.3 Staff should also complete the mandatory staff training on Data Protection when asked to do so. Failure to do so may result in disciplinary action.

4.4 Staff are also responsible for:

- ◆ Checking that any information that they provide to 2Funky Arts in connection with their employment is accurate and up to date.
- ◆ Informing 2Funky Arts of any changes to information which they have provided, i.e. changes of address.
- ◆ Informing 2Funky Arts of any errors or changes. 2Funky Arts cannot be held responsible for any errors unless the staff member has informed 2Funky Arts of them.

5. DATA SECURITY

All staff are responsible for ensuring that:

- ◆ Any personal data has been collected and is being processed (used) in a fair and lawful manner.
- ◆ Any personal data which they hold is kept securely whether in paper or electronic form.
- ◆ Personal information is not disclosed either orally or in writing or accidentally, or otherwise to any unauthorised third party.
- ◆ Personal data processed for one reason is not reused for another unrelated reason without seeking the consent of the individual.
- ◆ Data is accurate, up to date and is not kept longer than necessary.
- ◆ All personal data is treated with a high degree of sensitivity and disposed appropriately.
- ◆ Any breach of data security is reported **immediately** to the Data Protection Officer and using the reporting form **Appendix 4**.
- ◆ All data breached will be logged and investigated.

5.2 PAPER STORAGE

Paper based personal data should be kept in a locked room, filing cabinet, drawer or other appropriate storage device.

5.3 ELECTRONIC STORAGE

The storage or use of any data processed by 2Funky Arts on local hard disk devices such as personal computers or mobile devices must be password protected.

5.4 Use of personal devices for 2Funky Arts business must be approved by the manager.

5.5 The loss or theft of any mobile device or portable storage device containing 2Funky Arts data must be reported **immediately** to the Director.

5.6 Staff should note that unauthorised disclosure of data or a failure to adequately secure data, either paper based or electronically, will usually be a disciplinary matter and may be considered gross misconduct.

5.7 Staff who leave 2Funky Arts will have access to their organisation email revoked at point of leaving if not before. This is also necessary in the event of a formal suspension, but in the form of a temporary withdrawal of access. Extra measures that need to be taken include withdrawing access to documents in the hard drive.

6. PARTICIPANT OBLIGATIONS

It is the obligation of participants to ensure that all personal data provided to 2Funky Arts is accurate and up to date, if they want to be kept updated on events/ projects etc. They must ensure that changes of address, next of kin, phone, contact information etc., are provided to the Project Manager.

7. RIGHTS TO ACCESS INFORMATION/ SUBJECT ACCESS REQUESTS

7.1 Staff, volunteers, clients and other users of 2Funky Arts have the right to access any personal data that is being kept that relates to them either on computer or in certain files and may make a Subject Access Request (SAR). Any person who wishes to exercise this right is asked to complete the 2Funky Arts' "Access to Data" form attached as **Appendix 5**. However, requests may be made in person or verbally; in these instances, further detail which may be helpful will be requested and the request documented on the SAR log.

7.2 SARs may be made directly to the Data Protection Officer or to any member of staff. Any member of staff receiving such a request should pass it **immediately** to the Data Protection Officer who will initiate the data search and respond to the request. All SARs will be logged.

7.3 SARs made on behalf of someone, including those aged 18 must be made with the consent of the individual if they are over the age of 13. Proof of that consent will be required. Where 2Funky Arts judges that the individual is not able to give consent (for example, members with profound and multiple learning difficulties) the information will be provided to the named individual on the client's file.

7.4 There is no charge for SARs. However, where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, 2Funky Arts may either:

- ◆ Charge a reasonable fee, taking into account the administrative costs for providing the information or communication or taking the action requested; or
- ◆ Refuse to act on the request.

7.5 2Funky Arts aims to comply with requests for access to personal information without undue delay and within one month of receipt of the request unless there is good reason for delay. In such cases, the reason for delay will be explained in writing to the data subject making the request and the 2Funky Arts will agree an extended deadline of up to a further two months.

7.6 The requester will receive a copy of the data help about them in a concise transparent intelligible and easily accessible form in writing or in electronic form, or in another form requested by the requester. A draft response to a SAR is included as Appendix 6.

8. RIGHT TO RECTIFICATION, DELETION OR OBJECTION TO PROCESSING

All individuals have the right to request that data held about them be rectified, if it is incorrect or deleted in certain circumstances. Individuals also have the right to object to processing of their data.

Anyone seeking to have their data amended, rectified or deleted, or to request that their data not be processed should complete the Data Amendment/ Deletion form attached as Appendix 7.

9. DATA SHARING & THIRD-PARTY PROCESSING

9.1 Where personal data including special category personal data is shared with third party organisations this will be covered by a data sharing agreement and/or appropriate wording within contracts.

9.2 Where 2Funky Arts received requests for personal data from third parties, it will adopt its standard procedures for verifying the identity of the third party and seeking confirmation that sharing of the data would be fair and lawful. No data will be shared with a third party unless these assurances are received.

9.3 Personal data may be disclosed to other third parties without the consent of the individual where there is a lawful reason to do so. This might include disclosures to the Police and Social Services.

10. PUBLICATION OF 2FUNKY ARTS' INFORMATION

Information that is already in the public domain is exempt from the Data Protection Act.

11. SUBJECT CONSENT

11.1 In most cases, 2Funky Arts can only process personal data with the consent of the individual. If the data is sensitive, express consent must be obtained for processing. Agreement to 2Funky Arts processing some specified classes of personal data is a condition of acceptance of a client to the group and a condition of employment for staff. This is also the case for information about previous criminal convictions.

11.2 2Funky Arts works with adults at risk, as well as young people. We have a duty of care to all staff, volunteers and participants and therefore, recruitment of staff is subject to vetting, references and probing at interview.

11.3 2Funky Arts will ask for information from participants and volunteers, on health, learning and access needs. Information will only be used in the protection of the health and safety of the individual or another legal reason.

11.4 In instances where consent is given as the primary fair processing condition, individuals may choose to withdraw their consent. Requests must be submitted in writing using the consent withdrawal form at Appendix 8. However, where 2Funky Arts has other lawful reasons for processing personal data, it will continue to do so.

11.5 As per Clause 9.3 above, data may be disclosed to a third party without the data subject's consent in specific circumstances such as: when disclosure is necessary for the prevention or detection of crime or in a medical emergency.

12. PROCESSING SENSITIVE/SPECIAL CATEGORY INFORMATION

Sometimes it is necessary to process information about a person's health, criminal convictions, race, gender, sexuality, or beliefs. This may be to ensure 2Funky Arts is a safe place for everyone, or to operate other policies such as 'sick pay' or 'equal opportunities'. Because this information is considered sensitive, and it is recognised that the processing of it may cause particular concern or distress to individuals, the subject will be asked to give express consent for 2Funky Arts to do this. Offers of employment or access to services/activities may be withdrawn if an individual refuses to consent to this, without good reason (e.g. criminal convictions in relation to safeguarding). More information about this is available from the Data Protection Officer.

13. THE DATA PROTECTION OFFICER

Our Data Protection Officer and the first point of contact for enquirers is Director **Vijay Mistry**: vijay@2funkyarts.co.uk.

14. RETENTION AND DISPOSAL OF DATA

14.1 2Funky Arts will keep some forms of information for longer than others. Because of storage issues, information about staff, volunteers and participants cannot be kept indefinitely, unless there are specific requests to do so. **Appendix 9** provides a summary of the archiving guidelines and retention times employed by 2Funky Arts.

14.2 When disposing of any document containing personal data, care should be taken to ensure that the document is shredded before consigning to the waste collection.

15. COMPLAINTS PROCESS

15.1 Any complaints concerning the 2Funky Arts processing of personal data should be addressed to the Data Protection Officer in the first instance who will investigate the complaint and make a response.

15.2 In the event that a response has been made and the complainant feels that the complaint has not been properly addressed, complainants may contact the Information Commissioner's Office.

You can contact them on 01625 545745 or 0303 123 1113.

15.3 Please see our Complaints Policy & Procedure and Data Breach Response Policy for other relevant documents.

16. CONCLUSION

Compliance with the Data Protection Act is the responsibility of all staff members of 2Funky Arts. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or access to 2Funky Arts facilities being withdrawn, or even prosecution. Any questions or concerns about the interpretation or operation of this policy should be taken up with the designated Data Protection Officer.

17. APPENDICES

1. Definition of personal data/special category data

2. Guidance to staff/volunteers dealing with data

3. Standard format for privacy notices

4. Breach reporting form

5. Standard request for Access to Data

6. Draft response to a SAR

7. Data amendment/deletion request form

8. Consent withdrawal form

9. Archiving and retention guidelines (summary)

APPENDIX 1

PERSONAL DATA/SPECIAL CATERGORY DATA DEFINITIONS

Under the GDPR, the data protection principles set out the main responsibilities for organisations.

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 measure.

| | |
|--|---|
| Personal Data meaning any information relating to an identifiable person who can be directly or indirectly identified by reference to an identifier. | ◆ Name, Date of birth, Address, Postcode, NHS number, National Insurance Number, Next of kin or carers details, Bank details, IP address, Location data. |
| Special categories of personal data | ◆ Race, Ethnic origin, Political opinions, Religious beliefs, Trade Union Membership, Physical or mental health condition, Sexual life, Sexual orientation, Genetic data, and Biometric data. |
| Corporate or Commercial | ◆ Reports, Accounts, Contracts, Agreements, Policies, Correspondence, Standard Operation Procedures, Job Descriptions. |

Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing.

APPENDIX 2

STANDARD FORMAT FOR PRIVACY NOTICE

WHAT INFORMATION DO WE HOLD ABOUT YOU?

Information we collect from you

You provide us with personal data when you complete a registration form, volunteer application form, and/or employment form. This includes your name, address, date of birth, contact information, gender, ethnicity, next of kin, parent/ carers (for under 18s and members under 25 with learning difficulties & disabilities), previous education and qualifications, any medical or support needs and (for employees or freelance workers) bank account information. We also collect information about offences, where relevant.

Other information

We may keep information contained in any correspondence by post or email. We may also obtain other information about you permitted by law. This may include from previous educational institutions, referees, social services, the police or other agencies.

WHY DO WE COLLECT THIS INFORMATION?

We collect information in order to enable us to fulfil our obligations in relation to providing services, activities and employment, to comply with the requirements of funding agencies, and to meet other statutory requirements.

WHO MIGHT WE SHARE YOUR INFORMATION WITH?

We will keep this information about you confidential. We may be asked to share data with other third parties where there is a lawful reason for their request. These may include: the police, social services, HMRC, The Charity Commission, Companies House and/ or other Government agencies. We will not share your details with any other third party, including commercial companies, without your consent to do so.

WHAT DO WE DO WITH YOUR INFORMATION?

We collect this information in order to:

- ◆ Meet our contractual obligations to you (i.e. providing you with support, service, activities etc).
- ◆ Verify your identity for security and safeguarding purposes.
- ◆ Keep records for the proper and necessary administration of the charity.
- ◆ Monitor our performance for example with respect to a particular service or activity we provide and identifying trends to improve our services and activities.
- ◆ Assist in funding and reporting purposes: we analyse anonymised data for annual reports, newsletters, reports to funders and for promoting activities.

- ◆ Maintain safety and wellbeing: knowing who is in the building during activities, fire safety and sharing any provided medical information to health professionals in case of an emergency.

HOW LONG DO WE KEEP THIS INFORMATION ABOUT YOU?

We keep information in accordance with our records retention policy. Retention periods are in line with the length of time we need to keep your personal information in order to offer you support or service and handle any future information issues. They also take into account our need to meet any legal, statutory and regulatory obligations. These reasons can vary from one piece of information to the next. In all cases our need to use your personal information will be reassessed on a regular basis and information which is no longer required will be disposed of.

HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME?

Subject access requests

The General Data Protection Regulation (GDPR) grants you the right to access particular personal data that we hold about you. This is referred to as a subject access request. We will respond within one month from the point of receiving the request and all necessary information from you. Our formal response will include details of the personal data we hold about you, including the following:

- ◆ Sources from which we acquired the information
- ◆ The purposes for processing the information, and
- ◆ Persons or entities with whom we are sharing the information.

You can make a subject access request by completing the request form or by emailing it to vijay@2funkyarts.co.uk

WHAT ARE MY RIGHTS?

Subject access requests

The General Data Protection Regulation (GDPR) grants you the right to access particular personal data that we hold about you.

Right to rectification

You have the right to obtain from us, without undue delay, the rectification of inaccurate personal data we hold concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to erasure

You have the right to obtain from us the erasure of personal data concerning you without undue delay.

Right to restriction of processing

Subject to exemptions, you have the right to obtain from us restrictions of processing where one of the following applies:

- ◆ The accuracy of the personal data is contested by you and is restricted until the accuracy of the data has been verified;
- ◆ The processing is unlawful and you oppose the erasure of the personal data and instead request the restriction in its use;
- ◆ We no longer need the personal data for the purposes of processing, but it is required by you for the establishment, exercise or defence of legal claims;
- ◆ You have objected to processing of your personal data pending the verification of whether there are legitimate grounds for us to override these objections.

Notification obligation regarding rectification or erasure of personal data or restriction of processing

We shall communicate any rectification or erasure of personal data or restriction of processing as described above to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall provide you with information about those recipients if you request it.

Right to data portability

You have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller, without hindrance from us.

Right to object

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including any personal profiling; unless this relates to processing that is necessary for the performance of a task carried out in the public interest or an exercise of official authority vested in us. We shall no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights, and freedoms of you or for the establishment exercise or defence of legal claims.

Right to not be subject to decisions based solely on automated processing

We do not carry out any automated processing leading to an automated decision based on your personal data.

Accuracy of information

We take reasonable steps to ensure the accuracy of any personal data or sensitive information we obtain. We also consider when it is necessary to update the information, such as name or address changes and you can help us by informing us of these changes when they occur.

WHO CAN I CONTACT IF I HAVE ANY QUESTIONS OR CONCERNS?

If you have any questions or queries which are not answered by this Privacy Notice, or have any potential concerns about how we may use the personal data we hold, please write to the Data Protection Officer at 2Funky Arts – vijay@2funkyarts.co.uk

If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO), you can contact them on 01625 545745 or 0303 123 1113.

You also have the right to judicial remedy against a legally binding decision of the ICO where you consider that your rights under this regulation have been infringed as a result of the processing of your personal data. You have the right to appoint a third party to lodge the complaint on your behalf and exercise your right to seek compensation.

PRIVACY NOTICE CHANGES

This Privacy Notice is regularly reviewed. We reserve the right at all times, to update, modify or amend this Notice. We suggest that you review this Privacy Notices from time to time to ensure you are aware of any changes we may have made, however, we will not significantly change how we use information you have already given to us without your prior agreement.

APPENDIX 3

GUIDANCE TO STAFF/VOLUNTEERS DEALING WITH PERSONAL DATA

Anyone who deals with Personal Information is required to handle that information confidentially and sensitively. All personal information, whether held on a computer or in hard copy, CCTV, audio or video recordings or email, is subject to the General Data Protection Regulation (GDPR), which came into force on 25 May 2018.

Collecting information

- ◆ Individuals should be provided with sufficient information so that they understand why their data is being processed. Some processing will not be possible to perform without the consent of the individual data subject.

Consent

- ◆ If no other legal condition applies to a particular purpose, then it is necessary to obtain the data subject's consent before processing can begin.
- ◆ In order for consent to be legitimate, the GDPR sets stringent conditions: consent must be freely given, unambiguous and not incentivised. It must be a positive action, i.e. it cannot be inferred from failure to respond or from a failure to 'opt-out'.
- ◆ Withdrawal of consent (at any stage of the processing) must be easy and simple to provide.

Conversations and meetings

- ◆ Personal/confidential information should preferably not be discussed in open areas.
- ◆ Wherever possible, clients should be escorted to a private room or office and not be permitted to wander about the premises on their own whilst on the phone.
- ◆ All staff should be aware of the difficulties of ensuring confidentiality in an open plan area and respect the confidential nature of any information inadvertently overheard.
- ◆ Information on clients, or groups of clients must not be released to other clients, as it may be a breach of confidentiality and of the General Data Protection Regulation (GDPR).

Release of information

- ◆ Information can only be passed to third parties with the express permission of the data subject (see section 9 above). For example, addresses (including email addresses) or telephone numbers must not be released to any third parties, even if they claim to be close friends or family members. In emergencies, staff can contact the client or member of staff themselves and pass on messages.
- ◆ For all requests, verification of identity will be required e.g.
 - Ask for full name of the person calling and address of their location, collar number (police), telephone number or email.
 - Ask for the request to be made in writing using an official form or where there is no official form to use, then an email from the individual from their work email address should be requested.
 - Give our direct telephone number and name of contact here and call the professional back via their switchboard to check they are who they say they are.

Disposal of confidential material

- ◆ Any other confidential material should be disposed of by shredding.
- ◆ Particular care should be taken to delete information from computer hard drives if a machine is to be disposed of or passed on.
- ◆ No information, including registers, should be left out in the open or on top the desk.

Staff responsibilities

All staff should be aware of and follow the above guidelines, and seek further guidance where necessary.

APPENDIX 4

DATA BREACH REPORTING FORM

Please complete all sections and return to the Data Protection Officer.

| | |
|--|--|
| Name: (person reporting the breach) | |
| Date of Breach: | |
| Time of Breach: <i>2Funky Arts may need to report a breach to the ICO within 72 hours so immediate reporting and a log of the time is essential.</i> | |
| Date reported to data protection officer: | |
| Reasons for delay in reporting (if relevant): | |
| Description of Breach: | |
| What type of data has been lost/damaged/destroyed? | |
| Who (individual/individuals) will be affected by the breach? | |
| What action has been taken since becoming aware of the breach? | |
| What action is required to prevent this happening again? | |
| Any other information | |

APPENDIX 5

STANDARD REQUEST FORM FOR ACCESS TO DATA

It is not mandatory to use this form, but it will help us to give a timely and accurate response to your subject access request under Article 15 of the General Data Protection Regulation.

| | |
|---|--|
| Date: | |
| Title: | |
| Surname: | |
| Forename(s): | |
| Other name(s) by which you have been known: (if applicable) | |
| Address: | |
| Email address: | |
| Preferred response format: (hard copy, electronic format etc) | |
| Relationship to 2Funky Arts: | |
| Proof of ID enclosed/attached (ideally send a photocopy/scan of one form of photo ID): | |
| Description of your request, including information to help us locate the personal data you seek: | |

I understand that a 'reasonable fee' may be made if a request is manifestly unfounded or excessive, particularly if it is repetitive.

I understand that 2Funky Arts may also charge a reasonable fee to comply with requests for further copies of the same information.

Signed:

Date:

Please return this form to the Data Protection Officer,
2Funky Arts Ltd, 119 Granby Street, LE1 6FD, Leicester.

APPENDIX 6

RESPONSE TO SUBJECT ACCESS REQUEST

To be sent by email or hard copy depending on how the request has been made and the wishes of the subject.

| | |
|-----------------|-------------------|
| Date: | Reference: |
| Address: | |

Dear [...]

In response to your subject access request for data held by 2Funky Arts about you, I can confirm the organisation holds the following data and for the purposes described below.

| |
|---|
| What data we hold about you and a description of the personal data |
| |
| The source of the data |
| |
| Why we process the data |
| |
| Whether we share the data with any third parties |
| |
| How long we will retain the data |
| |

Attached/enclosed is a copy of the data.

Should you have any further queries, please do not hesitate to contact me.

Yours sincerely,

Data Protection Officer

APPENDIX 7

REQUEST FOR DATA AMENDMENT/DELETION/END TO PROCESSING

| |
|--------------------------|
| Name: |
| Address: |
| Email: |
| Telephone number: |

Please enter a description of the data which you wish to have amended/deleted/no longer processed:

Please explain why you wish the data to be amended/deleted or why processing should stop.

Signed:

Date:

Please return this form to the Data Protection Officer

APPENDIX 8

WITHDRAWAL OF CONSENT FORM

I (insert name) wish to withdraw my consent to the processing of data that 2Funky Arts has about me in the following categories:

- a)** Personal details including name, address, date of birth etc
- b)** Race, religion, ethnic origin
- c)** Health and medical matters
- d)** Sexual life
- e)** Political, religious or trade union information
- f)** Criminal offences
- g)** Use of photographs for promotional purposes
- h)** Use of other personal data for promotional purposes
- i)** Use of personal data for research purposes
- j)** Other information (please list below)

.....
.....
.....
.....
.....
.....
.....

Signature:

Date:

Please note that 2Funky Arts may not require consent for the processing of some data in order that it continues to fulfil other statutory obligations. Withdrawal of consent may therefore not affect the company's ability to process your data.

Please return this form to the Data Protection Officer.

APPENDIX 9

ARCHIVING AND RETENTION GUIDELINES

| Type of Data | Retention Period | Reason |
|--|---|--|
| Personnel Files; training records; notes of grievance and disciplinary hearings | 6 years from the end of employment | Provision of references and limitation period for litigation |
| Staff Application forms; interview notes | 6 months from the date of the interviews | Limitation period for litigation |
| Facts relating to redundancies (less than 20) | 3 years from the date of redundancies | Limitation period for litigation |
| Income Tax and NI returns: correspondence with Tax Office | 3 years after the end of the financial year to which the records relate | Income Tax (Employment) Regulations 1993 |
| Statutory Maternity Pay records and calculations | 3 years after the end of the financial year to which the records relate | Statutory Maternity Pay (General) Regulations 1986 |
| Statutory Sick Pay records and calculations | 3 years after the end of the financial year to which the records relate | Statutory Sick Pay (General) Regulations 1982 |
| Wages and salary records | 6 years from the last date of employment | Taxes Management Act 1970 |
| Records and reports of accidents | 3 years after the date of the last entry | RIDDOR 1985 |
| Health Records | During Employment | Management of Health and Safety at Work Regulations |
| Health Records where reason for termination of employment is concerned with health, including stress-related illness | 3 years | Limitation period for personal injury claims |
| Medical Records kept by reason of the Control of Substances hazardous to health | 40 years | COSHHR 1994 |
| Client Records | 2 years from the last day attendance | Drop-in nature of the service. Client records are kept open |
| Records relating to funds administered under the European Social Fund | 31 December 2030 at the earliest | ESF Guidance |