

WHALE Arts

GDPR Fair Processing Notice **(How we use your personal information)**

WHALE Arts is the cultural anchor organisation for Wester Hailes. We are a community-led arts charity and social enterprise, set up by local people in 1992. Our mission is to be the creative heart of a vibrant, thriving community.

As a community organisation, we sometimes collect your personal information. This notice explains what information we collect from you, why we collect it, and how we use it. During the course of our activities we will process personal data (which may be held on paper, electronically or otherwise) about you, and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we handle your information.

WHALE Arts Agency is a company limited by guarantee (SC180118) with charitable status (SC020305). Our Registered Office is 30 Westburn Grove, Edinburgh, EH14 2SA.

We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted.

Our Chief Executive Leah Black has been appointed as our Data Controller and can be contacted by email on info@whalearts.co.uk

1. How we collect information from you and what information we collect

This privacy notice tells you what to expect when Whale collects personal information. It applies to information we collect about: This privacy notice explains what to applies to:

- Member
- Participant i.e. an individual who takes part in a workshop or activity
- Employee or freelancer working for WHALE Arts
- Trustee

We collect the following personal information about you:

- Name
- Address
- Telephone number/ mobile number
- E-mail address
- Photos (only if consent has been given)

If you join as a Trustee we additionally collect

- Date of birth

2. Why we need this information about you and how it will be used

We need this information to:

- Comply with the legal requirement from the Scottish Charity Regulator (OSCR) that as a Scottish Charity we maintain a Register of Members and a Register of Charity Trustees.

- Comply with the terms of our legal constitution approved by OSCR that people joining the WHALE Arts as voting individual members live within our defined geographical area and are either 16 years old or over.
- Reporting to funders.
- Keep people on our mailing list, both members and contacts, up to date with our news, events and information where this is of legitimate interest to them through post, email, phone or text message.
- Use photos, where consent has been given, to share project activity with funders, and to publicise the work of WHALE Arts in print, on our website and through social media sites. We always collect photo consent before events and will not publish photos unless consent has been provided.

3. Sharing of Your Information

The information you provide to us will be treated as confidential and will be processed within the UK/ EEA. We will only share your information with other third parties in the following circumstances:

- We have a duty which is required by OSCR to provide a copy of the Register of Members if requested by a WHALE Arts Member or Trustee. If the request is reasonable, we need to provide this within 28 days. If the person making the request is a member but not a Trustee, we will omit the addresses of all members from the copy of the register we supply so that only names are shared.
- We have a duty which is required by OSCR to provide a copy of the Register of Charity Trustees if requested by an individual. If the request is reasonable, we need to provide this within 28 days. If the person making the request is not a WHALE Arts Trustee, we will omit the addresses of all charity trustees from the copy of the register we supply so that only names are shared.

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

4. Security

When you give us information we take steps to make sure that your personal information is kept secure and safe.

- Register of Members, registers of participants, register of charity Trustees, recruitment and employee data, stakeholder and partner data, photos and videos, public protection data and CCTV recordings are stored securely on our server which is password protected and only accessible by WHALE Arts staff.
- Our general e-mail list is stored securely in Mailchimp which is password protected and only accessible by WHALE Arts staff.
- Our SMS list is stored securely in Clicksend which is password protected and only accessible by WHALE Arts staff.
- We may hold CCTV footage for longer than this period if this relates to an incident.
- Only WHALE Arts in its role as data processor have access to personal data stored online.
- We offer Data Protection Training to board, staff and volunteers.

5. How long we will keep your information

Register of Charity Trustees	6 years from when a person stops being a trustee as required by OSCR
Register of Members	6 years from when a person stops being a member as required by OSCR
Register of Participants	Set up as opt-in and those signed up can opt-out and audited on an ongoing basis
Email Mailing List	Set up as opt-in and those signed up can opt-out
Photos and Videos	Consent collected media can be deleted on request
Employees	6 years after the end of the employee's contract
Recruitment	6 months after the recruitment process (unless consent has been given by the applicant to hold this data for future recruitment opportunities)
CCTV	Up to 30 days

All confidential data is destroyed in line with the General Data Protection Regulation 2018. We acknowledge and abide by the right to erasure of personal data, or 'the right to be forgotten'. Individuals can make a request for erasure verbally or in writing where we will respond within a month and delete data as requested. ID may be requested to prove your identity for this request. In some circumstances where we may hold data longer and we will inform you of this, as in line with GDPR 2018. We may anonymise data or retain data anonymously as in line with GDPR 2018 for evaluation and funder reporting purposes.

6. Your Rights

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- require us to correct any inaccuracies in your information;
- make a request to us to delete what personal data we hold about you.

If you would like to exercise any of your rights above please contact us info@whalearts.co.uk

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0131 244 9001
Email: Scotland@ico.org.uk

The accuracy of your information is important to us - please help us keep our records updated by informing us of any changes to your email address and other contact details.

WHALE Arts ICO Reference Number: **Z5850413**