

### Compliance with the General Data Protection Regulation (GDPR)

Effective Date: 25<sup>th</sup> May 2018

The following was taken the website: <https://www.itgovernance.co.uk/data-protection-dpa-and-eu-data-protection-regulation> and the RCA Data Protection Policy has been formulated from the requirements identified below:

#### 1. Lawful processing

You must identify and document the lawful basis for any processing of personal data. The lawful bases are:

- Direct consent from the individual;
- The necessity to perform a contract;
- Protecting the vital interests of the individual;
- The legal obligations of the organisation;
- Necessity for the public interest; and
- The legitimate interests of the organisation.

#### 2. Valid consent

There are stricter rules for obtaining consent:

- Consent must be freely given, specific, informed and unambiguous.
- A request for consent must be intelligible and in clear, plain language.
- Silence, pre-ticked boxes and inactivity will no longer suffice as consent.
- Consent can be withdrawn at any time.
- Consent for online services from a child under 13 is only valid with parental authorisation.
- Organisations must be able to evidence consent.

#### 3. Privacy rights of individuals

Individuals' rights are enhanced and extended in a number of important areas:

- The right of access to personal data through subject access requests.
- The right to correct inaccurate personal data.
- The right in certain cases to have personal data erased.
- The right to object.
- The right to move personal data from one service provider to another (data portability).

#### 4. Transparency and privacy notices

Organisations must be clear and transparent about how personal data is going to be processed, by whom and why.

- Privacy notices must be provided in a concise, transparent and easily accessible form, using clear and plain language.

### GDPR Policy

This policy relates to the personal data that RCA holds.

1. RCA holds names - christian and surname (where given) - and e-mail addresses for people who have declared an interested in our events and who have provided their data and confirmed that they are content that we hold it as set out below
2. Personal data in the form of names and e-mail addresses is held in electronic form
  - a) on a subscriber list in Mailchimp (see page 3)
  - b) on an excel spreadsheet on a personal computer which is protected with up to date virus and web guards
3. Personal data is held to publicise arts events:
  - a) organised by RCA held at Resolis Memorial Hall, or other localities in Resolis Parish,
  - b) organised by neighbouring parish promoters, such as Cromarty Arts Trust and Cromarty and Resolis Film Society,
  - c) exceptionally those promoted elsewhere on the Black Isle which RCA consider will be of special interest to the mailing list.
4. Committee members names and addresses are held on a personal computer (as above) and is provided on the Resolis Memorial Hall booking forms to comply with the Hall Committee requirements.
5. **RCA will never** pass on personal data to a third party or use personal data in a way not described in the policy above (no 3).
6. RCA requests 'opt in' consent from anyone wishing to be included on the mailing list. This will be achieved through:
  - a) initially, a mailchimp will be (was) sent to the existing list requesting a response providing permission. As this is now an opt-in-system "no replies" will be removed from the list.
  - b) for new addresses, through an e-mail consent. Either the person has sent an e-mail requesting inclusion, or if the request is not electronic, an e-mail is sent requesting a response specifically giving consent.
7. E-mail consents will be held on a personal computer in a separate folder indefinitely.

**RCA** uses mailchimp as a simple, effective means of advertising our gigs to people who have opted into our mailing list.

**MailChimp** provide a service that enables the sending of e-mail-based information to large numbers of people.

Mailchimp provide a free service for small (<2,000 addresses) mail lists. As a result they expect to collect information, which in our case is limited (see our policy page 2).

If you wish to read in detail Mailchimp's privacy policy and terms of use see

[https://mailchimp.com/legal/privacy/?  
\\_ga=2.196582892.1574280321.1524469456-259164716.1523175816](https://mailchimp.com/legal/privacy/?_ga=2.196582892.1574280321.1524469456-259164716.1523175816)

<https://mailchimp.com/legal/terms/>