



BE.Dance

General Data Protection Regulation Policy Statement

GDPR stands for General Data Protection Regulation and replaces the previous Data Protection Directives that were in place. It was approved by the EU Parliament in 2016 and comes into effect on 25th May 2018.

GDPR states that personal data should be 'processed fairly & lawfully' and 'collected for specified, explicit and legitimate purposes' and that individuals data is not processed without their knowledge and are only processed with their 'explicit' consent. GDPR covers personal data relating to individuals.

BE.Dance is committed to protecting the rights and freedoms of individuals with respect to the processing of children's, parents, visitors and staff personal data.

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

BE.Dance is registered with the ICO (Information Commissioners Office) under registration reference: ZA361317

GDPR includes 7 rights for individuals

1) The right to be informed

BE.Dance is required to collect and manage certain data. We need to know parent's names, addresses, telephone numbers, email addresses. We need to know children's' full names, addresses, date of birth along with any SEN or medical requirements, including details on COVID-19.

We are required to collect certain details of visitors and chaperones to our dance school. We need to know visitors and chaperones names, telephone numbers, and where appropriate company name. This is in respect of our Health and Safety and Safeguarding Policies.

Although our teachers and chaperones for performances are freelance, BE.Dance is required to hold data on its Teachers and Chaperones; names, addresses, email addresses, telephone numbers, date of birth, National Insurance numbers and in some cases, photographic ID such as passport and driver's license, bank details. This information is also required for Disclosure and Barring Service checks (DBS) and proof of eligibility to work in the UK. This information is sent via a secure file transfer system to DDC for the processing of DBS checks. DBS Numbers and date of issue are also held on a central staffing record. Copies of teachers DBS are shared with the respective schools in which the teachers work in for Safeguarding purposes.

BE.Dance does not use Cookies on its website nor do we collect data for Google Analytics.

2) The right of access

At any point an individual can make a request relating to their data and BE.Dance will need to provide a response (within 1 month). BE.Dance can refuse a request, if we have a lawful obligation to retain data but we will inform the individual of the reasons for the rejection. The individual will have the right to complain to the ICO if they are not happy with the decision.

3) The right to erasure

You have the right to request the deletion of your data where there is no compelling reason for its continued use. However BE.Dance has a legal duty to keep children's and parent's details for a reasonable time, BE.Dance retain these records for 3 years after leaving the dance school, children's accident and injury records for 19 years (or until the child reaches 21 years), and 22 years (or until the child reaches 24 years) for Child Protection records.

Teachers records must be kept for 6 years after the member of leaves, before they can be erased.

This data is archived securely onsite and shredded after the legal retention period.

4) The right to restrict processing

Parents, visitors and staff can object to BE.Dance processing their data. This means that records can be stored but must not be used in any way, for example reports or for communications.

5) The right to data portability

BE.Dance requires data to be transferred from one IT system to another; such as from BE.Dance to the Local Authority, for performance BOPA licenses or the equivalent. These recipients use secure file transfer systems and have their own policies and procedures in place in relation to GDPR. BE.Dance may also be required to pass on data for the National Track and Trace programme with regards to COVID-19.

6) The right to object

Parents, visitors and staff can object to their data being used for certain activities like marketing or research.

7) The right not to be subject to automated decision-making including profiling.

Automated decisions and profiling are used for marketing based organisations. BE.Dance does not use personal data for such purposes.

Storage and use of personal information

All paper copies of children's and staff records are kept in a locked filing cabinet at 175 Seely Road. Members of staff can have access to these files but information taken from the files about individual children is confidential and apart from archiving, these records remain on site at all times. These records are shredded after the retention period. Paper registration forms are shredded immediately after the data has been put onto the BE.Dance database.

Information about individual children is used in certain documents, such as, a weekly register, medication forms, referrals to external agencies and disclosure forms. These documents include data such as children's names, date of birth, contact numbers and sometimes address. These records are shredded after the relevant retention period.

BE.Dance collects a large amount of personal data every year including; names and addresses of those on the waiting list. These records are shredded if the child does not attend or added to the child's file and stored appropriately.

BE.Dance stores personal data held visually in photographs or video clips or as sound recordings, and written consent has been obtained via the photo and video consent form/permission to Perform agreement form. No names are stored with images in photo albums, displays, on the website or on BE.Dance's social media sites.

Access to all BE.Dance computers and the Dancebiz database for registers is password protected. When a teacher leaves the company these passwords are changed in line with this policy and our Safeguarding policy. Any portable data storage used to store personal data, e.g. USB memory stick, are password protected and/or stored in a locked filing cabinet.

GDPR means that BE.Dance must;

- * Manage and process personal data properly
- * Protect the individual's rights to privacy
- * Provide an individual with access to all personal information held on them

This Policy was adapted at a meeting at BE.Dance in April 2022.

Signed on behalf of BE.Dance.

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Rebecca Carter
Director
BE.Dance

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Amy Morris
Director
BE.Dance

Policy review date: September 2022

Retention periods for records

Children's records	Retention period	Status	Authority
Children's records - including registers, medication record books and accident record books pertaining to the children	A reasonable period of time after children have left the provision.	Requirement	Statutory Framework for the Early Years Foundation Stage (given legal force by Childcare Act 2006)
	Until the child reaches the age of 21 - or until the child reaches the age of 24 for child protection records	Recommendation	Limitation Act 1980 Normal limitation rules (which mean that an individual can claim for negligently caused personal injury up to 3 years after, or deliberately caused personal injury up to 6 years after the event) are postponed until a child reaches 18 years of age
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Personnel records			
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases	Recommendation	Chartered Institute of Personnel and Development
DBS check	6 months	Recommendation	DBS Code of Practice The following basic information should be retained after the certificate is destroyed: the date of issue; the name of the subject; the type of disclosure; the position for which the disclosure was requested; the unique reference number; and the details of the recruitment decision taken
Pay			
Wage/salary records (including overtime, bonuses and expenses)	6 years	Requirement	Taxes Management Act 1970

Health and safety			
Records of any reportable death, injury, disease or dangerous occurrence	3 years after the date the record was made	Requirement	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (as amended)
Accident/medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	Requirement	The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Assessments under Health and Safety Regulations and records of consultations with safety representatives	Permanently	Recommendation	Chartered Institute of Personnel and Development
Financial records			
Accounting records	3 years from the end of the financial year for private companies, 6 years for PLC	Requirement	Companies Act 2006
	6 years for charities	Requirement	Charities Act 2011
Administration records	Retention period	Status	Authority
Employers' liability insurance records	For as long as possible	Recommendation	Health and Safety Executive
	Permanently	Recommendation	Chartered Institute of Personnel and Development

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