

Privacy Notice for Contacts

Date: October 2021

What is the purpose of this document?

Leeds Youth Opera (**LYO**) (Charity no. 1139608) (company no. 07302032) of 19 Cookridge Street, Leeds, West Yorkshire LS2 3AG is committed to protecting the privacy and security of the personal information of the people (**Data Subjects**) we deal with in the course of: raising awareness about/promoting, and then holding or participating in, the activities that we (or others) may hold/undertake; or raising awareness about/promoting the activities that we (or others) may provide. (together **Charity Activities**).

This privacy notice describes how we collect and use personal information about Data Subjects before, during and after we undertake our Charity Activities in accordance with UK data protection law (including regulations on marketing activities). It applies to all Data Subjects (whether current or former).

LYO is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about Data Subjects. We are required under data protection legislation to notify Data Subjects of the information contained in this privacy notice.

This notice does not form part of any contract to undertake our Charity Activities. We may update this notice at any time.

It is important that Data Subjects read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about Data Subjects, so that they are aware of how and why we are using such information.

Complaints

If you have any questions about this privacy notice or how we handle the personal information referred to in it, please contact leedsyouthopera@gmail.com. If you have any complaints about the processing of the personal information referred to in this privacy notice, you have the right to make a complaint to the Information Commissioner’s Office (**ICO**) (www.ico.org.uk), the regulator and supervisory authority for data protection in the UK.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about Data Subjects must be:

Used lawfully, fairly and in a transparent way.

1. Collected only for valid purposes that we have clearly explained to them and not used in any way that is incompatible with those purposes.
2. Relevant to the purposes we have told them about and limited only to those purposes.
3. Accurate and kept up to date.
4. Kept only as long as necessary for the purposes we have told them about.
5. Kept securely.

The kind of information we hold about Data Subjects

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about Data Subjects in the course of undertaking our Charity Activities:

- Personal contact details such as name, title, addresses, telephone numbers and email addresses.
- Opinions and feedback relating to our Charity Activities.
- Information about use of our information and communication systems.
- Photographs or videos of participants in Charity Activities.

We may also collect, store and use the following “special categories” of more sensitive personal information about Data Subjects:

- Information about race or ethnicity, religious or philosophical beliefs, sexual orientation, trade union membership and political opinions.
- Information about physical and/or mental health (including information about disabilities and access and dietary requirements which we need to cater for in Charity Activities).

How is personal information about Data Subjects collected?

We typically collect personal information about Data Subjects from parents/guardians of the Data Subject or directly from the Data Subjects.

We will collect additional personal information about Data Subjects in the course of undertaking our Charity Activities. For example, it may be necessary for a Data Subject

to provide to us with personal information about other Data Subjects (including “special category” personal information (see below).

How we will use information about Data Subjects

We will only use personal information about Data Subjects when the law allows us to do so. Most commonly, we will use personal information about Data Subjects in the following circumstances:

1. Where we have obtained the Data Subject’s freely given, specific, informed and unambiguous consent by way of a statement or clear affirmative action.
2. Where we need to perform a contract that we have entered into with the Data Subject.
3. Where we need to comply with a legal obligation.
4. Where it is necessary for our legitimate interests (or those of a third party) and the interests and fundamental rights of the Data Subject do not override those interests.

We may also use personal information about Data Subjects in the following situations, which are likely to be rare:

1. Where we need to protect the Data Subject’s vital interests (or someone else’s vital interests).
2. Where it is needed in the public interest.

Situations in which we will use personal information about Data Subjects

We process the categories of information in the list above (under the heading *The kind of information we hold about Data Subjects*) where we have received the freely given, specific, informed and unambiguous consent to do so by the Data Subject, or to pursue legitimate interests of our own or those of third parties such as Leeds City Council, provided the interests and fundamental rights of the Data Subject do not override those interests. The situations in which we will process personal information about Data Subjects in respect of our Charity Activities are listed below.

- Sending communications about our Charity Activities to Data Subjects in line with their requests and preferences
- Ensuring that we hold accurate contact and other information about Data Subjects through centralised and secure databases and filing systems. For these purposes we use software licensed to us by a third party software provider
- Processing enquiries and requests for our Charity Activities and shows and considering and responding to those enquiries and requests

- Obtaining dietary and other special requirements relating to a Data Subject's health in connection with the events/activities that we (or others) may hold/undertake and sharing this information where necessary in order to ensure that any such requirements are accommodated and catered for
- Sharing information with third party hosts or organisers of events that we may hold or participate in. We will only do so if we have notified you in advance of the identity of any such host or organiser
- Undertaking internal quality control of our Charity Activities. This will include processing opinions and feedback relating to our Charity Activities and maintaining records relating to the same
- Administering and managing the events that we hold, the activities that we undertake and the legal (and other) information, insights and updates that we publish, as a Charity. This will include processing personal information in booking and mailing list sign-up forms.
- Administering and sending occasional communications to mark customary occasions
- Promoting the Charity Activities

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of personal information about Data Subjects.

We will only process "special categories" of personal information in accordance with the paragraph below headed How we use particularly sensitive information.

Change of purpose

We will only use personal information about Data Subjects for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use the personal information of Data Subjects for an unrelated purpose, we will tell them about the legal basis which allows us to do so.

Please note that we may process personal information about Data Subjects without their knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal information about Data Subjects with the explicit written consent of the Data Subject.

Less commonly, we may process this type of information where:

1. it is needed in the substantial public interest;
2. it is needed in relation to legal claims;
3. it is needed to protect the vital interests of the Data Subject (or someone else's vital interests); or
4. the Data Subject has already made the information public, and the processing is undertaken in line with our Data Protection Policy.

Marketing Activities

Where we use the personal information of Data Subjects for direct marketing purposes (e.g. to inform them about Charity Activities) and we have previously either provided similar services to them (e.g. they have attended our Charity Activities or one of our shows) or they have enquired about our Charity Activities, we may send direct marketing via email on the basis that it is in our legitimate interests to do so. We may also send direct marketing to Data Subjects via email on this basis where the email would be classified as a business to business communication.

Where we send emails for direct marketing purposes on the basis of our legitimate interests, we will always give Data Subjects the opportunity to opt-out of receiving future direct marketing communications from us.

In all other cases, we will only undertake direct marketing activities via email where we have the Data Subject's consent to do so.

Automated decision-making

We do not envisage that any decisions will be taken about Data Subjects using automated means. However, we will tell them if this position changes.

Data sharing

In order to undertake our Charity Activities, we may have to share personal information about Data Subjects with third parties, including third-party service providers.

We require third parties to respect the security of personal information about Data Subjects and to treat it in accordance with the law.

We may transfer personal information about Data Subjects outside the UK where the software provider is based. If we do, Data Subjects can expect a similar degree of protection in respect of their personal information.

We do not sell personal information about Data Subjects to any third party.

Why might we share personal information about Data Subjects with third parties?

We may share personal information about Data Subjects with third parties where required by law, where it is necessary for us to perform a contract with a Data Subject relating to our Charity Activities, or where we have another legitimate interest in doing so.

Which third-party service providers process personal information about Data Subjects?

The following activities are carried out by third-party service providers:

- marketing platform and email marketing services [see footnote 1]
- off-site archiving and storage facilities [see footnote 1];
- IT (including back-up) services [see footnote 1]; and
- banking facilities [see footnote 1].

How secure is personal information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect personal information about Data Subjects. We do not allow our third-party service providers to use the personal data of Data Subjects for their own purposes. We only permit them to process such personal data for specified purposes.

What about other third parties?

We may share personal information about Data Subjects with other third parties. For example, we may need to share such personal information with a regulator or to otherwise comply with the law and with Leeds City Council data collection for Arts Council grants.

Transferring information outside the UK

We use MailChimp, operated by Rocket Science Group, to help us administer our email marketing activities. Their servers and offices are located in the USA, so the personal information about Data Subjects may be transferred to, stored, or processed in the USA. MailChimp takes steps to protect the privacy of Data Subjects. MailChimp uses approved contractual clauses to safeguard the sharing of personal data outside of the UK. Further to the contractual clauses in place, measures taken by MailChimp ensure that the personal information of Data Subjects is treated in a way that is consistent with and which respects the UK laws on data protection. For further information, please see MailChimp's privacy notice which can be found here: www.mailchimp.com/legal/privacy/.

Data security

We have put in place measures to protect the security of personal information about Data Subjects. Details of these measures are available upon request.

Third-party service providers will only process personal information about Data Subjects on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent personal information about Data Subjects from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to personal information about Data Subjects to those employees, agents, contractors and other third-party service providers who need to know. Third-party service providers will only process personal information about Data Subjects on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from our DPRs.

We have put in place procedures to deal with any suspected data security breach and will notify a Data Subject, the ICO and any other applicable regulator of a suspected breach where we are legally required to do so.

Data retention

How long will we use information for?

We will only retain personal information about Data Subjects for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of personal information about Data Subjects are available in our Data Retention and Destruction Policy which is available from leedsyouthopera@gmail.com. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of the personal data, the purposes for which we process the personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise or pseudonymise personal information about Data Subjects so that it can no longer be associated with them, in which case we may use such information without further notice to them. Once a person has ceased to be a Data Subject (because, for example, they have removed themselves from our mailing lists) we will retain and securely destroy their personal information in accordance with our Data Retention and Destruction Policy.

Data Subjects' duty to inform us of changes

It is important that the personal information we hold about Data Subjects is accurate and current. We ask that Data Subjects keep us informed if their personal information changes during the course of our undertaking of our Charity Activities.

Data Subjects' rights in connection with personal information

Under certain circumstances, a Data Subject has the right to:

- *Request access to his/her personal information (commonly known as a “data subject access request”). This enables them to receive a copy of the personal information we hold about them and to check that we are lawfully processing it.*
- *Request correction of the personal information that we hold about them. This enables them to have any incomplete or inaccurate information we hold about them corrected.*
- *Request the erasure of their personal information. This enables them to ask us to delete or remove personal information where there is no good reason for us continuing to process it.*
- *Object to processing of their personal information where we are relying on a legitimate interest (or those of a third party) and there is something about their particular situation which makes them want to object to processing on this ground. A Data Subject also has the right to object where we are processing their personal information for direct marketing purposes.*
- *Request the restriction of processing of their personal information. This enables them to ask us to suspend the processing of personal information about them, for example if they want us to establish its accuracy or the reason for processing it.*
- *Request the transfer of their personal information to another party.*

If a Data Subject wants to review, verify, correct or request erasure of their personal information, object to the processing of their personal data, or request that we transfer a copy of their personal information to another party, please contact leedsyouthopera@gmail.com.

No fee usually required

Data Subjects will not have to pay a fee to access their personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if their request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from Data Subjects

We may need to request specific information from Data Subjects to help us confirm their identity and ensure their right to access the information (or to exercise any of their other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

Where a Data Subject may have provided their consent to the collection, processing and transfer of their personal information for a specific purpose, they have the right to withdraw their consent for that specific processing at any time. To withdraw a consent, a

Data Subject should contact leedsyouthopera@gmail.com. Once we have received notification that a Data Subject has withdrawn their consent, we will no longer process their information for the purpose or purposes originally agreed to, unless we have another legitimate basis for doing so in law.

Changes to this privacy notice

We review this privacy notice from time to time and reserve the right to update it at any time, and we will make a new privacy notice available to Data Subjects when we make any substantial updates. We may also tell Data Subjects in other ways from time to time about the processing of their personal information.

If you have any questions about this privacy notice, please contact our Data Protection Representatives, via email at leedsyouthopera@gmail.com or post to Leeds Youth Opera 19 Cookridge Street, Leeds LS2 3AG.