

HOLBETON FILM CLUB

UK AND EUROPEAN DATA PROTECTION LAW

GENERAL PRIVACY NOTICE - NOVEMBER 2018

Background

1. As at the date of this Privacy Notice, there are two recent developments in data protection law that apply to Holbeton Film Club:

(a) The first is that in May 2018, the European General Data Protection Regulation (“GDPR”) came into force, and substantially replaced and increased the data protection rights previously provided by the UK’s Data Protection Act 1998.

(b) The second is that, as has been normal legal procedure for particularly important legal developments as part of the UK’s membership of the EU, the UK has formulated its own replacement legislation to replace the Data Protection Act 1998, and to give reinforced effect in UK law to the provisions of GDPR - this is the Data Protection Act 2018. This new Act received Royal Assent on 25th May 2018, although the majority of its provisions have yet to come into force (perhaps after Brexit).

As an organisation that operates with a membership and a mailing list, Holbeton Film Club acquires, stores and uses personal data provided by and with the consent of its members and mailing recipients. The Club is therefore subject to the provisions of GDPR (for the time being), of the Data Protection Act 2018 as its provisions come into force, and of any new or replacement laws or regulations thereafter (“the Data Protection Legislation”).

2. Personal data broadly means any piece of information that can allow an individual to be directly or indirectly identified (for example names, addresses, email addresses). This includes data which on its own may not precisely identify an individual, but which if combined with other information – even from another source – might allow that individual to be identified. The Data Protection Legislation also now includes a category of ‘sensitive personal data’ which imposes even stricter regulation (such as medical or full financial records); however the Club holds no such data.

3. This Privacy Notice is provided by the Committee of Holbeton Film Club, which is a Data Controller and Data Processor for the purposes of the Data Protection Legislation.

Aim

4. The aim of this Privacy Notice is to explain why the Club needs the limited amount of personal data that it holds and how it will acquire, store, use and, most importantly, secure that data in order to be compliant with the Data Protection Legislation.

What is the legal basis for holding personal data of members and mailing recipients?

5. The basic premise of the Data Protection Legislation is currently that there has to be a legal basis for an organisation to hold and process personal data, and it recognises 6 such bases. The lawful basis that applies to

Club members and mailing recipients is *Consent*. This means that the Club is permitted to hold and use your data (for the limited purpose of regular communication with you about the Club’s news and events) because you have given your consent. You are entitled to withdraw that consent at any time and require the Club to erase the data that it holds for you, or to require the Club to make changes to your data that it holds. The Club asks that you make any such request in writing (email is acceptable) so that you and the Club have a record of the request.

6. To comply with the Data Protection Legislation, the personal data that the Club holds about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for the valid purposes that the Club has clearly explained to you and not used in any way that is incompatible with the purposes;
- relevant to and limited only to the purposes;
- accurate and kept up to date;
- kept only as long as is necessary for the purposes;
- kept (and erased when appropriate) securely, including ensuring that appropriate technical and security measures are in place to protect your personal data from loss, misuse, unauthorised access and disclosure.

What are your rights regarding your personal data?

7. The Data Protection Legislation establishes the following rights for you:

- the right to be informed: you have the right to be informed why the Club needs your personal data and how it will use and protect it. This is the principal purpose of this Privacy Notice.
- the right to access: you have the right to request to check the personal data that the Club holds for you. The Club is required to provide that information at the latest within one month of your request.
- the right to rectification: if the data that the Club holds for you is incorrect, out of date or incomplete, you can request that it be corrected. The Club must respond to such a request within one month.
- the right to erasure: if you believe that the Club should no longer be holding your personal data or that the Club is using it without your consent, you can request that the Club erase the data that it holds for you - the so called “*right to be forgotten*”. The Club must complete the erasure within one month of your request.
- the right to restrict processing: you have the right to restrict how the Club uses your data and the Club must act on any new restriction within one month of your request.
- the right to data portability: although this is highly unlikely in the circumstances of the Club, you have the right to request that the Club electronically moves, copies or transfers your personal data to another organisation.
- the right to object: you have the right to object if the Club uses your data for any purpose other than that to which you have consented.

Acquiring personal data – why does the Club need personal data?

8. As an organisation whose activities are highly dependent on regular communication with its members and mailing recipients, the Club requires personal data for some or all of the following purposes:

- to maintain a correct and up to date record of its current members and mailing recipients;
- to process relevant financial information relating to payment of membership fees for its annual members and other income and expenditure;
- to confirm your identity in order to provide some or all of these services;
- to contact you, in most cases by email only, to promote the activities and provide the services of the Club. The following list is not exhaustive but includes:
 - to notify you of any changes to the Club's services, events or staff;
 - to request and confirm payment of membership fees for annual members when renewal is due;
 - to advertise and give notice of forthcoming presentations by the Club and to provide news about the Club generally;
 - to give notice of and distribute papers relevant to meetings of the members of the Club and its Committee;
 - to seek your views, opinions and comments on the Club and its activities.

What personal data is required?

9. The principle is that the Club only needs the minimum personal data to run its activities efficiently and effectively. For mailing recipients this is usually limited to name and email address, unless further data is volunteered. For annual members the data is likely to include postal address, and certain banking details eg where payment of subscription has been made by cheque or direct deposit payment.

How is the data acquired?

10. In the case of annual members of the Club, the members will have subscribed and volunteered their personal data in order to become members. In the case of mailing recipients, you will have been invited to provide your name and email address to add to the Club's mailing list, and the Club will only have held and used that data if you yourself provided it voluntarily.

Storing Personal Data

11. Your personal data will be stored by holding your details in electronic format on one or more computers under the exclusive personal ownership and control of members of the Committee of the Club.

12. The Club relies on you to notify it of any changes to your data. The accuracy of your personal data will be checked with you whenever you request it or notify a change.

How long does the Club keep your personal data for?

13. In the case of annual members, the Club will keep your personal data for as long as you remain a paid-up member of the Club, and during any period pending

your anticipated renewal. In the case of mailing recipients, the Club will keep your personal data on its mailing list until you request its correction or erasure, or until it becomes evident, eg due to the Club's emails to you being undelivered, that your contact details are no longer correct.

Securing Personal Data

14. Protecting your personal data is of paramount importance to the Club. One or more members of the Committee of the Club will be the main custodians of your personal data, although access may be given to other Committee members for the normal execution of their duties.

Do we share your personal data with anyone else?

15. No. The Club will not under any circumstances share your personal data with any other person or organisation unless you have given your explicit permission for the Club to do so, or unless there is an overriding legal obligation to do so. In any event, the Club does not currently have and does not expect to have any arrangement with any other person or organisation to share any data.

What action is taken if there is a breach of data?

16. Should the Club suspect or confirm that there has been a breach of personal data, the matter will be investigated as soon as possible. The individual member(s) or mailing recipient(s) concerned will be informed of the details of the breach. If the breach falls into a category of severity that requires the Information Commissioner's Office to be informed, this will be done as soon as is practicable. The Club's rules and procedures will be urgently reviewed and, if necessary, modified to prevent any recurrence.

Summary

17. The Data Protection Legislation places a considerable legal responsibility on the Club in order to ensure that any personal data it holds on you is secure and only used for purposes which you have been made aware of as a member or mailing recipient of the Club. As outlined at the beginning of this Privacy Notice, the legal basis for holding your personal data is termed *Consent*, ie. the Club is permitted hold and use your data because you have voluntarily given your consent for the Club to do so. This Notice also describes: what personal data the Club requires; why the Club needs it; how the Club stores it; and how the Club secures it. Any further clarification can be obtained by contacting the Club using the details shown below.

How to contact the Club

18. You can contact the Club for any purpose relating to this Privacy Notice using the following details: Paddy Power, telephone 01752 872681, or email him on paddy.power@btconnect.com