

Colchester Operatic Society

Charity No. 1198865

Data Protection and Records Management Policy & Procedures

Approved November 2022. Reviewed April 2024 -No changes made.

This policy applies to any individual working on behalf of Colchester Operatic Society (“COS”) or any of its sub-committees including Colchester Operatic Society Second Edition (“CO2”), collectively known as the “Society”. It details responsibilities for management of information to support secure access and effective retention, destruction and preservation processes.

You must undertake any management of information required in order for you to complete any activities/tasks relating to the Society in line with the Society Constitution, Policies and Procedures and any relevant Legal Requirements including the Data Protection Act (2018) and the Charities Act (2022).

It is vital that all trustees/committee members, any employed/appointed professionals and members/volunteers appointed with specific tasks to complete on behalf of the Society that involve record management (referred to from hereon as “appointed persons”), manage records in line with our privacy policy and retention schedule, which are published on our website detailing what information we can hold, process and share. Retaining information for too long or destroying it too soon does not meet the standards of openness and transparency we expect and, in some cases, could be in breach of the law.

If it is necessary to destroy/delete information in line with our policies, individual requests and legal requirements, appointed persons must ensure that they are destroying all related information across all formats.

Appointed persons must follow the below **procedures/measures** to ensure Society information is kept secure, maintained effectively in line with Data Protection requirements and our privacy policy and where appropriate to do so, is shared effectively to support efficient business processes and maintain effective service delivery to our members and the public.

- Appointed persons have responsibility to make themselves aware of their obligations under our privacy policy and retention schedule. They must review any information they manage and store regularly in line with our retention schedule.
- Appointed persons have responsibility to make themselves aware of how to use any communication, storage and data management systems used by and on behalf of the Society.
- The Society recognises that appointed persons undertake work on a voluntary basis and therefore may use their own personal ICT equipment. Appointed persons must ensure they follow Society guidance on using personal ICT equipment and handling emails.
- The Society Data Protection Officer/s (DPO/s) must approve and regularly review facilities such as systems and physical storage as appropriate against

security requirements in Data Protection Law, and all appointed persons must help maintain security standards.

- Where possible information should be stored on an online storage system owned and managed by the Society. If this is not possible or appropriate, then the appointed persons must provide the relevant trustees/appointed persons with administration access on behalf of the Society.
- Any use of a commercial storage provider must be assessed and approved by trustees/officers of the Executive Committee to ensure the right security and financial provisions are place. Use of alternatives that have not been approved may not provide value for money and may not provide secure services.
- **All records stored and managed on behalf of the Society remain the property of the Society.** Appointed persons must ensure that any records (paper and/or electronic) are accessible to authorised appointed persons/officers of the Executive Committee in their absence and/or passed on to the relevant appointed persons or trustees/Executive Committee upon retirement or resignation from their appointed role, by ensuring others know where to find physical files/records, passing on the relevant physical files/records, ensuring others know how to access electronic records including giving them the necessary permissions to do so.
- Appointed persons must ensure that the information they manage is only known to an appropriate audience and must be aware of who information should be shared with, and ensure it is only shared with that audience. Should there be any breach of our privacy policy, even when accidental, this must be reported to the Society DPO/s who will ensure the appropriate action is taken and recorded in line with our privacy policy.
- Information with historical value (which is determined by trustees/officers of the Executive Committee) should be retained where possible.
- **Appointed persons must not use information records belonging to the Society for any other purposes that are not related to or do not have a direct benefit to the Society.**
- If emailing a group of individuals, such as members and members of the public on any mailing lists, on behalf of the Society, where possible this must be done bcc so contact emails are not accessible to those the message is sent to.
- Appointed persons who are either allocated with a Society email or have set up an email account for Society business purposes are responsible for managing that Email storage and information in line with our privacy policy and retention schedule. Emails should have official Email signatures that state the appointed persons name, role, the Society Charity No., the Society website, the below privacy statement and can include the Society logo.

This email (including any attachments) is intended only for the recipient(s) named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and

delete the email from your system. The contact details of the sender and recipients constitute personal data. These along with any other personal data in the email (including any attachments) must be handled in accordance with the Data Protection Act 2018. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

- Emails sent to the appointed persons on matters related to the Society and/or to the allocated/relevant Society email address remain the property of the Society and must be shared with the relevant trustees/members and officers of the Executive Committee if requested or upon resignation or retirement of your role.
- Appointed persons should ensure any forms or documents created on behalf of the Society that collect personal data should include our privacy statement in accordance with our Privacy Policy. They must store them securely and ensure they are securely destroyed when they are no longer required following our retention schedule.

If any appointed persons leave/retire/resign from their role within/for the Society they have no further authorisation to handle data relating to the Society or on behalf of the Society, including accessing, utilising, and/or deleting data, with immediate effect, unless they have express written permission from the trustees/Executive Committee to do so for a specific and authorised purpose.

If you believe you have a valid business or legal reason for an exception to these policy points, having read and understood the reasons why they are in place, please raise a formal request by contacting the secretary.

Breach Statement

Breaches of this policy will be investigated and may result in action, including termination of your appointed role/employment and/or membership to the Society in line with clause 9.4(a)(iv) of our constitution, especially if the appointed persons fails to meet their duty as a member, in accordance with clause 9.3 of our constitution:

9. Membership of the Society

(3) Duty of members

It is the duty of each member of the Society to follow the Society's published policies and procedures, as ratified by the Executive Committee, and to exercise their powers as a member of the Society in the way they decide, in good faith and acting reasonably, would be most likely to further the purposes of the Society.

(4) Termination of membership

(a) Membership of the Society comes to an end if:

(iv) the Executive Committee decide that it is in the best interests of the Society that the member in question should be removed from membership, and pass a resolution to that effect.

Serious breaches of policy may result in legal action being taken against you.