



CARNIVAL ARTS AND MASQUERADE FOUNDATION

Company Ltd. by Guarantee No. 07403381

CAMF GENERAL DATA PROTECTION REGULATION (GDPR) PRIVACY POLICY

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1.0 ABOUT CAMF

- 1.1 Carnival Arts and Masquerade Foundation (CAMF) is a not-for-profit Charitable Company Limited by Guarantee (Number 07403381) founded in October 2011 as the new face of two previous membership Associations (Notting Hill Mas Bands Association –NHMBA, and Greater London International Mas Association – GLIMA).
- 1.1 CAMF is a membership organisation in the public voluntary or “Third” sector open to all Mas Bands and Designers participating in Carnival. CAMF places a high priority on promoting understanding of the history, significance and heritage of Carnival, particularly in Notting Hill, but also on a national and international perspective, and its contribution to London’s social, cultural and economic landscape. Its aims are:
 - a) To provide support both to the membership and producers in the Carnival Arts chain, and to the development of the wider Carnival sector; and
 - b) To create a strong platform for Carnival and Carnival Arts particularly Mas that can ensure the survival and continued prosperity of the art form into the future.
- 1.2 In this Policy, whenever you see the words ‘we’, ‘us’, ‘our’, ‘CAMF’, or ‘the Charity’ it refers to Carnival Arts and Masquerade Foundation.

2.0 GENERAL PROVISIONS OF THE GDPR

- 2.1 The General Data Protection Regulation (GDPR), which came into effect on 25th May 2018, and subsequent adoption in UK law regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children). It gives all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), which may include facts or opinions about a person. Individuals can exercise the right to gain access to their information by means of a ‘**Subject Access Request**’.
- 2.2 The GDPR also sets out specific rights for individuals in relation to records held within an organisation’s system. Details of GDPR requirements are available at the Information Commissioner’s website (www.ico.gov.uk).

3.0 RATIONALE OF THE GDPR POLICY

- 3.1 CAMF is committed to complying with the provisions of the GDPR and appreciates the need for a Policy aimed at protecting the rights and privacy of individuals, including volunteers, staff and others. CAMF appreciates that the regulatory environment demands higher transparency and accountability on how organisations manage and use personal data. It also takes cognisance of the new and stronger rights for individuals and to its obligations to understand and control use of personal data.
- 3.2 CAMF appreciates that the GDPR contains provisions that it needs to be aware of as a **Data Controller**, including the provisions intended to enhance the protection of



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individuals' personal data, such as ensuring that our privacy notices are written in a clear, plain way that members, Trustees and individuals will understand.

3.3 CAMF understands the need to process certain information about its members, volunteers, staff, and other individuals with whom the charity has a relationship for various purposes such as, but not limited to:

- i) The enrolment of members;
- ii) The engagement of volunteers.
- iii) The administration of members lists.
- iv) Collecting members' subscriptions.
- v) The payment of staff and other individuals.
- vi) The administration of delegates lists for events and activities.
- vii) Complying with legal obligations to funders e.g. local authorities, Arts Council, etc.

3.4 In order to comply with various legal obligations, and particularly those imposed on it by the GDPR, CAMF understands and appreciates the need to ensure that all information about members and other individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

4.0 SCOPE OF COMPLIANCE

4.1 This policy applies to all Trustees, co-optees, members, volunteer, staff, whether temporary or permanent and individuals who enter relationships with CAMF. Any breach of this policy or of the Regulation itself will be considered an offence and the charity's disciplinary procedures will be invoked.

4.2 As a matter of best practice, other agencies and individuals working with CAMF and who have access to personal information, are expected to read and comply with this Policy. It is expected that any Trustee with responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which, among other things, will include an agreement to abide by this Policy.

4.3 This Policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

5.0 CAMF'S RESPONSIBILITIES UNDER THE GDPR

5.1 CAMF will be the 'Data Controller' under the terms of the legislation; this means CAMF is ultimately responsible for controlling the use and processing of the personal data. The charity appoints a Data Protection Officer (DPO), currently the Trustee Director for Legal and Governance, who will address any concerns regarding the data held by CAMF and how it is processed, stored and used.

5.2 CAMF's Board of Trustees will oversees the Policy and be responsible for all data protection matters, ensuring that all members, volunteers, staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the charity.



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- 5.3 The Board of Trustees is also responsible for ensuring that the charity's notification is kept accurate.
- 5.4 Even where CAMF seeks and gains exemption from registering with the Information Commissioner, compliance with the legislation is the personal responsibility of all members of the charity who process personal information.
- 5.4 Individuals who provide personal data to the charity are also responsible for ensuring that the information is accurate and up to date.

6.0 DATA PROTECTION PRINCIPLES AND CAMF ACTIONS

- 6.1 The legislation places a responsibility on every Data Controller to process any personal data in accordance with the eight principles, namely:

6.1.1 *Process personal data fairly and lawfully.*

- a) CAMF will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

6.1.2 *Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.*

- a) CAMF will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

6.1.3 *Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.*

- a) CAMF will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained.
- b) Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

6.1.4 *Keep personal data accurate and, where necessary, up to date.*

- a) CAMF will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the charity if, for example, a change in circumstances mean that the data needs to be updated.
- b) It is the responsibility of the charity to ensure that any notification regarding the change is noted and acted on.



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6.1.5 *Only keep personal data for as long as is necessary.*

- a) CAMF undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means CAMF will undertake a regular review of the information held and implement a weeding process.
- b) CAMF will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste). A log will be kept of the records destroyed.

6.1.6 *Process personal data in accordance with the rights of the data subject under the legislation.*

- a) Individuals have various rights under the legislation including a right to:
 - be told the nature of the information the charity holds and any parties to whom this may be disclosed.
 - prevent processing likely to cause damage or distress.
 - prevent processing for purposes of direct marketing.
 - be informed about the mechanics of any automated decision-making process that will significantly affect them.
 - not have significant decisions that will affect them taken solely by automated process.
 - sue for compensation if they suffer damage by any contravention of the legislation.
 - act to rectify, block, erase or destroy inaccurate data.
 - request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened.

- b) CAMF will only process personal data in accordance with individuals' rights.

6.1.7 *Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.*

- a) All Trustees, members, and staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.
- b) CAMF will ensure that all personal data is accessible only to those who have a valid reason for using it.
- c) CAMF will have in place appropriate security measures e.g. ensuring that hard copy personal data is kept in lockable filing cabinets/cupboards with controlled access (with the keys then held securely in a key cabinet with controlled access):
 - keeping all personal data in a lockable cabinet with key-controlled access.
 - password protecting personal data held electronically.
 - archiving personal data which are then kept securely (lockable cabinet).
 - placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff.
 - ensuring that PC screens are not left unattended without a password protected screensaver being used.



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- d) In addition, CAMF will put in place appropriate measures for the deletion of personal data - manual records will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. A log will be kept of the records destroyed.
- e) This policy also applies to staff and individuals who process personal data 'off-site', e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

6.1.8 *Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.*

- a) CAMF will not transfer data to such territories without the explicit consent of the individual.
- b) This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so CAMF will always seek the consent of individuals before placing any personal data (including photographs) on its website.
- c) If the charity collects personal data in any form via its website, it will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

7.0 CONSENT AS A BASIS FOR PROCESSING

- 7.1 Although it is not always necessary for CAMF to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner.
- 7.2 Consent is especially important when CAMF is processing any sensitive data, as defined by the legislation.
- 7.3 CAMF understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement (e.g. via the enrolment form) whilst being of a sound mind and without having any undue influence exerted upon them. Consent obtained based on misleading information will not be a valid basis for processing. Consent cannot be inferred from the non-response to a communication.
- 7.4 CAMF will ensure that any forms used to gather data on an individual will contain a statement (fair collection statement) explaining the use of that data, how the data may be disclosed and indicate whether the individual needs to consent to the processing.
- 7.5 CAMF will ensure that if the individual does not give his/her consent for the processing, and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.



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8.0 SUBJECT ACCESS RIGHTS (SARS)

- 8.1 Individuals have Subject Access Rights to any personal data relating to them which are held by the charity. Any individual wishing to exercise this right should apply in writing to the Chairman via Trustees@CAMF.org.uk or Admin@CAMF.org.uk.
- 8.2 CAMF reserves the right to charge a fee for data subject access requests (currently free).
- 8.3 CAMF will comply with the timescale stipulated by the legislation, namely within 40 days of receiving any such requests.

9.0 DISCLOSURE OF DATA

- 9.1 CAMF will only make disclosures which have been notified under the charity's DP notification must be made and therefore staff and individuals should exercise caution when asked to disclose personal data held on another individual or third party.
- 9.2 CAMF undertakes not to disclose personal data to unauthorised third parties, including family members, friends, government bodies and in some circumstances, the Police.
- 9.3 Legitimate disclosures may occur in the following instances:
- the individual has given their consent to the disclosure.
 - the disclosure has been notified to the OIC and is in the legitimate interests of the charity.
 - the disclosure is required for the performance of a contract.
- 9.4 There are other instances when the legislation permits disclosure without the consent of the individual.
- 9.5 In no circumstances will CAMF sell any of its databases to a third party.

10.0 PUBLICATION OF CAMF INFORMATION

- 10.1 CAMF publishes various items which will include some personal data, e.g.
- internal Meeting Attendance List.
 - event information.
 - Brochures.
 - photos and information in promotional materials.
 - CAMF Web Site
- 10.2 In some circumstances an individual may wish their data processed for such reasons to be kept confidential or restricted for CAMF access only. It is therefore CAMF's policy to offer an opportunity to opt-in the publication of such when collecting the information.



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11.0 COMMUNICATION VIA e-MAIL

11.1 It is the policy of CAMF to ensure that senders and recipients of e-mail are made aware that the contents of e-mail may have to be disclosed in response to a request under the Data Protection Act, and Freedom of Information legislation. One means by which this will be communicated will be by a disclaimer on the charity's e-Mail.

12. PROCEDURE FOR REVIEW OF THE POLICY

12.1 This policy will be updated as necessary to reflect best practice or future amendments made to the GDPR.

12.3 For help or advice on any data protection or freedom of information issues, contact:

The CAMF Data Protection Officer (CDPO),
Trustee Director (Legal and Governance),
e-Mail: Trustees@camf.co.uk