

**CBPS DATA PROTECTION****CONTENTS**

1	CBPS DATA PROTECTION POLICY	2
2	GDPR ROLES	2
3	REFERENCES	2
4	CBPS DATA PROTECTION SCOPE	2
5	CBPS MEMBERSHIP DATA	3
	5.1 Membership Database Content	3
	5.2 Membership Database Purpose	3
	5.3 Collecting Personal Data	3
	5.4 Consent	3
6	MEMBERSHIP DATABASE MANAGEMENT	4
	6.1 Master Copy	4
	6.2 Distribution & Sharing	4
	6.3 Storage	4
	6.4 Personal Data Requests	4
	6.5 Update	5
	6.6 Deletion	5
	6.7 Breach Notification	5
7	E-MAILS TO MEMBERS	5
8	THE CBPS WEBSITE	6
	8.1 Website Data	6
	8.2 Publically available information	6
	8.3 E-mail addresses for teachers	6
	8.4 Members' names	6
9	COMPLIANCE MONITORING	6

## **1 CBPS DATA PROTECTION POLICY**

- 1.1 CBPS will comply with UK Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR).

Note: the UK Data Protection Act (DPA) 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). At the moment UK & EU requirements are aligned.

- 1.2 The CBPS Committee will define and maintain appropriate policy and procedures to be compliant with UK Data Protection legislation.
- 1.3 The CBPS Committee will monitor compliance with the policy and procedures.
- 1.4 CBPS will hold and process only the minimum data necessary for the completion of its duties (data minimisation), as well as limiting the access to personal data to those needing to act out the processing.
- 1.5 This document will be made available on the Website membership application page so that our policy is publicly available. A statement of compliance is on the paper membership renewal form. A statement and reference to the website copy of the policy is included in every Newsletter.

## **2 GDPR ROLES**

- 2.1 The GDPR Data Controller is the CBPS Committee.
- 2.2 Data Processors can be any member of the Committee using the data. This includes Membership Secretary, Newsletter Editor, email cascade sender. In addition, the Newsletter Editor may delegate physical mailing to non-Committee members of the Society or to a suitable third party.

NOTE: A controller is the entity that determines the purposes, conditions and means of the processing of personal data, while the processor is an entity which processes personal data on behalf of the controller

- 2.3 Data Subject: any CBPS member.
- 2.4 A Data Protection Officer is not required for CBPS.
- NOTE: DPO appointment will be mandatory only for those controllers and processors whose core activities consist of processing operations which require regular and systematic monitoring of data subjects on a large scale or of special categories of data or data relating to criminal convictions and offences.

## **3 REFERENCES**

- 3.1 <https://www.eugdpr.org>
- 3.2 <https://ico.org.uk/for-organisations/guide-to-data-protection>
- 3.3 <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/consent/>

## **4 CBPS DATA PROTECTION SCOPE**

- 4.1 This policy & procedures apply to:
- a) the Membership Database.
  - b) e-mails to members.
  - c) CBPS Website.
- 4.2 This Policy and Procedures apply to the data for all members, whether in UK, EU or overseas.

- 4.3 CBPS has no members under 16 years of age, and so parental consent is not required.

## **5 CBPS MEMBERSHIP DATA**

### **5.1 MEMBERSHIP DATABASE CONTENT**

5.1.1 The Membership Spreadsheet contains:

- a) Each member/joint member has a unique allocated number.
- b) Name.
- c) Address.
- d) Phone number(s).
- e) e-mail address (if available).
- f) Regional group membership (if applicable & known).
- g) Contact method notes such as contact preferences eg email not phone calls (ie GDPR “Suppression lists”).
- h) For teachers, information on classes (where known).
- i) Renewal year due, renewal & payment status.

5.1.2 Items a-h) are collected from members (see below). Item i) is maintained for CBPS administration only.

5.1.3 This data is classed as personal data in GDPR terms. It is not “sensitive personal data” in GDPR terms.

NOTE: Personal data is any information related to a natural person or ‘Data Subject’, that can be used to directly or indirectly identify the person.

### **5.2 MEMBERSHIP DATABASE PURPOSE**

5.2.1 The data is the minimum required by The Society Officers and Newsletter Production Team to inform members of meetings, and send out notices, newsletters etc.

5.2.2 This data will only be used for the efficient running of the Society and will not be given to any person outside the Society.

### **5.3 COLLECTING PERSONAL DATA**

5.3.1 Personal data is collected for new membership applications and on membership renewals.

5.3.2 New membership applications may be made using a paper form OR online via the website OR by direct email.

5.3.3 All members receive an annual paper renewal form (distributed with the newsletter).

5.3.4 The following text is used on paper new membership applications and membership renewals and on the website application:

#### **Contact Information**

The contact information that is entered above is required by The Society Officers and Newsletter Production Team to inform members of meetings, send out notices, newsletters etc.

This data will only be used for the efficient running of the Society and will not be given to any person outside the Society.

### **5.4 CONSENT**

5.4.1 New membership and renewal require payment of the membership fee. Payment may be made by cheque or online. In either case, payment is taken as confirmation of consent to keep the personal data. This consent is unambiguous.

NOTE: Consent must be clear and distinguishable from other matters and provided in an intelligible and easily accessible form, using clear and plain language. It must be as easy to withdraw consent as it is to give it. Explicit consent is required only for processing sensitive personal data - in this context, nothing short of “opt in” will suffice. However, for non-sensitive data, “unambiguous” consent will suffice.

NOTE: “unambiguous” consent does not have to be “explicit” – it can be implied by an “affirmative action”. Paying is “affirmative action” and thus is “unambiguous” consent.

5.4.2 Consent is thus obtained from all members regularly. Typically, this is annually. A small number of members may pay for up to 3 years in advance, so their consent is obtained only at the next renewal.

5.4.3 The Membership Secretary maintains a record of payment status in the Membership Database: this is effectively the record of consent to hold the data.

## **6 MEMBERSHIP DATABASE MANAGEMENT**

### **6.1 MASTER COPY**

6.1.1 The master copy is an Excel workbook.

6.1.2 The master copy is maintained on a rolling basis by the Membership Secretary.

### **6.2 DISTRIBUTION & SHARING**

6.2.1 The distribution of membership lists must be controlled. The list can only be issued to one or more of the current committee members, for their information and for practical use eg mailing Newsletters, emailing relevant information, or to a third party used to provide a service to CBPS

6.2.2 Membership status can be checked with the Membership Secretary on an individual basis.

6.2.3 The Membership Secretary provides copies of the membership list if appropriate.

6.2.4 Copies are distributed by email. Shared file transfer areas (eg Dropbox) will NOT be used for the membership list.

6.2.5 The Newsletter Editor may delegate physical mailing to non-Committee members of the Society (the Newsletter Team). In this case, individual printed labels are provided by the Newsletter Editor to the Newsletter Team. The Newsletter Team members are not given electronic information about members.

6.2.6 CBPS may use a third party to carry out the mailing of Newsletters and other publications. In this case, the membership Db should be edited to include only the names and addresses of those members to be included in an upcoming newsletter mailout. This edited list will be passed on to the 3rd party contracted to carry out fulfilment and mailing. The 3rd party must have suitable data management procedures of their own.

### **6.3 STORAGE**

6.3.1 Master list and copies are stored on the personal computers (laptops or equivalent devices) of the Committee.

6.3.2 Each Committee member must ensure that their computer is password protected and has up-to-date security software.

6.3.3 Copies must NOT be stored on publicly networked devices or on internet distributed storage (eg The Cloud). Secure remote storage may be used.

### **6.4 PERSONAL DATA REQUESTS**

6.4.1 Individual members have the right to request a copy of their personal data, free of charge, in an electronic format.

- 6.4.2 Response to such requests would be done by the Membership Secretary or Chair e-mailing them the whole of the applicable row from the database.
- 6.4.3 Response must be within 30 days of receiving the request.
- 6.4.4 Such requests will be recorded in a column in the membership database.

## **6.5 UPDATE**

- 6.5.1 Any member may notify CBPS of a change of data at any time, by phone, e-mail or letter, or by correcting the paper renewal form. Any such change is implemented in the Master database and distributed as above. The old data is deleted from the Master database.
- 6.5.2 If a member does not wish their data to be stored in the Database, then it is not possible for them to be members of CBPS, as it is not possible to provide them with the service or benefits of the Society. Such a request would be double-checked to ensure that the implications are understood.

## **6.6 DELETION**

- 6.6.1 Previous baselines of the database may be retained by Committee members for up to 3 years in order to be able to check advance payments (overseas members can pay in advance for 3 years).
- 6.6.2 CBPS will not use this old data for anything other than internal administration, and will not disseminate it.

NOTE: Data Erasure, the right to be forgotten entitles the data subject to have the data controller erase his/her personal data, cease further dissemination of the data, and potentially have third parties halt processing of the data. The conditions for erasure, as outlined in article 17, include the data no longer being relevant to original purposes for processing, or a data subject withdrawing consent.

- 6.6.3 When a Committee member leaves the Committee, they must delete any and all copies of the database, and confirm this by e-mail to the rest of the Committee.
- 6.6.4 If a member requests that their data be deleted from the current database, then they can no longer be a member of CBPS, and their membership will cease. They will be reminded that this is the case (by e-mail or phone or letter) before removal from the database.

## **6.7 BREACH NOTIFICATION**

- 6.7.1 If the CBPS database is accessed or copied by an entity outside CBPS AND is likely to “result in a risk for the rights and freedoms of individuals” then CBPS Committee will notify all members within 72 hours of first having become aware of the breach.
- 6.7.2 Members with e-mail addresses will be notified by e-mail.
- 6.7.3 Members without e-mail addresses will be notified by phone or letter.

## **7 E-MAILS TO MEMBERS**

- 7.1 The CBPS Committee communicates with members by e-mail in 2 ways:
- a) Individual e-mails, or e-mails to small numbers of members who already know each other
  - b) Bulk e-mails to the whole or a large part of the membership.
- 7.2 E-mails to individuals or small numbers use e-mail addresses from the membership database in a way which is visible to all recipients
- 7.3 Bulk e-mails are sent to inform members of events or information of relevance to the Society or CBP. They use e-mail addresses from the membership database. The e-mail addresses must be used as Blind Copy, so that they are NOT visible to any recipient.

## **8 THE CBPS WEBSITE**

### **8.1 WEBSITE DATA**

8.1.1 Member information from the database is NOT used on the CBPS website.

8.1.2 The CBPS website may use the following personal data:

- a) links to publically available information such as websites & contact email addresses
- b) email addresses for some teachers
- c) members' names attached to their paintings.

### **8.2 PUBLICALLY AVAILABLE INFORMATION**

8.2.1 Links to information such as websites & contact email addresses are provided to aid searching for teachers & classes.

8.2.2 As such information is already made publically available by the teachers or groups, no explicit permission or management is required.

### **8.3 E-MAIL ADDRESSES FOR TEACHERS**

8.3.1 E-mail addresses which are not otherwise publically available are only used where specifically agreed with individual. Permission is given by e-mail.

8.3.2 Where a teacher is included but does not give permission for their name to be used, contact may be made via the CBPS contact form on the website.

### **8.4 MEMBERS' NAMES**

8.4.1 Members names are currently used to identify their paintings in the Members Gallery: paintings are identified by given name and surname initial only and no contact information.

## **9 COMPLIANCE MONITORING**

9.1 The CBPS Committee will monitor compliance at least annually through an agenda item at meetings, recoded in the minutes

9.2 This will check:

- a) Security status of Committee laptops.
- b) Consent status for database entries.
- c) Requests for copies of personal information.
- d) Confirmation of deletion of old membership databases. This includes any sent to third parties.
- e) Review of any breaches or problems.