

# Data Protection Policy

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## BRITISH AMERICAN DRAMA ACADEMY

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## Data Protection Policy

The [Data Protection Act 2018](#) controls how your personal information is used by organisations, businesses or the government.

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

There is stronger legal protection for more sensitive information, such as:

- race
- ethnic background
- political opinions
- religious beliefs
- trade union membership
- genetics
- biometrics (where used for identification)
- health
- sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences ([www.gov.uk](http://www.gov.uk)).

BADA is required to process the relevant personal data regarding students, staff and faculty as part of its operation and shall take all reasonable steps to do so in accordance with this policy. Processing data may include obtaining, recording, holding, disclosing, destroying or otherwise using data. In this policy any reference to students, staff or faculty includes current, past or prospective students, staff or faculty.

BADA has appointed the Facilities & Compliance Manager as Data Protection Officer (DPO) who will endeavour to ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 2018.

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 2018, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

BADA shall so far as is reasonably practicable comply with the Data Protection Principles contained in the Data Protection Act 1998 to ensure all data is

- Fairly and lawfully processed.
- Processed for lawful purpose.
- Adequate, relevant and not excessive.
- Accurate and up to date.
- Not kept longer than necessary.
- Processed in accordance with the data subject's rights.
- Secure
- Not transferred to other countries without adequate protection

Personal data covers both facts and opinions about an individual. BADA may process a wide range of personal data which may include, (but is not limited to); names and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts, marks and grading evaluations.

Consent may be required for the processing of personal data unless the processing is necessary for BADA to undertake its obligations to students, staff and faculty. Any information that falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this policy.

From time to time, BADA may be required to process sensitive personal information regarding a student or staff or faculty member. Sensitive personal data includes medical information and data relating to religion, race, or criminal records and proceedings.

Where sensitive personal data is processed by BADA, the explicit consent of the appropriate individual will generally be required through the individual's submission of the information via application form or in writing.

Individuals have the right to access information held by BADA. Anyone wishing to access their personal data should put their request in writing to the DPO. BADA will endeavour to respond to any such written request as soon as is reasonably practicable and, in any event within 40 days for access to records and 21 days to provide a reply to an access to information request.

Please be aware that some data is exempt from the right of access under the Data Protection Act 2018. This may include information that identifies other individuals, information that BADA reasonably believes is likely to cause damage or distress, or information that is subject to legal professional privilege.

BADA will also treat as confidential, any reference given by the Academy for the purpose of the education, training or employment, or prospective education, training or employment of any student. BADA acknowledges that an individual may have the right to access the reference relating to them received by the Academy. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

The rights under the Data Protection Act 2018 are the individuals to whom the data relates.

Certain data is exempted from the provisions of the Data Protection Act 1998 which includes the following

- The prevention or detection of crime;
- The assessment of any tax or duty;
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the Academy.

The above are only some examples of the exemptions under the Act. Any further information on exemptions should be sought from the Facilities and Compliance Manager.

BADA may receive requests from third parties to disclose personal data it hold about students, staff or faculty. BADA confirms it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Data Protection Act Applies. However, the Academy will disclose such data as necessary to third parties for the following purposes:

- To give a confidential reference relating to a student to any educational institution which it is proposed that the student may attend.
- To publish the achievements of students, staff or faculty of BADA.
- To disclose details of a student's medical condition where it is in the interests of the student to do so, for example, for medical advice, insurance purposes or to organisers of the Academy's activities, always with students consent, except for in an emergency
- To disclose information where BADA is legally obliged to do so.

Where BADA receives a request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure.

From time to time, BADA will make use of personal data relating to students, staff or faculty in the following ways. Should you wish to limit or object to any such use please notify the General Manager in writing or students can opt out at the time of application.

- To make use of photographs of students, staff and faculty in Academy publications, social media and website. BADA will not publish photographs of individual students with their names on the website without the express agreement of the individual. (for further information on BADA's policy for use of photography relating to students please refer to BADA's Publicity and Photography Policy).
- For fundraising, marketing and promotional purpose and to maintain relationships with students of the Academy, including transferring information to another association set up with the function of establishing and maintaining contact with students for fundraising, marketing or promoting special Alumni offers and events

BADA will endeavour to ensure that all personal data held in relation to an individual is accurate. Individuals must notify the Facilities and Compliance Manager of any changes to information held about them. The individual has the right to request that inaccurate information about them is erased or corrected.

The Academy will take reasonable steps to ensure that members of staff and faculty will only have access to personal data relating to students, their parents or guardians where it is deemed necessary for them to do so. All staff and faculty are made aware of this policy and their duties under the Data Protection Act 2018 through the staff handbook. BADA will ensure that all personal data held by the Academy is done so securely and is not accessible to unauthorised persons.

If an individual believes the Academy has not complied with this policy or acted otherwise in accordance with the Data Protection Act 2018, they should follow the BADA Grievance Procedure and should also notify the General Manager in writing.

### **Relevant legislation and guidance underpinning this policy**

[Data Protection Act 2018](#)

[Data Protection Act 1998](#)