



# The Paper Birds Theatre Company

## DATA PROTECTION POLICY

Date created: March 2023

Staff responsible: Charlotte Kalantari-Gregory

Trustee responsible: Jots Sehmbi

Date of next review: October 2026

## Introduction

The Paper Birds needs to gather and use certain information about individuals. These can include suppliers, business contacts, employees, creative learning participants and promoters, teachers and lecturers, supporters, audience members and other people The Paper Birds has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards – and to comply with the law.

### Why this Policy Exists

This Data Protection Policy ensures The Paper Birds:

- Complies with data protection law and follows good practice
- Protects the rights of customers, staff, participants and partners
- Is transparent about how it stores and processes individuals' data
- Protects itself from the risks of a data breach.

### Data Protection Law

The General Data Protection Regulation (GDPR) requires personal data to be:

1. Processed lawfully, fairly and in a transparent manner in relation to individuals.
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research or statistical purposes shall be considered to be compatible with the initial purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the



## The Paper Birds

appropriate technical and organisational measures required by GDPR in order to safeguard the rights and freedoms of individuals.

6. Processed in a manner that ensures appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
7. The Paper Birds shall be responsible for, and be able to demonstrate, compliance with the principles.

### 1. Who? People and Responsibilities

The Paper Birds complies with GDPR by adhering to the following responsibilities, including (but not necessarily limited to):

- Keeping senior management and board updated about data protection issues, risks and responsibilities.
- Documenting, maintaining and developing the organisation's Data Protection Policy.
- Embedding ongoing privacy measures into corporate policies and day-to-day activities, throughout the organisation. This policy will stand as proof of compliance.
- Dissemination of policy across the organisation and arranging training and advice for staff.
- Dealing with subject access requests, deletion requests and queries from clients, stakeholders and data subjects about data protection related matters.
- Checking and approving contracts or agreements with third parties that may handle the company's sensitive data.
- Ensuring systems, services and equipment used for storing data meet acceptable security standards.
- Performing regular checks and scans to ensure security hardware and software is functioning properly.
- Evaluating any third party services the company is considering using to store or process data, to ensure their compliance with obligations under GDPR.
- Developing privacy notices to reflect lawful basis for fair processing, ensuring that intended uses are clearly articulated, and that data subjects understand how they can give or withdraw consent, or else otherwise exercise their rights in relation to the company's use of their data.
- Ensuring that audience development, marketing, fundraising and all other initiatives involving processing personal information and/or contacting individuals abide by the GDPR principles.

**Data Protection Officer (DPO)** – Due to the size and capacity of the organisation no DPO has been nominated. The tasks of the DPO in respect of The Paper Birds will be the responsibility of the organisation as a whole.

The Paper Birds' agree to adhere to the following minimum tasks:



## The Paper Birds

- To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
- To monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments and train staff.
- To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, participants, audience members etc).

### 2. Scope of Personal Information to be Processed

The scope of the data The Paper Birds process includes the following:

- names of individuals
- postal addresses of individuals
- email addresses
- telephone numbers
- online identifiers
- the cultural organisation, educational establishment or community organisation an individual belongs to
- the artform of an artist
- employee data and financial information (including personal data relating to ethnicity/disability, qualifications, employment history, Criminal Bureau Disclosure etc.)
- CVs of individuals who have applied for posts at The Paper Birds
- Data about individuals' computer and about their visits to and use of the company's website via Google Console and Analytics (see below);
- Data that The Paper Birds receive for the purpose of working with them.

#### The Paper Birds' data is collected:

- From an online form either containing a survey or on The Paper Birds' website (primarily).
- On sign-up sheets with a clear opt in that matches The Paper Birds' website online form at events, workshops, CPDs managed and held by a Paper Birds member of staff at all times .
- From individuals who directly request via email, telephone or in person including, for example by giving a Paper Birds member of staff a business card, to be added to their database.
- Occasionally from "Data controller" partner venues who The Paper Birds tour their work to and with whom they have a GDPR compliant data sharing agreement.
- Via Nutshell: Nutshell is the CRM system The Paper Birds use to store their contact data for the different genres of the business, such as the venues, schools, colleges, partners and ambassadors they work with. Nutshell's Privacy Policy is [here](#).



## The Paper Birds

- Via Google Console and Analytics: The Paper Birds use Google Console Analytics to analyse the use of their website. Google Analytics generates statistical and other information about website use by means of cookies\*, which are stored on users' computers. The information generated relating to their website is used to create reports about the use of the website. Google will store this data. Google's privacy policy is available [here](#).
- Cookies – Most browsers allow to reject all cookies, whilst some browsers allow to reject just third party cookies. Blocking all cookies will, though, have a negative impact upon the usability of many websites.
- Via MailChimp The Paper Birds use MailChimp to collect and maintain data collected from their website. MailChimp generates and stores information and other materials about the subject when they sign up with The Paper Birds. The information generated relating to what the subject provides to The Paper Birds. MailChimp's privacy policy is available [here](#).
- The data is normally only collected directly from The Paper Birds' audience, participants, employees, supporters, venues, teachers and suppliers and is stored securely on their computer system.
- The data pertaining to the creative learning participants including DBS documentation of The Paper Birds' workshop leaders is also held in registers which are used during sessions by their practitioners and stored securely online. These are required in case medical or other assistance is required during a session and/or emergency contact details are required.
- The Paper Birds restrict access to those who have a need to know, and they train their staff in handling the information securely. The information provided is kept confidential and is used to support their relationship with The Paper Birds Theatre. It is not shared with any third party without prior consent, unless required by law.
- The Paper Birds ensure that their audience data is kept accurate with data cleansing after each of their quarterly email newsletter campaigns, which are sent via their email service provider, Mailchimp. Regular database management sessions are implemented to prevent duplication and ensure accurate and up-to-date data is held on file.
- All audience/email sign-ups will be deleted after five years if they refrain from actively opting back in to hear about offers and services.
- The Paper Birds database is saved on the company's online server Dropbox (following Dropbox's [ways of working]) and their contacts are saved within Nutshell and Mailchimp, access to all is restricted, and password protected.
- All employee and recruitment data are stored confidentially and securely in The Paper Birds online server, access is restricted, and password protected.



### 3. Uses and Conditions for Processing

Based on The Paper Birds Data Map, the following have been identified as the main types of data, types and conditions of data processing and legal evidence.

<b>Outcome/Use</b>	<b>Processing required</b>	<b>Data to be processed</b>	<b>Conditions for processing</b>	<b>Evidence for lawful basis</b>
<b><i>Direct/Email Marketing / Audience Development</i></b>	Mail-merge of name email address, on Nutshell and Mailchimp databases	Name, address and email address details	Consent, legitimate interest	Evidence saved on Mailchimp/Nutshell database
<b><i>Audience / Participant Feedback</i></b>	All contact details, sensitive personal data (for ACE reporting reasons only) and feedback	All contact data and thoughts, plus sensitive data for reporting	Consent	Evidence saved on Nutshell/ Paper Birds database
<b><i>PR</i></b>	Contact details, coverage	Name, job role, publication, email address	Consent, legitimate interest	Evidence on PR database
<b><i>Human Resources</i></b>	Contact details, payment processing, HMRC, Pension, Annual Leave & sickness entitlement & Performance Details	Contact and employment history, Payment details/ HMRC, CRB	Contract	Evidence saved on contract
<b><i>Recruitment – Successful Candidates</i></b>	Contact details, qualifications, employment history, ethnicity, disability details, referee contact details	Contact details, processing of references and storing of personal data	Consent & contract	Evidence saved on Payroll & recruitment / personnel system
<b><i>Invoice Processing</i></b>	Payment of suppliers/employees	Payment details/ HMRC, if relevant	Consent & contract	Evidence saved on personnel system & contract
<b><i>Participation</i></b>	Payment, additions to database, mail	Contact details participants and teachers/lecturers	Consent & contract	Evidence saved on Nutshell database



	merging for e-marketing purposes	, feedback, payment details, purchase history		
<b>Tour Show/Booking</b>	Contact details, booking history	All contact data, deal and booking information	Consent, legitimate interest	Evidence saved on Nutshell database

**4. Data Privacy Impact Assessment**

***Personnel and Recruitment Process***

- The Paper Birds is an Equal Opportunities Employer and a Registered Charity. The Paper Birds are committed to working within the Equality Act 2010, and building an accurate picture of the make-up of the workforce in encouraging equality, diversity and inclusion. They are committed to ensuring that everyone they work with is treated equally, without discrimination because of age, gender, disability, ethnic or national origin, sexual orientation or socioeconomic background and thus request this personal information for recruitment and personnel processes. In addition, due to working regularly with children and young people The Paper Birds request personal information from employees and external providers around criminal convictions and qualifications.
- The information comes directly from the candidates/employees and allow for a fair and smooth recruitment process.
- Risk of personal information being lost or leaked relating to The Paper Birds recruitment candidates and employees is minimal as data is saved securely on The Paper Birds’ electronic system and access is restricted to those working directly with personnel records only. All staff are trained in best practise and storage of said information and access is password restricted.

**Retention and Erasure**

- Personal data, along with additional information pertaining to their employment is erased according to the date specified in law from the electronic system, namely 6 years post-employment for successful candidates.
- and 6 months post recruitment campaign for unsuccessful candidates. Any hard copy documentation is shredded upon conclusion of their involvement with the company as per dates mentioned and specified by law.

***Audience Feedback***

- As part of The Paper Birds’ feedback process some sensitive information regarding ethnicity and disability is collected. This information is collected purely for reporting purposes and does not sit alongside audience data.

**Retention and Erasure**

- Personal data of this nature is kept anonymously for reporting purposes only and erased after the process. Any hard copy documentation is shredded upon



conclusion of their involvement with the company as per dates mentioned and specified by law.

### 5. Data Sharing

The Paper Birds will never share, sell, rent or trade personal information to any third parties for marketing purposes without prior consent. The Paper Birds will ask for consent to share personal information with arts organisations who have collaborated with the company on shows/projects individuals may have seen/been involved in.

Some of The Paper Birds' service providers may have access to personal data in order to perform services on their behalf (payment processing is a good example of this) or to advise them (such as legal advisors). The Paper Birds make sure anyone who provides a service for the company enters into an agreement with them and meets their standards for data security. They will not use their data for anything other than the clearly defined purpose relating to the service or advice that they are providing.

The Paper Birds may also disclose personal information to appropriate third parties to assist in anti-fraud checks and investigations.

### 6. Security Measures

GDPR imposes a statutory obligation on The Paper Birds and all organisations processing data to implement appropriate security measures to protect the personal data made available to them by organisations and individuals. In addition, data processors acting on The Paper Birds behalf have an express obligation to notify The Paper Birds of security incidents without undue delay.

- The Paper Birds take appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- The Paper Birds' data is securely stored in an online cloud storage system, Dropbox which is password protected and is designed with multiple layers of protection including secure file data transfer, encryption, and application-level controls that are distributed across a scalable, secure infrastructure.
- The contacts saved in The Paper Birds' Nutshell CRM system are securely stored. Nutshell uses Amazon Web Services (AWS) to store and secure all customer data. The data is encrypted in their database, and accessed through 256-bit TLS 1.2 encryption.
- Mailchimp securely collects and saves The Paper Birds' email contacts for newsletters and mailouts. MailChimp's account passwords are hashed. Their own staff can't view them. All login pages pass data via TLS 1.2 or higher. The entire Mailchimp application is encrypted with TLS 1.2 or higher. Login pages and logins via the Mailchimp API have brute force protection. They perform regular external security penetration tests throughout the year using different vendors. The tests involve high-level server penetration tests, in-depth testing for vulnerabilities inside the application, and social engineering drills.



## The Paper Birds

- Access to The Paper Birds' data is restricted to those people for whom it is necessary to perform the processing and involves two step authentications.
- Passwords are personal to the user and are updated on a regular basis.
- Staff DBS certificates are kept individually by the member of staff. We have online scan copies secured in Dropbox.
- The Paper Birds' staff and practitioners must not take personal data away from The Paper Birds places of work or places of sessional delivery without prior consent. Any member of The Paper Birds team who must take hard copies of personal data away from the company's base must ensure said data is stored in a safe and secure location and returned to The Paper Birds office as soon as physically possible.
- The Paper Birds' staff and practitioners who discover a potential or actual security breach must immediately inform appropriate team members.
- The Paper Birds will notify the Information Commissioner's Office (ICO) of a security incident (unless a low risk incident or one not involving personal data) within 72 hours of becoming aware of it, 'where feasible'. The Paper Birds will ensure that any individuals affected by said breaches be notified when the occurrence of the incident could cause high risk to their privacy rights/serious harm.

### **Restricting Processing**

The Paper Birds is required to restrict processing of personal data in the following circumstances:

- In cases where the data subject contests the accuracy of personal data, processing will be restricted whilst the veracity of the data is verified
- Where processing is unlawful, and the data subject has requested restriction instead of erasure
- The data subject requests the data in pursuance of a legal claim, but The Paper Birds no longer requires the data
- The Paper Birds will notify the data subject when a restriction on data processing has been lifted.

### **7. Subject Access Requests**

All individuals who are the subject of data held by The Paper Birds are entitled to:

- Ask what information the company holds about them and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how the company is meeting its data protection obligations.

The Paper Birds will fulfil subject access requests and notified individuals of this process, through the following process.

- Subject access requests should be given in writing to The Paper Birds via email to: [info@thepaperbirds.com](mailto:info@thepaperbirds.com).



## The Paper Birds

- When a subject access request is being claimed on behalf of children under the age of 16, proof of care/identity will be requested.
- Subject access requests will be dealt with as promptly as The Paper Birds can and, in any case, within the legal maximum of 1 month.
- The Paper Birds will provide the information without any charge and will inform the subjects about what information they have on file and how it is securely stored and how they are complying with the GDPR regulations.
- The Paper Birds will allow you to challenge the data that they hold about the subject and, where appropriate, the subject may have the data erased, rectified, amended, or completed.

### 8. The Right to be Forgotten

The right to be forgotten was established to enable a data subject to request the deletion or removal of personal data where there is no reason for it to be retained.

However, the right to erasure does not provide an absolute right to be forgotten.

The circumstances under which individuals have a right to erasure include:

- Where personal data is no longer necessary for the purposes for which it was originally supplied.
- Where the individual withdraws consent, consent having been the legal basis on which the personal data was provided.
- Where individuals object to their data being processed and there is no overriding legitimate reason to continue processing.
- Where personal data was processed unlawfully.
- Where personal data has to be erased in order to comply with a legal requirement.

The Paper Birds will decline a request for erasure if it believes any of the following would be compromised:

- The right to freedom of expression and/or information.
- The requirement to comply with a legal obligation for the performance of a public interest task or the exercise of official authority.
- The defence or exercise of a legal claim.

### 9. Privacy Notices

The Paper Birds' aims to ensure that individuals are aware that their data is being processed, and that they understand:

- Who is processing their data
- What data is involved
- The purpose for processing that data
- The outcomes of data processing
- How to exercise their rights.



To these ends The Paper Birds has a privacy statement, setting out how data relating to these individuals is used by the company. The Paper Birds' **Privacy Policy** is available on their website by [clicking here](#), or can be emailed or posted, upon request.

### **10. Ongoing Documentation of Measures to Ensure Compliance**

Meeting the obligations of the GDPR to ensure compliance will be an ongoing process. The Paper Birds' will ensure ongoing measures are implemented to:

- 1) Maintain documentation/evidence of the privacy measures implemented and records of compliance
- 2) Regularly test the privacy measures implemented and maintain records of the outcomes.
- 3) Use the results of testing and audits to demonstrate both existing and continuous compliance improvement efforts.
- 4) Keep records showing training of employees on privacy and data protection matters.