



**The Academy of Excellence in Music**

[www.axmusic.co.uk](http://www.axmusic.co.uk)

# AXMusic

## Data Protection Policy

AXMusic is a registered company (Cic)  
Quality comes from a synergy of commitment, experience and attention.  
Company number 6569912  
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## 1. Introduction

This document sets out AXMusic's guidelines regarding data protection. The purpose of the data protection legislation is to regulate the way in which personal information about individuals, whether held on computer or in a manual filing system, is obtained, stored, used and disclosed. The legislation grants rights to individuals, to see the data stored about them and to require modification of the data if it is wrong and in certain cases, to compensation. The provisions amount to a right of privacy for the individual. All personal information must be securely maintained.

## 2. Definitions

To aid the understanding of this document and the provisions of the Data Protection Act the following definitions are provided for assistance:-

**Data** is information that is:

- being processed by means of equipment operating automatically in response to instructions given for that purpose e.g. payroll system
- recorded with the intention that it should be processed by means of such equipment (CD ROM)
- recorded as part of a manual filing system or with the intention that it should form part of a relevant filing system e.g. "any set of information relating to individuals to the extent that, although the information is not processed by means of equipment operating automatically in response to instructions given for that purpose, the set is structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible".
- one of a number of records to which public access is allowed.

**Data Controller** means AXMusic as the organisation who determines how data is processed.

**Data Processor** means any person, other than an employee of AXMusic, who processes data on behalf of the data controller e.g. someone contracted to AXMusic to print documents containing personal data.

**Data subject** is the individual about whom personal data is held.

**Personal Data** means data about a living individual who can be identified from that information (or from that and other information in the possession of the data controller). This includes an expression of opinion about the individual, but not any indication of the intentions of the data controller or any other in respect of that individual.

**Sensitive Personal Data** means personal data consisting of information as to:-

- racial or ethnic origin of the data subject
- his or her political opinion
- his or her religious beliefs or other beliefs of a similar nature
- whether he or she is a member of a trade union
- his or her physical or mental health or condition
- his or her sexual life
- the commission or alleged commission by him or her of an offence
- any proceedings for any offence committed by him or her, the disposal of such proceedings or the sentence of any court in such proceedings.

**Processing** is very widely drawn and means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data including:-

- organisation, adaptation or alteration, disclosure and destruction of the information or data.

**Relevant Filing System** means any data that is recorded as part of a manual filing system or with the intention that it should form part of a relevant filing system e.g. "any set of information relating to individuals to the extent that, although the information is not processed by means of equipment operating automatically in response to instructions given for that purpose, the set is structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible".

**Special Purposes** means any one or more of the following i.e. journalistic, artistic or literary.

### **3. Principles**

Data Protection legislation contains 8 governing Principles relating to the collection, use, processing and disclosure of data, and the rights of data subjects to have access to personal data concerning themselves. These Principles are:-

1. Personal data shall be processed fairly and lawfully and, in particular shall not be processed unless one of the conditions in Schedule 2 is met. These can be summarised as consent, contract, legal obligation, vital interests, public interest, balance of interest and in the case of sensitive personal data at least one of the conditions in Schedule 3 is also met which can be summarised as explicit consent, employment law, vital interests, non-profit associations, manifestly made public, legal claims, justice/statute Crown, medical purposes, ethnic monitoring.
2. Personal data shall be obtained only for one or more specified and lawful purpose and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or purposes.
6. Personal data shall be processed in accordance with the rights of the data subject under this act (this includes the rights of subjects to access the data and to correct it).
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data (this relates to data security).
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

These principles are required as the minimum standards of practice for any organisation with respect to personal data.

### **4. Objectives**

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AXMusic supports the objectives of the Data Protection legislation. These guidelines are intended to maintain the confidentiality of personal data held or processed either on computer or in manual files and to increase the access given to individuals to information relating to them.

#### 4.1 Amount of data to be held

AXMusic will hold the minimum personal data necessary to enable it to perform its functions. The data will be erased once the need to hold it has passed. Every effort will be made to ensure that data is accurate and up-to-date, and that inaccuracies are corrected quickly.

#### 4.2 Fair Collection notice

AXMusic will ensure that the following notice is displayed on any forms which are to be passed to members of the public:

‘To complete this form you have to supply information which will allow you to be identified as an individual. The information supplied will be stored securely and will not be disclosed to any unauthorised individual or agency. The Board of Directors of AXMusic, has verified that this system complies with the fair collection notice as outlined in the Data Protection Act 1998’.

#### 4.3 Subject Access

AXMusic will provide to any individual who requests it, in a specified manner, a reply stating whether or not AXMusic holds personal data about that individual. A written copy, in clear language, of the current data held, will be given. A fee of £10 will be levied for this service. The information will be provided within the statutory period of forty days. Subject to a small number of exemptions under the Data Protection Act, subjects will have access to all personal data held.

#### **4.4 Disclosures**

Disclosures of information must be in accordance with the provisions of the Act and AXMusic's registration/notification. AXMusic has a duty to disclose certain data to public authorities such as the Inland Revenue, Customs and Excise Benefits agency this will be done in accordance with the statutory and other requirements.

Disclosure within the organisation either to Managers or the Board of Directors will be on a need to know basis which will be judged when a request for information is made. The minimum of personal data will be made generally available. Disclosure will be in line with the nature of the data, e.g. sensitive personal data (see definitions).

#### **4.5 System Design**

AXMusic intends that personal data must be treated as confidential. Computer systems will be designed to comply with the Principles of the Data Protection Act so that access to personal data should be restricted to identifiable system users.

#### **4.6 Training**

It is the aim of AXMusic that all appropriate staff will be properly trained, fully informed of their obligations under the Data Protection Acts and aware of their personal liabilities.

#### **4.7 Disciplinary Action**

AXMusic expects all of its staff and Board of Directors to comply fully with this Guidelines and the Principles of the Data Protection legislation. Disciplinary action may be taken against any employee who breaches any of the instructions or procedures following from these guidelines.

### **5. Responsibilities**

Overall responsibility for the efficient administration of the Data Protection legislation lies with the Board of Directors.

#### **Employees, Volunteers and Directors**

All employees, volunteers and Directors have a duty to observe the Principles of the Act and the procedures referred to in this document.

Individuals who do not handle data as part of their normal work have a responsibility to ensure that any personal data they see or hear goes no further. This includes personal data and information extracted from such data, thus, for

example, unauthorised disclosure of data might occur by passing information over the telephone, communicating information contained on a computer print-out or even inadvertently by reading a computer screen.

### Board of Directors

Name	Signature	Date
Rolf Brown		
Clark Ellis		
Anne Cleaton		
Phillip Harris		
Viv Lock		
Tony Phillips		

Mark Anderton		
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Date of Review: November 2011