




The Spektrix GDPR Toolkit for the Performing Arts

# 4. Sample Privacy Policy



This sample privacy policy is designed to help you prepare your own policy based on using Legitimate Interest. It includes a selection of possible types of data processing but not a complete selection. Use this document as a starting point for creating your own policy that includes information about each type of data processing that your organisation performs, as listed in your Legitimate Interest assessments.

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## About this document

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We at [Spektrix](#) provide ticketing, marketing and fundraising software to over 270 arts organisations in the UK. But for our software to really make a difference to our clients, we also provide support and consultancy, and produce resources like this one to equip them for industry change. This guide is part of the [Spektrix GDPR Toolkit for the Performing Arts](#) which helps our clients prepare for upcoming data protection regulation changes. Here's more information about how you can use these resources to prepare.

### Guide

#### [Boldly Compliant: A Guide to GDPR for Performing Arts Marketers & Fundraisers](#)

An overview of GDPR that explains why we recommend a Legitimate Interest-based approach.

### Tools

#### [1. GDPR Compliance Checklist](#)

When you're ready to take action, these checklists contain recommended steps.

#### [2. Sample Data Processes Audit](#)

Carry out your own data processes audit to determine which legal bases you're using for each data processing activity.

#### [3. Sample Legitimate Interest Assessment](#)

Use this to create and document your Legitimate Interest assessments for the data processes that you're taking a Legitimate Interest approach to.

#### [4. Sample Privacy Policy \(this document\)](#)

Provides copy to guide your own privacy policy.

Get a free 20-minute GDPR consultation.

We're offering free GDPR consultation to the first people to get in touch.

Contact [consultancy@spektrix.com](mailto:consultancy@spektrix.com).

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## Disclaimer

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We're here to help you prepare for GDPR as much as possible, but we can't offer legal advice and none of the information in the following document should be taken as such. We strongly recommend taking your own legal advice before committing to any decision regarding GDPR. As the data controller, it is your responsibility to design an appropriate approach to data privacy. Neither Spektrix nor any other data processor can make you GDPR compliant without your own processes in place.

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## Purpose of policy

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We are committed to protecting your personal information and being transparent about what information we hold about you.

Using personal information allows us to develop a better understanding of our patrons and in turn to provide you with relevant and timely information about the work that we do - both on and off stage. As a charity, it also helps us to engage with potential donors and supporters.

The purpose of this policy is to give you a clear explanation about how we [and all of our subsidiaries] collect and use the information we collect from you directly and from third parties.

We use your information in accordance with all applicable laws concerning the protection of personal information. This policy explains:

- What information we may collect about you
- How we may use that information
- In what situations we may disclose your details to third parties
- Our use of cookies to improve your use of our website
- Information about how we keep your personal information secure, how we maintain it for and your rights to be able to access it

If you have any queries about this policy, please contact the Data Protection Officer at [organisation name] or email: [email address].

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## Who we are

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[Organisation name] is a charity and is funded by [Arts Council England as well as] various trusts, foundations and individual donors and supporters. Our registered charity number in England and Wales is [number] and we are also registered as a company in England and Wales under registration number [number].

[Insert details of any subsidiaries if applicable.]

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## Information collection

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We collect various types of information and in a number of ways:

### Information you give us

For example when you register on our website, buy tickets or make a donation, we'll store personal information you give us such as your name, email address, postal address, telephone number and card details. We will also store a record of your purchases and donations.

### Information about your interactions with us

For example, when you visit our website, we collect information about how you interact with our content and ads. When we send you a mailing we store a record of this, and in the case of emails we keep a record of which ones you have opened and which links you have clicked on.

### Information from third parties

We occasionally receive information about you from third parties. For example, we may use third party research companies to provide general information about you, compiled using publicly available data.

### Sensitive personal data

Data Protection law recognises that certain categories of personal information are more sensitive such as health information, race, religious beliefs and political opinions. We do not usually collect this type of information about our patrons unless there is a clear reason for doing so. [As an example, we collect health information about participants in our programme of classes and courses.]

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## Legal basis

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There are three bases under which we may process your data:

### Contract purposes

When you make a purchase from us or make a donation to us, you are entering into a contract with us. In order to perform this contract we need to process and store your data. For example we may need to contact you by email or telephone in the case of cancellation of a show, or in the case of problems with your payment.

## Legitimate business interests

In certain situations we collect and process your personal for purposes that are in our legitimate organisational interests. However we only do this if there is no overriding prejudice to you by using your personal information in this way. We describe below all situations where we may use this basis for processing.

## With your explicit consent

For any situations where the two bases above are not appropriate, we will instead ask for your explicit consent before using your personal information in that specific situation.

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## Marketing communications

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We aim to communicate with you about the work that we do in ways that you find relevant, timely and respectful. To do this we use data that we have stored about you, such as what events you have booked for in the past, as well as any preferences you may have told us about.

We use our legitimate organisational interest as the legal basis for communications by post and email. In the case of postal mailings, you may object to receiving these at any time using the contact details at the end of this policy. In the case of email, we will give you an opportunity to opt out of receiving them during your first purchase with us. If you do not opt out, we will provide you with an option to unsubscribe in every email that we subsequently send you, or you can alternatively use the contact details at the end of this policy.

We may also contact you about our work by telephone however we will always get explicit consent from you before doing this. Please bear in mind that this does not apply to telephone calls that we may need to make to you related to your purchases (as above). [The alternative here is to use the Telephone Preference Service and legitimate interest instead.]

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## Other processing activities

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In addition to marketing communications, we also process personal information in the following ways that are within our legitimate organisational interests:

We may analyse data we hold about you to ensure that the content and timing of communications that we send you are as relevant to you as possible.

We may analyse data we hold about you in order to identify and prevent fraud.

In order to improve our website we may analyse information about how you use it and the content and ads that you interact with.

We may use profiling techniques or third party wealth screening and insight companies to provide us with information about you that will help us to communicate in a relevant way with you, in particular when we are approaching you about potential philanthropic support. Such information is compiled using publicly available data about you.

[Add other processing activities here.]

In all of the above cases we will always keep your rights and interests at the forefront to ensure they are not overridden by your own interests or fundamental rights and freedoms. You have the right to object to any of this processing at any time. If you wish to do this, please use the contact details at the end of this policy. Please bear in mind that if you object this may affect our ability to carry out tasks above that are for your benefit.

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## Third parties

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There are certain circumstances under which we may disclose your personal information to third parties. These are as follows:

To the subsidiaries described above when it is necessary for them to be able to provide you with products or services that you've requested.

To our own service providers who process data on our behalf and on our instructions (for example our ticketing system software provider). In these cases we require that these third parties comply strictly with our instructions and with data protection laws, for example around security of personal data.

Where we are under a duty to disclose your personal information in order to comply with any legal obligation (for example to government bodies and law enforcement agencies).

To specific named visiting companies whose performances you have attended. In these cases we will always ask for your explicit consent before doing so.

[Add an optional point on resident companies.]

Explore the Spektrix GDPR Toolkit for the Performing Arts

This document is part of the [Spektrix GDPR Toolkit for the Performing Arts](#) which provides guidance to help your arts organisation comply with GDPR before 25th May.



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## Cookies

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Cookies are small text files that are automatically placed onto your device by some websites that you visit. They are widely used to allow a website to function (for example to keep track of your basket) as well to provide website operators with information on how the site is being used.

We use cookies to keep track of your basket as well as to identify how the website is being used and what improvements we can make.

[You could potentially link to a full section on cookies that most websites have here.]

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## Your debit and credit card information

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If you use your credit or debit card to purchase from us or to make a donation, we will ensure that this is carried out securely and in accordance with the Payment Card Industry Data Security Standard (PCI-DSS). You can find more information about this standard here.

We optionally allow you to store your card details for use in a future transaction. This is carried out in compliance with PCI-DSS and in a way where none of our staff members are able to see your full card number. We never store your 3 or 4 digit security code.

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## Maintaining your personal information

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We store your personal information indefinitely such that for any subsequent purchases you make we are able to link them back to a single unique record that we hold for you on our system.

If there are aspects of your record that are inaccurate or that you would like to remove, you can usually do this by logging in to your account through our website. Alternatively please use the contact details at the end of this policy.

Any objections you make to any processing of your data will be stored against your record on our system so that we can comply with your requests.

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## Security of your personal information

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We will put in place appropriate safeguards (both in terms of our procedures and the technology we use) to keep your personal information as secure as possible. We will ensure that any third parties we use for processing your personal information do the same.

We will not transfer, process or store your data anywhere that is outside of the European Economic Area.

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## Your rights to your personal information

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You have a right to request a copy of the personal information that we hold about you and to have any inaccuracies in this data corrected. Please use the contact details at the end of this policy if you would like to exercise this right.

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## Contact details and further information

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Please get in touch with us if you have any questions about any aspect of this privacy policy, and in particular if you would like to object to any processing of your personal information that we carry out for our legitimate organisational interests.

[Organisation address]

[Organisation email address]