

Privacy Notice

(How we Use Personal Data)

Leicester-Shire Schools Music Service is the lead partner of the Leicester-Shire Music Education Hub and is primarily concerned with delivering high quality music education for children and young people aged 5-19, using various sources of information to do so. The Privacy Policy will refer to Leicester-Shire Music Education Hub, but also includes Leicester-Shire Schools Music Service as the lead partner of the Hub. Leicester-Shire Schools Music Service is a Leicestershire County Council service that serves both the Leicestershire Local Authority area and the Leicester City Local Authority Area. Leicestershire County Council is a registered Data Controller (Registration Number Z5653111). For Leicestershire County Council's privacy notice please click [Here](#).

Purpose

Leicester-Shire Music Education Hub (LMEH) are committed to protecting your personal information and being transparent about what information we hold about you and your child and children in your care.

This privacy notice is intended for applicants, participants, students and their parents or guardians, schools in which students learn, donors and supporters (together 'you' or 'music service users').

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

The categories of information that we collect, hold and share:

LMEH will use the information you provided in the application or registration form and may supplement this with information provided following an initial application.

Personal data that we may collect, use, store and share (see Data Sharing below) about individuals and music service users includes, but is not restricted to:

- Your full name and title and date of birth and your gender
- Postal address, email address and phone number
- IP (internet protocol) address e.g. cookies
- Emergency contact details and contact preferences
- Name of school attended
- Student records
- Results of auditions, internal assessments and externally set exams
- Characteristics, such as special educational needs
- Details of any medical conditions or dietary requirements

- Passport details
- Attendance information
- Safeguarding information
- Details of any support received
- Gift Aid status
- Payment card details (these are not stored)
- Photographs and video recording (see below)
- If you hold an LMEH instrument on loan

Information the Service collects has been identified in the 'Information Audit' document, which can be accessed on the service website (www.leicestershiremusicshub.org). If there is any reason that the Service is holding information, which has been omitted from the document, then the Service will update the document immediately they are aware of it.

Why we collect and use this information

We use this data to:

- Manage the application and audition processes
- Manage students' registration, participation in, and progression through LMEH programmes including school based music activities
- Provide music tuition
- Support student learning
- Monitor and report on student progress
- Comply with regulatory child licencing laws for performances
- Provide appropriate pastoral care and ensure welfare of children while in our custody, particularly when on tours and courses
- Protect student welfare and meet our legal obligations relating to child protection and safeguarding
- Assess and audit the quality of our services
- Administer applicant waiting lists
- Manage applications for financial support or fee remission
- Carry out research for our own purposes
- Comply with contractual / regulatory obligations e.g. reporting to the Arts Council
- Share with partners for joint activities e.g. Music for Youth
- Administer payments and donations including the processing of Gift Aid
- Keep you updated with LMEH activities that are relevant to you
- Offer you opportunities to engage further with our activities
- Keep in touch with our alumni
- Generate publicity and advertise LMEH's services
- Promote events / concerts
- Protect public monies against fraud
- To comply with the law regarding data sharing
- Celebrate the success of our students and raise awareness of their great achievements

Photographs and Video Recording

As part of LMEH's activities, we may take photographs and record images of central ensemble groups, centre groups, centre activities and individual performers. Such material will be used solely by LMEH, for example, for publicity purposes, such as prospectuses and other similar information about the Hub; on banners at concerts, on our website and for social media purposes; for assessment and educational purposes; and for fundraising or other purposes to help achieve the Hub's aims.

For music groups entering national performances, run by our partners Music for Youth, and for other national festivals and competitions, photographic data may be collected and used in the same way.

When using photographs and videos for publicity, display or website purposes, we will not accompany them with any other personal information about the child, to ensure they cannot be identified. Although we will carefully use images on the basis of our 'legitimate interests' (see above), we understand there may be occasions where music service users provide good reason why we should withdraw certain images. If you ask us to withdraw an image of your child with good cause, we will delete the photograph or video and not distribute it further.

Images that might cause embarrassment or distress will not be used. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

Social Media

Leicester-Shire Music Education Hub uses a range of social media services to publicise news, stories and events and to receive comments and feedback from customers including through direct messages, which are private, and through posts which are public to other social media users.

The information you provide via social media is subject to the social media service providers' privacy notices and policies. Any information you post on the Hub's social media platforms is also subject to the Council's social media moderation policy.

The lawful basis for obtaining and using personal data

LMEH needs data in order to fulfil its contractual obligations with music service users in order to provide them with the education for which they or their children have applied. Parents or guardians with children under the age of 13 will act on behalf of their children. Children over 13 years of age are deemed competent to understand this privacy statement.

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Article 6

1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(e) processing is necessary for the performance of a task carried out in the **public interest** or in the exercise of the official authority vested in the controller;

Article 9(2)

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member state law or a collective agreement pursuant to Member state law providing for appropriate safeguards for the fundamental rights and interests of the data subject;

1. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.

2. Paragraph 1 shall not apply if one of the following applies:

- (j) Processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member state law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The Education (Information about Individual Pupils) (England) Regulations 2013- Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy (shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 – Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting Information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Security and storage of your personal data

We will put in place appropriate safeguards (both in terms of our procedures and the technology we use) to keep your personal information confidential and as secure as possible. Your data will only be accessible to authorised staff. We will ensure, as far as possible, that any third parties we use for processing your personal information do the same.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our services, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Information will be stored for only as long as it is needed or required by statute and will be disposed of appropriately.

We undertake to report any data breaches in accordance with Data Protection Act and General Data Protection Regulations guidelines.

Who with and why we share Service user information

We do not share personal information with anyone without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information with:

- Local Authority Children's Services – to comply with Child Licensing regulations under the Body of Persons' Approval (BOPA)
- Leicester City Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- A student's family and representatives

- Schools – where we provide tuition for your child in partnership with their school, LMEH and the school act as joint data controllers
- Educators and examining bodies
- Suppliers and service providers – to enable them to provide the service we have contracted them for e.g. examining bodies, providers of registration services, cloud computer service providers
- Financial organisations - to enable payment processing and debt collection
- Central and local government
- Our Auditors
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, or to be given access to the information that we hold about your child, contact the Information Governance Team.

You also have the right to:

- Object to processing of personal data that is likely to cause, or is causing, damage or distress
- Prevent processing for the purposes of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Claim compensation for damages caused by a breach of Data Protection regulations

If you are unhappy with the way your data is being handled or if you need to contact Leicestershire County Council's Data Protection Officer, please contact the Information Governance Team:

informationgovernance@leics.gov.uk

If you are not satisfied with any response you may receive from us based on a complaint or concern about your personal information, you then have the option of contacting the Information Commissioners Office to take that complaint further.

The Information Commissioners Office does like to see that you have raised a complaint with the Council first and received a response before contacting them. If you do wish to contact them, the address details can be found below:

The Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Website: www.ico.org.uk

Email: casework@ico.org.uk