



SYCO CIC Data Protection / Copyright - Policy and Practice

UK Data Protection Act, 2018, implementation of regulations, and copyright assignment / usage licencing.

The Sunderland Youth and Community Orchestra CIC is a Community Interest Company aiming to comply with concurrent data protection legislation (Data Protection Act, 2018). To run its operations successfully, the organisation needs to hold a limited amount of personal information.

(Definition - reference to “digital outputs” below refers to digital recordings, digital photographs, digitally recorded video or film, and any edited compilation and / or relevant synchronisation of such with or without any other media).

Personal Information - Contact details, especially for communications in organising educational and entertainment events and performances.

Legislation for the regulation of organisations holding personal information operates on the basis of informed data collection consent offering individuals real choice and control. Our consensual practice aims to put individuals in charge of their own data, build trust and engagement, and enhance our reputation. We undertake to ensure that the ways in which personal information is held, secured, and used is appropriate to the efficient and effective functioning of the organisation, explained in clear and concise terms, kept under constant review, and refreshed if relevant circumstances change.

Consent is the choice of the individual. Consent is not a pre-condition of service. We demonstrate through our informed consensual practice that consent is freely given, and that it can be freely withdrawn.

For the holding of personal information concerning individuals under the age of 18 years, we require consent both from the individual young person or child, and from a parent, certified carer, or certified responsible adult. An identified Data Controller is responsible for the maintenance of Data Protection policy and practice. Any Data Processors (internal or external) are also identified.

We keep up-to-date records of how and when consent from individuals has been granted.

Conditions for processing - Informed Consent for Collection and Sharing of personal data for evaluation, audience development, partnership development, promotion, and marketing purposes, including data retrievable from sound recordings, photography and filmmaking

Our Privacy Statements specify the different uses to which personal data may be put. Upon collection we identify:

- + the named Data Controller;
- + the purpose of collecting relevant and appropriate data;
- + whether data will be shared with third parties (e.g. for evaluation, audience development, partnership development, promotion, and marketing purposes);
- + how long the data will be held
- + our Data Protection policy, detailing individual rights

Opting Out - An opt-out option is always available. In the case of shared data, every effort will be made to pass on the individual's requirements (in the case, for example, of the individual withdrawing consent) to third parties, requiring them to abide by the wishes of the individual whose data had been shared. Conversely, and having checked for veracity, every effort will be made by SYCO CIC to abide by the wishes of an individual whose data had been shared where we are informed of their request by a third party. Individuals may object to the retention and / or processing of their data. Upon request we will provide the individual with:

- accessible information on how their data is collected, stored and processed;
- a copy of their stored data in digital format of their choice and within one month of their request;
- corrections of inaccurate or incomplete data;
- deletion of data;
- a halt (or temporary stop) on the processing of data in the case of objections to accuracy or purpose.

Shared digital data - Concerning personal data and that retrievable from sound recordings, photography and filmmaking, every effort will be made to comply with concurrent data protection legislation and the wishes of the individual concerned. Nonetheless, it should be noted that because consent may entail release of digital outputs to publications and the world-wide web or internet, retrospective retraction and / or deletion of digital outputs online is unlikely to be entirely within the power of the Sunderland Youth and Community Orchestra CIC.

Digital outputs - Assignment of copyright

For evaluation, audience development, partnership development, promotion, and marketing purposes assignment of copyright on owned digital outputs to be shared may be a requirement under Copyright, Designs and Patents legislation.

Where copyright legislation requires it, and an individual's performance or creative work (e.g. that of a musician, composer, conductor, sound recordist, photographer or filmmaker to which the legislation applies) is to be held, processed and / or shared in digital form, we will request informed data protection consent from relevant parties together with copyright assignment for the specific purposes proposed.

Agreements with contributors for copyright assignment will be for public access to the relevant digital outputs for a period of ten years through the Creative Commons Licence, "Attribution, Non-Commercial" (known as CC BY-NC). This will not affect the contributor's Moral Rights:

- i) to be identified as the Participant Contributor (relevant artist), including as primary source for re-worked editions; and
- ii) to object to any derogatory treatment or reference.

Attachments:

- Form DP1 - Personal data protection - informed consent
- Form DP2 - Personal data protection with sharing and copyright assignment - informed consent

MB - 21.5.21