

1 IMPORTANT NOTICE

- 1.1 This is the Privacy Notice of South West Music School (Company Registration Number 04488226; Charity Registration Number 1138482) whose registered office is at Bishop Fleming, 16 Queen Square, Bristol BS1 4NT (“South West Music School”, “SWMS”, “we”, “us” or “our”) and sets out how South West Music School collects and processes your personal data. This Privacy Notice also provides certain information that is legally required and lists your rights in relation to your personal data.
- 1.2 We take our data protection responsibilities very seriously and we comply with all applicable Data Protection Legislation in force from time to time. For the purposes of this Privacy Notice, “Data Protection Legislation” means: (i) the Data Protection Act 1998 (“DPA”) and all related regulations in force from time to time; or (ii) with effect from 25 May 2018, the EU Regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (“GDPR”) and any laws in England giving effect to its provisions.
- 1.3 This Privacy Notice relates to personal information identifying you or your child. We refer to this information throughout this Privacy Notice as “personal data” and section 2 sets out further detail of what this includes.
- 1.4 Please read this Privacy Notice to understand how we may use the personal data of you and your child.
- 1.5 This Privacy Notice may vary from time to time so please check it regularly.

2 – THE PERSONAL DATA WE COLLECT ON YOU

We may collect the following personal data about you and your child:

- 2.1 personal data you provide to us in person, via our website or by other electronic means (including health-related personal data);
- 2.2 personal data in the form of images or video footage that is taken at one of the venues where South West Music School activities are carried out;

2.3 personal data you provide when applying to either become a student of South West Music School or for a job advertised or to submit a speculative job application and/or your CV;

2.4 personal data gathered using cookies;

2.5 details of your visits to our website including but not limited to traffic data, location data, weblogs and other communication data

3 – KEY INFORMATION ABOUT YOUR PERSONAL DATA

3.1 Data controller and contact details

3.1.1 For the purposes of the Data Protection Legislation, we are the controller of the personal data you provide to us (in the DPA this is referred to as a “data controller”) and as a controller we use (or ‘process’) the personal data we hold on you in accordance with this Privacy Notice.

3.1.2 If you need to contact us in connection with our processing of your personal data, then you can do so at t.hill@swms.org.uk.

3.2 How we use your personal data – matters which require your consent

3.2.1 We would like to use the personal data you provide to us for a variety of different purposes. For certain of these purposes it is appropriate for us to obtain your prior consent. These are as follows:

- (a) where, in the provision of our goods and services to you and your child, we need to use the information you provide to us about your child’s health;
- (b) where we would like to use photos or images taken of you or your child in promotional materials;
- (c) where we have new services and activities which we think you will be interested in; or
- (d) where an opportunity arises to work for or with South West Music School.

3.2.2 We use the parental consent letter or freelancer agreement to obtain your consent to our using your personal data for the specific purposes set out above. You can choose to give your consent to some or all of these purposes. We will comply with the choices you make.

3.3 Withdrawing your consent

You may at any time withdraw the specific consent you give to our processing your personal data for those purposes set out in section 3.2 above. Please send an email to t.hill@swms.org.uk.

3.4 How we use your personal data – where your consent is not obtained.

3.4.1 In some instances we may not obtain your consent to our processing of your personal data and instead we can rely on another lawful basis in order to do so. As examples, this may be because we need to use your personal data in order to provide you with the services or goods you have elected to receive from us (i.e. in the ordinary course of our business), contact you in the case of an emergency or unforeseen circumstances and to improve our service offering to you over time.

3.4.2 These purposes for which we can use your personal data are set out below:

How we use your personal data:

In order to perform our contractual obligations to you. This would include our fulfilling orders you have placed for goods or services (including online), contacting you in relation to any issues or where we need to provide your personal data to our franchisees and their authorised personnel (including, but not limited to, all authorised mentors, tutors and administrative personnel) so that they may provide you with such goods or services and communicate with you about them (e.g. where there is a change to the time or location of a course).

In order to comply with our own legal obligations, e.g. health and safety legislation, or to assist in an investigation (e.g. from the Police).

In order to share your personal data with our authorised personnel (including, but not limited to, all authorised mentors, tutors and administrative personnel) so that we can add your child to the register for any activity or course run by South West Music School.

In order to use your personal data to operate our business, but otherwise than in performing our contractual obligations to you (and includes our providing your personal data to our authorised personnel (including, but not limited to, all authorised mentors, tutors and administrative personnel) for the same purposes). These would be our 'legitimate interests' for the purposes of Data Protection Legislation and are as follows:

- (i) notifying prospective students of Department for Education (DfE) Music & Dance Scheme (MDS) grant awards;
- (ii) sending you or your child evaluation surveys in connection with SWMS services;
- (iii) to send you important notices such as communications about changes to our terms and conditions and policies;
- (iv) to assist in the investigation of suspected illegal or wrongful activity. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction;
- (v) to deal with any misuse of the website;
- (vi) to provide you with important real-time information (usually by email) about courses or services you have booked (e.g. a change of time or location of the class due to unforeseen circumstances);
- (vii) to send you information you have requested;
- (viii) to deal with your enquiries;
- (ix) where you have submitted an application to join SWMS as a student or for a job we may for a reasonable period keep your details on file for future reference should a suitable position subsequently become available and we may send you information about franchise and job opportunities;
- (x) to develop, deliver and improve our goods or services;
- (xi) to help us develop our website to be more useful to you;
- (xii) for internal purposes for hosting, research, analysis, testing, monitoring, customer communication, risk management and administrative purposes;
- (xiii) to protect and defend our rights or property;
- (xiv) to sell, make ready for sale or dispose of our business in whole or in part including to any potential buyer or their advisers; or
- (xv) in order to enforce or apply our terms of use, terms and conditions of supply and other agreements with third parties.

In order to use the health-related personal data you provide to us about your child in order to protect the vital interests of you and your child in situations

where you are physically or legally incapable of giving consent for us to do so. For example, this would enable us to make this type of personal data available to our authorised personnel (including, but not limited to, all authorised mentors, tutors and administrative personnel) in situations where we are required to comply with a specific legal requirement and there is not time to gain your consent. This would especially be relevant in an emergency situation or simply to enable you to take sessions at different venues.

3.4.3 We will do our best to inform you when we carry out any of the above activities, but it may be that we are unable to do so in each case

3.5 Who receives the personal data you provide to us

3.5.1 Save as set out in this Privacy Notice, we do not share your personal data with any third party that is not connected to us. South West Music School operates through a network of SWMS-appointed mentors and tutors; we share the personal data we collect from you with them so that the mentors and tutors can use your personal data for the purposes to which you have consented via the parental consent agreement as well as the purposes set out in section 3.4 above. All SWMS-appointed mentors and tutors are required to act in accordance with our data protection policies at all times.

3.5.2 In addition, we may disclose some of the personal data you provide to us to funders and regulators, such as the Department for Education (DfE) and the National Audit Office (NAO).

3.6 Transfers of your personal data to other countries

The personal data we collect from you is currently held within the European Economic Area (“EEA”). It is possible that in the future such personal data may be transferred, stored and/or processed outside the European Economic Area (“EEA”) by our third party processors. By submitting your personal data, you agree to this transfer, storing and/or processing. You should be aware that countries outside the EEA may not offer the same level of data protection as the United Kingdom, however we will take reasonable steps to ensure that your data is treated securely and in accordance with the DPA.

3.7 How long we will hold your personal data for

We will only hold your personal data for so long as is necessary for us to do so, however because this depends in each case on how each of our students interact with us, we keep the length of time that we hold your personal data for under continual review. To do this we regularly review the personal data we hold and which of our students are still attending South West Music School activities. Where we no longer need to process your personal data for the purposes set out in this Privacy Notice then we will delete your personal data from our system, in so far as we are compliant with the requirements of government funders and regulators.

3.8 Why should you provide us with personal data?

3.8.1 Your personal data belongs to you and your family and we would like you to be comfortable with the level of information you disclose to us: you do not have to provide us with any personal data if you do not wish to do so.

3.8.2 However, please be aware that we do need to use your personal data in order to fulfil our contractual obligations to you and to provide you with the goods and services you have elected to receive. In completing a booking form you are providing us with the basic personal data that we need in order to do this.

3.8.3 Where we ask for your consent to process your personal data, you are free to withdraw any consent you may give. Please note, however, that where you do withdraw your consent or otherwise object to our processing of your personal data then this may impact our ability to provide you with goods and services (e.g. if we cannot contact you to tell you about a venue change or if you withdraw consent to our using any health-related information you provide about your child).

4 – LINKS TO OTHER WEBSITES

4.1 This policy only applies to South West Music School. If you link to another website from the South West Music School website, you should remember to read and understand that website's privacy policy as well. We are not responsible for any use of your personal data that is made by unconnected third party websites.