

formidAbility Privacy Statement

Personal data and privacy statement

We process personal data relating to clients and customers, people we work with and to those who are interested in the services we provide.

We are committed to complying with our legal obligations in respect of data protection and privacy.

This statement sets out the principles we apply when processing personal data. This statement describes the types of personal data we may collect about you. This statement also describes what we do with any data we collect about you, how we will keep it secure and the legal bases on which we rely for processing your data.

This statement also informs you of your rights and how you can contact us.

1. About us and our services

Our company business name is formidAbility, registered in England and Wales, company registration number 11846854, non-profit limited by guarantee.

We provide live performance.

I am a Data Controller for the purposes of current data protection legislation.

My contact details are:

Joanne Roughton-Arnold

formidAbility

The Annexe, 2 Park House, Watford Road, Northwood, Middx. HA6 3PF, United Kingdom

Tel. 07968 436588

info@formidability.org

<http://www.formidability.org>

2. What personal data do we collect from you?

Personal data is any information relating to an identifiable living individual. We only collect the personal data we need to be able to provide you with the services you have asked us to provide or tell you about.

Personal/contact information: this can include your name, contact address, email addresses, telephone numbers

Payment information: your bank details for billing or payment purposes

Digital information: IP addresses, and details of your interaction with our website and social media, should you engage with us through these channels.

Correspondence: information relevant to your specific enquiries.

Photographs, Audio / Video recordings: If you work with us we will ask for your consent to use photographs and audio / video recordings of you made in rehearsal and performance in order to promote, market and advertise our work.

Other: any other information you choose to provide to us.

3. When do we collect personal data?

We will collect information about you when you enter into a contract with us, work with us, sell us goods or services, make enquiries about our services, subscribe to our newsletter, visit our website and engage with us on social media.

4. What is our lawful basis for processing your data?

We may only process personal data where we have a lawful basis to do so.

We may collect and process your personal data when:

- it is necessary for the **performance of contracts** with you;
- it is necessary for the purposes of our **legitimate interests** as a business. In these cases we will do so in a way which might reasonably be expected from our relationship with you, and which does not impact materially on your fundamental rights, freedom and interests. We will not process your personal data on this basis if we believe your rights override ours. Instead, we may seek your specific consent, and/or another legal basis;
- it is necessary for compliance with **legal obligations**;
- we have your **consent** to do so, for example in relation to marketing by electronic means.
- it is necessary for **public interest**, for example to share your contact details with the NHS Test and Trace service.

Please see below for more detailed information about how we will use your data and on what basis.

If you have any concerns about our data processing please contact us: see **Contact**. Please also see **Your rights**, below.

5. How will we use your personal data?

We may process the information we collect about you:

- to perform any contract we have agreed with you, or to respond to any enquiries you make in this connection before we enter into a contract. The lawful basis for this processing is performance of a contract with you or because you have asked us to take specific steps before entering into a contract in respect of these activities and services;
- to respond to any other enquiries or complaints. We need the information you supply to enable us to respond.
- to protect our business from fraud and other illegal activities. This processing is necessary for our legitimate interests by ensuring the proper management of our business and financial risks.
- to provide you with information by post (or by email, with your consent) about other products and services we offer similar in nature to those you currently receive or have previously asked about. Information we may process for this purpose includes your name, address and email address. This processing is necessary for marketing our services, which is a legitimate business interest.
 - We will only send marketing information to you by email if we have your consent. You have the right to withdraw your consent at any time. Please write, email or telephone us: see **Contact** below.
- to send you communications required by law or which are necessary to inform you about changes to the services we provide you, for example, updates to this Privacy Statement, and any information legally required which relates to any contracts between us. These service messages will not include any promotional content and do not require prior consent when sent by email or text message. This processing is necessary for us to comply with our legal obligations.
- to administer our website, and send you survey and feedback requests to help improve our services. These messages will not include any promotional content and do not require prior consent when sent by email or text message. This processing is necessary for development of our services, which is a legitimate interest of our business. We have a legitimate interest to do so as this helps make our products or services more relevant to you. You are free to opt out of receiving these requests from us at any time by contacting us.
- to promote, advertise and market our work through the media: print, broadcast and online (with your consent). We may share your interactions with us on social

media.

6. Who do we share your data with?

In some circumstances we may need to share your data with the following:

- Our accountants/auditors
- Accounting software company
- Email distributor
- NHS Test and Trace

We may also share your data with third parties, such as our IT consultants, cloud—based back-up service, mailing house / email marketing company to support the efficient running of our business.

If this is necessary, we will provide only the information they need to perform the services we require. They will only use the data for the purposes we specify. We require third parties to maintain appropriate security to protect information from unauthorised access or processing.

In some circumstances, we may need to share your personal data with other third parties (including legal or other advisers, regulatory authorities, courts and government agencies) to enable us to enforce our legal rights, or where such disclosure may be permitted or required by law.

Unless we tell you otherwise, your data will not be processed outside the EEA.

7. How long will we keep your data?

We will only keep personal data for as long as is necessary to provide our services, or for as long as we reasonably need to keep the information for the lawful business purposes or to comply with a statutory or other legal requirement.

8. Data security

We will take appropriate technical and organisational measures to protect the personal data we transmit, store or otherwise process against accidental or unlawful destruction, loss, alteration or unauthorised disclosure or access. Our computers and mobile devices are password protected.

9. Your rights

You may exercise your rights by contacting us using the details in Contact, below. We aim to handle any requests within a reasonable period and, in any event, within one calendar month of the original request.

- **Right to information and access**

You have the right to be informed about what personal data we collect about you, why, on what lawful basis and what your rights are. This Privacy Statement is the key document we use to inform you about this.

You also have a right to request access to the information that we hold about you, and to receive a copy of this information, along with other information which is generally contained in this Privacy Statement.

- **Right to rectification**

You have the right to request that inaccurate personal data be rectified, or completed if it is incomplete.

- **Right to erasure and restriction**

You have the right to ask us to limit or cease processing or erase information we hold about you in certain circumstances. When responding to such requests, we will tell you how such restrictions or deletions may affect our ability to fulfil our contracts with you or otherwise affect your interests.

- **Right to object**

You have the right to object to our using your information for direct marketing. You can also ask us to stop using your information, where we are processing it on the basis of our legitimate interest. We will do so unless we believe we have a legitimate overriding justification to continue processing your personal data.

- **Right to withdraw consent**

If you have given us any specific consent to use your personal data, you have the right to withdraw it any time. If you wish to tell us that you are withdrawing your consent, please email us at info@formidability.org

10. Complaints

If you are unhappy with the way we process your personal data, please contact us using the information provided below. You also have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; Tel: 0303 123 1113 or 01625 545 745

<https://ico.org.uk/global/contact-us/>

11. Contact

If you have any questions about this policy, or you wish to exercise any of your rights, please email us at infor@formidability.org, telephone us on 07968 436588 or write to *formidAbility, The Annexe, 2 Park House, Watford Road, Northwood, Middx. HA6 3PF, United Kingdom*

12. Updates to this statement

We may change this privacy statement from time to time. We will post updates to this privacy statement on our website, and where appropriate, we may notify you by post or email. Please check our website to stay up to date.

Last updated August 2020