

Live Art Development Agency

Privacy Policy

2021 update

Prepared in April 2021 for Trustee approval in June 2021.

This policy has been updated by Megan Vaughan, Finance & Administration Manager, but all LADA staff have a responsibility to implement it across all our work and operations. Reviews are undertaken annually, and compliance monitored by LADA's Board of Trustees.

If you have any questions about this policy or suspect it may have been breached, please contact pandp@thisisliveart.co.uk.

Introduction

The Live Art Development Agency (LADA) is committed to protecting your personal information and respecting your privacy.

This policy explains how we collect information about our audiences, participants, and professional contacts through LADA's website, email, social media and other electronic platforms, through our associated initiatives (Unbound and Live Art UK), and through the use of the personal information you provide to us in person or online, via email, phone, in writing or other correspondence.

Some ways you may provide your personal information to us include, but are not limited to: subscribing to the LADA email newsletter, reserving a place at one of our events, booking a visit to our Study Room, applying for one of our opportunities or commissions, sending us an email or letter, donating to our fundraising campaigns.

You should read this policy carefully and thoroughly; in some circumstances, by providing your personal data to LADA you are deemed to have consented to the processing of that data.

Who we are

LADA is funded as a National Portfolio Organisation by Arts Council England, London. LADA is a Company Limited by Guarantee, Registered in England and Wales, number 3651554, and a Registered Charity No. 1079943. www.thisisliveart.co.uk

LADA is a development agency, advocating for and supporting Live Art nationally and internationally. LADA produces specialised projects, opportunities, resources and publications for those who make, watch, research, study, teach, produce, present, write about and archive Live Art.

LADA is also coordinator of the following initiatives: Unbound, an online and physical shop dedicated to Live Art, performance and interdisciplinary art practice, and Live Art UK (LAUK), a network of venues, promoters and facilitators who collectively support the development and promotion of the Live Art sector.

LADA may collect personal data from these initiatives, however we will never share, sell or rent your details with any other organisation(s) or individuals outside of LADA without prior and explicit consent.

The personal data that we process and store

We may collect personal information about you when you request a specific service from us using online forms and/or email us or communicate in person, over the phone and through third party sources.

LADA may collect several different types of personal information from you depending on which of our services you choose to use, but this may include all or any of the following:

- title
- first name
- surname
- postal address (including billing/shipping addresses and postcode)
- telephone number (including home and mobile phone numbers)
- photograph/film media (for example documentation taken at one of our events, archived media for our website resources and/or Study Room, promotional materials for past, current and upcoming projects/events/resources/publications)
- email address
- social media account ID (including your Facebook username and Twitter or Instagram handle)
- device information (such as MAC address, IP address, operating system and browser type)
- location information (such as a GPS signal emitted by your mobile device)
- age
- date of birth
- narrative or written information submitted to us by you (for example, information within job or workshop opportunity applications, or email submissions)
- information necessary for legal compliance (including details of ethnicity or disability/access requirements)
- payment information (such as bank account details, or debit/credit card details)
- educational institute details (such as your school, university or college)

- marketing preferences (for example, where you have opted in to receive our email newsletters)
- reasons for contacting us, such as enquiries or requests
- opinions, preferences, feedback, complaints, comments and/or suggestions (including comments made on our social media pages and online discussion forums)
- online browsing habits, activities and behaviour (such as which of our web pages you have visited and when you visited them)
- Mailchimp email newsletter statistics (such as when you have opened a newsletter and what links you have clicked on within it)
- Visit history, habits, activities and behaviour (such as when you visited our Study Room, or event attendance)
- preferences, access needs and dietary requirements
- employment related information (your job/employer, also application details for job, placement, internship or volunteer opportunities)

This list is not intended to be exhaustive and may be updated from time to time as our organisational needs and legal requirements dictate. All such data is/will be stored in password protected systems that are only accessible by core LADA staff.

How we collect and use personal information

LADA retains all data under three different lawful bases, under General Data Protection Regulation (GDPR) for communication and processing:

Due to the nature of LADA's work as a professional development agency, the majority of individuals that communicate with LADA or engage with LADA's activities do so in a professional capacity or as business-to-business (B2B) contacts. Therefore the following data

collection/processing from professional or B2B contacts fall under the 'Legitimate Interest' basis:

- Retaining your name and contact details to contact you for collaboration or with industry related information/enquiries/resources
- Monitoring your preferences, history of engagement with us, record of past/present job roles and places of work (This information could be used for internal research purposes, such as monitoring statistics to improve our programme or communication methods.)
- Sending you Live Art UK's monthly email newsletter (a professional industry newsletter)

Other data collection and processing involved in services you have requested from LADA, falls under the 'contractual obligation' basis:

- Contacting you to respond to your queries (for example, if you email us)
- Informing you of information and/or changes to an event or project which you have shown interest in (for example, if you have reserved a place at an event)
- Monitoring your preferences or history of engagement with us (This information could be used for anonymous internal research purposes, such as monitoring statistics to improve our programme or communication methods.)

Finally, with your 'prior consent', your personal data may also be used for:

- Sending you LADA's monthly email newsletter
- Sending you Unbound's monthly email newsletter
- Contacting you concerning LADA's support/fundraising invitations/requests
- Other forms of direct marketing (flash email newsletters, event invitations, surveys)

Please note: If you are subscribed to one of our email newsletters distributed through Mailchimp or follow us on social media, we can monitor performance tracking through these platforms.

For the services listed in option 3 ('prior consent' for direct marketing), you have the option to opt-out of such communication at any time.

These lists are not intended to be exhaustive and may be updated from time to time as our organisational needs and legal requirements dictate.

Data protection, safety and security

We protect the security of your personal information in accordance with our legal obligations.

Depending on the way that we have collected your personal information, LADA's organisational partners may also have access to your data.

For example, if you have applied for an opportunity that we deliver as part of a partnership with other organisations or initiatives, our partner organisations, as well as individuals on the selection panels for those opportunities, will have access to your information for the purpose of selection. Or if you have applied to participate in an artist-led workshop, your information will be shared with the artists leading that workshop.

Your personal details will never be shared with any other outside sources for promotional reasons, or for use other than LADA, Unbound or LAUK-related initiatives. When working in partnership with other arts organisations we may ask you if you would like your data to be shared with such partners and if you agree, we will do so.

All of the data we collect is stored on one of the systems listed below. These systems are all password protected, and receive regular updates and maintenance:

- Mailchimp
- Cloud based drives
- Online application portal
- CRM database
- Office server

If you choose to submit survey information to us via a third party (such as The Audience Agency), anonymous information is used in aggregated form. Tracked data such as cookies through Google Analytics is also collected anonymously and is deleted automatically after a 50 month period.

Children and Sensitive Data

All data and images collected of children as part of LADA programmes have either been collected under permissions from partner organisations (such as Tate), or LADA will have sought consent prior to processing such data and images. For any questions, please contact privacy@thisisliveart.co.uk.

Retaining your personal information

Due to our mission as an advocacy and archival organisation for the Live Art sector, and the nature of longevity within this art practice/sector, we will retain the personal information that you have provided to us indefinitely. We do so for the purpose of archival/historical records, with the knowledge that an individual may communicate with us at a young age, and then again

significantly into the future. Retaining that history is important for the documentation and research of our organisation, monitoring the journey and timeline of Live Art and its artists and arts workers, and advocating for the sector within the UK and internationally.

All data submitted to be housed in our Study Room, including physical and digital resources, will be kept as historical resources for Live Art archiving and research purposes. Such data shall therefore not be tampered with, altered or deleted, except in circumstances where new information comes to light or a specific reasonable request has been made by an individual directly affected (for example, an artist no longer wanting a certain work of theirs to be publicly accessible).

If you wish for your personal information to be removed from our records you may make a right to erasure request by contacting us directly.

Data breach procedure

In the result of a data breach, LADA has 72 hours to report the incident to the Information Commissioner's Office (ICO), LADA's Board and the individuals affected.

A data breach could be but is not limited to, personal information being shared outside of LADA and its associated initiatives (Unbound and Live Art UK), or a hack/breach of any digital systems such as the LADA Server or Content Management System (CMS).

Individual rights

Under GDPR, as an individual, you have the following rights:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object

For full information see: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you would like to make a subject access request or implement your right to be forgotten, please contact us via privacy@thisisliveart.co.uk with the subject line “Subject Access Request” or “Right to be Forgotten”.

In line with GDPR:

- LADA will respond within 1 month.
- LADA can refuse or charge for requests that are manifestly unfounded or excessive.
If we refuse a request, we will explain to the individual why, without undue delay within 1 month, and that they have the right to complain to the supervisory authority and to a judicial remedy.
- We may charge to administer “Subject Access Requests” to cover any overheads such as staff time, printing and postage.

Challenges and conclusions

LADA has a sound understanding of the impacts that the implementation of GDPR will have in most areas, and an understanding of where we require further information to make proper assessments and actions.

We have aspired to understand the legislation and implement preparatory work accordingly. This work has taken place in the context of LADA being a small not-for-profit organisation, with limited resources and a lack of specialist knowledge in this area, while endeavouring to relate the requirements of the new legislation to our mission as an advocacy and archival organisation for the Live Art sector. We have sought and will continue to seek advice and review further information provided by ICO and other governing bodies to meet full compliance as we understand it, and will update this policy in future where necessary.

For further information please visit <https://ico.org.uk/for-the-public>.