



BERMUDA SCHOOL OF MUSIC (charity 483) (BSM)

PRIVACY POLICY

Compliance with Personal Information Protection Act 2016 (PIPA)

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1) PERSONAL INFORMATION USED BY BSM

a) Principles

- BSM will only collect personal information when we believe it is necessary and we have a valid legal reason to do so under applicable law, such as with your consent, to comply with laws, to provide you with services to enter into or fulfill our contractual obligations, to protect your rights, or to fulfill our legitimate business interests.
- BSM will only use personal information in accordance with the original purpose for which we collected it.
- BSM will only handle people's information in ways they would reasonably expect, or we can explain why any unexpected processing is justified.
- BSM considers how the processing of information may affect the individuals concerned and can justify any adverse impact.
- BSM will clearly identify any personal information that we need to keep for public interest archiving, scientific or historical research, or statistical purposes.

b) Types, purpose, legal basis

Information classed as sensitive is in red

Students

- Name, birth date, home address, names and personal/work email addresses and phone numbers of parents/guardians, **sex, race, nationality**, photographs, school, **disabilities, relevant health issues, learning differences**, photographs
- Legal basis and purpose: Information is provided by/used with the consent of the students' parent(s) or guardian(s) given at the time they sign the student up for lessons, for a holiday camp, after-school club, volunteering or competition. Contact information and information on health issues, disabilities or learning differences is provided for the purpose of safeguarding the student while in BSM's care and ensuring any special needs are met.
- Information on sex, race, nationality and school is requested on a voluntary basis and used for monitoring the profile of student engaged with BSM camps and other activities in terms of diversity and inclusion. Specific permission is requested for taking and using photographs of students.

Faculty & Staff (permanent, part-time, temporary and former faculty & staff)

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status** and names of dependents, photographs, bank details, result of police check, employment contract and salary, performance reviews, disciplinary records, copy of driving license (if driving a BSM vehicle), references
- Legal basis: Information is provided by/used with the consent of the individual for the purpose of the employment contract and managing the employer-employee relationship.
- The sensitive information is used to monitor BSM's employee profile in terms of diversity and inclusion.

Board

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status**, photographs, copy of passport and utility bill for bank/charity registrar compliance
- Legal basis and purpose: Information is provided by/used with the consent of the individual for the purpose of good governance of the organisation, compliance with the Bermuda Registrar of Charities and in some cases banking compliance. The sensitive information is used to monitor BSM's governing body profile in terms of diversity and inclusion.

Volunteers

- Name, birth date, home address, personal and work email addresses and phone numbers, **sex, race, nationality, family status**
- Legal basis and purpose: Information is provided by/used with the consent of the individual (given at the time they sign up for volunteering) for the purpose of managing the individual's volunteer relationship with BSM. The sensitive information is requested on a voluntary basis and used to monitor BSM's volunteer profile in terms of diversity and inclusion.

Donors

(NB PIPA does not apply to the use of business contact information for the purpose of contacting an individual in their capacity as an employee or official of an organisation)

- For private donors (who are not members): name, birth date, home address, personal and work email addresses and phone numbers, amounts donated
- Purpose: Information is provided by/used with the consent of the individual (given at the time they donate) for the purpose of recording their donation and thanking them. Donors are given the option to be listed as 'do not solicit', otherwise they reasonably expect their information to be kept on file for the purpose of solicitation for the annual appeal or other donation requests. Legal basis: compliance with Registrar of Charities and banking regulations requiring BSM to know the source of its donations (anti-money laundering and anti-terrorism funding compliance).

Other

- Credit card and bank information used for financial transactions with BSM. Legal basis and purpose: Information is provided by/used with the consent of the individual for the purpose of processing financial transactions with BSM.
- Personal information provided by job applicants. Legal basis and purpose: Information is provided with the consent of the individual and used for the purpose of assessing suitability for employment.

c) Transfer to third parties

In the course of its ordinary work BSM rarely needs to transfer personal information to any third party either in Bermuda or overseas. If such a transfer is necessary or desirable for BSM to carry out its work, BSM will only transfer personal information to a third party with the written consent of the individual (apart from exceptional circumstances where a statutory exemption applies).

d) Matters of opinion

Our records will clearly identify any matters of opinion, and where appropriate whose opinion it is and any relevant changes to the underlying facts.

2) PRIVACY OFFICER

BSM's privacy officer is Annette Cook – Operations and Financial Comptroller – annettecook@musicsschool.bm, tel. 296-5100 ext. 201.

The role of the privacy officer is to ensure BSM's compliance with PIPA. The privacy officer has primary responsibility for communicating with the Privacy Commissioner. The privacy officer does not have access to staff personal information.

3) PROCESSES

Collection of information

Personal information used by BSM is collected in a variety of ways – digitally (e.g., online forms via our website, or via email), on paper (e.g., membership forms, tenancy application forms) and sometimes via the telephone (e.g., a credit card number given over the phone to make a payment, a member's address change given verbally).

All formal points of information collection, such as online or paper forms, include a privacy notice and request for consent (see below). Where sensitive information is requested, it is made clear that it is voluntary and will only be used anonymously for the purpose of general diversity and inclusion data.

Secure retention of information

Servers

The BSM Server (Windows Server 2019) and Desktops (Windows 10 Enterprise) are running in the cloud on a VMware Horizon Desktops-as-a-Service (DaaS) platform. DaaS provides a private cloud service via host machines dedicated to BSM only.

All communications with the DaaS environment are encrypted by using either the Site-to-Site VPN (internal BSM network) and or Transport Layer Security (TLS/SSL) certificates (internet/external network). They ensure that data is transmitted privately and without modifications, loss or theft.

Access to the server and desktops is restricted by password protection and is only available to IT Support, the Executive Director, the Operations and Financial Comptroller, the Office Administrator and Departments Coordinator (eg Suzuki Strings Coordinator).

Quickbooks

The majority of personal information held by BSM is stored in Quickbooks. It is a cloud-based accounting system, used worldwide. Quickbooks is a reputable company based in the USA, which has its own security policy and privacy policy and is GDPR compliant. Quickbooks holds name and

contact data on BSM students, faculty, staff, board members, volunteers and donors. This includes information on age, sex and race if it has been voluntarily provided.

Access to Quickbooks is restricted by password protection and is only available to faculty & staff members whose roles require them to input or retrieve information as part of their duties. These roles include the Executive Director, the Operations and Financial Comptroller, the Office Administrator and Departments Coordinator (eg Suzuki Strings Coordinator).

Digital Data - Office 365

Some personal data is also stored digitally in Office 365. This includes faculty & staff data, Board data and student data attending BSM. Access to the folders holding such data is password restricted to those who need the information to do their job. Some spreadsheets, e.g. staff salaries, are also password protected.

- Faculty & Staff – Contact data is shared internally in a BSM Directory. Each employee’s personal information, including employment contracts, performance reviews, police checks are only available to the Executive Director and the Operations and Financial Comptroller.
- Board – Contact data is shared internally in the BSM Directory. Resumes and sensitive data are held in password protected files available only to the Executive Director and the Operations and Financial Comptroller.
- Volunteers – Contact and volunteer activity data.
- Students – Data on students attending the BSM is kept securely in password restricted folders which are only accessible to faculty & staff who need the information to do their job.

Paper Data

A limited amount of personal data is stored in paper form in the BSM office:

- Faculty & Staff data (including resumes, contracts, performance reviews, disciplinary records, doctor’s notes etc.) are stored in a locked office accessed only by the Executive Director and the Operations and Financial Comptroller.
- Temporary lists/spreadsheets containing contact data of volunteers for events, lists of student attendance are created from time to time. These will be secured in a locked drawer out of hours and shredded once they are no longer necessary.

CCTV

The BSM uses CCTV for the following purposes: to safeguard the welfare of students, parents/guardians, faculty & staff, board members, volunteers and visitors; to protect the BSM, students, parents/guardians, faculty & staff, board members, volunteers and visitors from criminal activity such as theft and vandalism; to increase personal safety; to support the protection of safety; to aid in the investigation of accidents, incidents and breaches of our rules and policies; to

assist the BSM with its health and safety obligations; and to support law enforcement agencies in the reduction, prevention and detection of crime and to assist in the identification, apprehension and potentially prosecution of offenders. CCTV may contain the personal information of those individuals captured by the recording. Footage is automatically deleted after 4 weeks to reduce privacy-related risks. The CCTV footage is maintained and operated by the BSM Landlords – Berkeley Board of Governors.

Destruction of Information

Digital data will be deleted when no longer needed (according to retention policies below). When BSM computers are decommissioned, the hard drives will be removed and destroyed.

Paper data will be shredded when it is no longer needed (according to retention policies below). Shredding of any sensitive information and private employee records will be carried out only by those with authorized access to the information.

Accuracy checks and updates

Personal information on faculty & staff, board, students and donors will be checked for accuracy once a year.

- Faculty & Staff – At the time of the annual performance review staff will be asked to review the employee data sheet and advise of any changes. Employees will be asked to sign any documents relating to performance or disciplinary matters to confirm that they agree the contents are accurate and have been discussed. Only the final signed versions will be kept on file.
- Board – At the time of the Annual General Meeting Council members will be asked to review for accuracy personal data held by BSM.
- Donors – at the time of the Annual Appeal donors will be asked to advise BSM if the contact data held is accurate, and to advise if they do not wish their name to be published in the Annual Report.
- Student data will be kept for no more than seven years after the student’s interaction with BSM.
- Job applicant data will be kept for six months. Permission must be sought to retain the data on file for longer than six months.
- Sensitive data - data on age, sex and race for any of the above groups may anonymized and kept indefinitely, for the purpose of tracking BSM’s diversity profile.

Handling an Information Breach

An information breach has occurred if personal information held by BSM is lost, stolen, unlawfully destroyed, or deliberately or accidentally disclosed to an unauthorized person at BSM or to a third party without the consent of the individual; with such a breach likely to adversely affect an individual.

In case of an information breach or a suspected information breach, the member of staff who first becomes aware of the breach must notify the Executive Director and BSM's Privacy Officer immediately.

The Privacy Officer and any other relevant staff shall determine without delay if there has been a breach or potential breach. If necessary, the Privacy Officer shall notify the Privacy Commissioner of the breach, without undue delay, and then notify any individual affected by the breach. The notification to the Commissioner shall describe the nature of the breach; its likely consequences for that individual; and the measures taken and to be taken by BSM to address the breach.

Privacy Commissioner contact: 543-7748, PrivCom@privacy.bm

The Privacy Officer shall investigate the nature and cause of the security breach and document the facts regarding the breach, its effects and the remedial action taken, and conduct a risk assessment for further potential breaches.

Access, Correction or Destruction Requests

Individuals have the right to request access to a copy of their personal information and other supplementary information, including:

- the purposes for which the personal information is used by the organisation;
- the names of the persons to whom their personal information has been disclosed; and
- the circumstances in which the personal information has been disclosed.

Individuals have the right to have inaccurate personal information corrected. As a matter of good practice, BSM will keep note of any challenges to the accuracy of personal information.

Individuals have the right to request that the personal information held by BSM is not used for the purposes of advertising, marketing or public relations.

Individuals have the right to request that BSM erases or destroys personal information about themselves that is no longer relevant for the purposes of its use.

All such requests (access, correction, erasure) must be made in writing. BSM will acknowledge the request within 14 days (asking for more information to complete the request and verify the identity of the applicant if necessary) and must by law comply with the request within 45 days. (See sections 17-20 of the Act for exceptions).

4) PRIVACY NOTICES AND CONSENT

Privacy Notices will be provided before personal information is collected and consent obtained at the time the information is collected.

Privacy Notices will include:

- a. Purpose for which personal info is being collected or might be used
- b. Identity and types of third parties to whom the information might be disclosed
- c. Identity, location and contact details for BSM including name of Privacy Officer
- d. Choices and means provided to the individual to access, rectify, block and/or destroy their personal information.

The request for consent will be prominent and separate from other terms and conditions. We will make it easy for individuals to withdraw their consent to use of their personal information and will not penalize individuals who wish to withdraw consent.

BERMUDA SCHOOL OF MUSIC PRIVACY NOTICES

GENERAL PRIVACY NOTICE

This privacy notice for the Bermuda School of Music (BSM) describes how and why we might collect, store, use, and/or process personal information.

A. When people use our services, such as when you:

- Visit the BSM website (www.musicschool.bm)
- Download or use BSM applications, use BSM social media applications or any other application that links to this privacy notice
- Connect with BSM as students

B. When people connect with BSM as donors, faculty & staff or volunteers.

The Personal Information Privacy Act 2016 (PIPA) requires us to explain the valid legal bases we rely on in order to process your personal information. As such, we may rely on the following legal bases to process your personal information:

- **Consent:** We may process your information if you have given us permission in writing to use your personal information for a specific purpose. You can withdraw your consent at any time.
- **Performance of a Contract:** We may process your personal information when we believe it is necessary to fulfill our contractual obligations to you, including providing services or at your request prior to entering into a contract (e.g. rental agreement) with you.
- **Legitimate Interests:** We may process your information when we believe it is reasonably necessary to achieve our legitimate purposes as a charity and those interests do not outweigh your interests and fundamental rights and freedoms. For example, we may process your personal information for some of the purposes described in order to:
 - Send users information about our programmes and events (e.g. newsletter)
 - Develop and display personalised and relevant advertising content for our students and supporters
 - Analyse how our programmes are received so we can improve them to engage and retain members and supporters (e.g. questionnaires)
 - Support our marketing activities
 - Engage with donors and volunteers
- **Legal Obligations.** We may process your information where we believe it is necessary for compliance with our legal obligations, such as to cooperate with a law enforcement body or regulatory agency, exercise or defend our legal rights, or disclose your information as evidence in litigation in which we are involved.
- **Vital Interests.** We may process your information where we believe it is necessary to protect your vital interests or the vital interests of a third party, such as situations involving potential threats to the safety of any person.

SPECIFIC PRIVACY NOTICES

STUDENTS (included on application forms)

BSM collects this personal information about students (with parent / guardian consent if under the age of 18yrs) for the purpose of safeguarding the students while in BSM's care and ensuring any special needs are met. Unless otherwise requested, this information will be erased from our databases as soon as it is no longer needed, or within seven years of collection.

You have the right to withhold information on any disabilities, health issues or learning difficulties that the student has, but doing so could impact our ability to safeguard the student and meet their needs.

Information on sex, race, nationality and school is requested on a voluntary basis and used to monitor the profile of the student engaged with BSM in terms of diversity and inclusion. This data will only be used anonymously for statistical purposes.

The student's information will never be disclosed to a third party outside of BSM without your consent.

You have the right to request a copy of the personal information we hold about the student, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use. Such requests must be made in writing to:

Bermuda School of Music, Suite 436, 11 Bermudiana Road, Pembroke, HM 08 or by email to info@musicsschool.bm.

BSM's full Privacy Policy can be viewed on www.musicsschool.bm or by request to BSM's Privacy Officer is Annette Cook, annettecook@musicsschool.bm. Please see our full policy <https://www.musicsschool.bm/about/privacy-policy>

- I consent to the use of the personal information I have provided about the student for the purposes outlined above.
- I consent to photographs being taken of the student and used for the purposes of promoting the Bermuda School of Music and its programmes.
- I DO NOT consent to photographs being taken of the student.

Student Full Name: _____

Student Signature: _____ **Date:** _____
(if under the age of 18 Parent / Guardian signature)

Full Name: _____
(if under the age of 18 Parent / Guardian full name)

SPECIFIC PRIVACY NOTICES

FACULTY & STAFF (included in Employee Manual and Employee Data Form)

BSM maintains personal information about all of its employees for the purpose of managing the employer-employee relationship, including your employment contract, administration of compensation and benefits, and performance management. We are committed to respecting your privacy by handling all of the personal information collected in accordance with applicable law and our own Privacy Policy.

We collect sensitive personal information on race, sex, nationality and family status for the purpose of monitoring BSM's equal opportunities, diversity and inclusion, and to comply with requests for such statistics from the Government Department of Statistics, the Registrar of Charities, major donors and other parties with a legitimate interest. This information will only be used anonymously for statistical purposes.

In order to fulfil the purposes set out above, it may be necessary for BSM to pass employee personal data (or sensitive personal data, as appropriate) to regulatory bodies, government agencies and other third parties as required by law or for administration purposes. The trust may record, process, use and disclose personal data relating to employees as set out above (including the recording, processing, use and disclosure of the employee's sensitive personal data to the extent required by reason of his/her employment or by law), including the transmission of such data abroad.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use.

BSM's full Privacy Policy can be viewed on www.musicschool.bm or by request to your Executive Director or Operations and Financial Comptroller.

BSM's Privacy Officer is Annette Cook, annettecook@musicschool.bm.

Please see our full policy <https://www.musicschool.bm/about/privacy-policy>

I consent to the use of the personal information I have provided for the purposes outlined above. (Consent box on employee data form only)

Signature: _____ **Date:** _____

Full Name: _____

Position: _____

SPECIFIC PRIVACY NOTICES

BOARD (included on Board Information Form)

BSM maintains personal information about its Board members for the purpose of good governance of the organisation, compliance with requirements of the Bermuda Registrar of Charities and compliance with the KYC requirements of BSM's banks. We are committed to respecting your privacy by handling all of the personal information collected in accordance with applicable law and our own Privacy Policy.

Your information will never be disclosed to a third party outside of BSM without your consent. We collect personal information on race, sex, nationality and family status for the purpose of monitoring BSM's board profile in terms of diversity and inclusion and to comply with requests for such statistics from donors, the Registrar of Charities and other parties with a legitimate interest. This information will only be used anonymously for statistical purposes.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use.

BSM's full Privacy Policy can be viewed on www.musicschool.bm or by request to BSM's Privacy Officer is Annette Cook, annettecook@musicschool.bm. Please see our full policy <https://www.musicschool.bm/about/privacy-policy>

I consent to the use of the personal information I have provided for the purposes outlined above.

Signature: _____ **Date:** _____

Full Name: _____

Position: _____

SPECIFIC PRIVACY NOTICES

VOLUNTEER (included on Volunteer Information Form)

BSM maintains personal information about its Volunteers for the purpose of good governance of the organisation, compliance with requirements of the Bermuda Registrar of Charities and compliance with the KYC. We are committed to respecting your privacy by handling all of the personal information collected in accordance with applicable law and our own Privacy Policy.

Your information will never be disclosed to a third party outside of BSM without your consent. We collect personal information on race, sex, nationality and family status for the purpose of monitoring BSM's board profile in terms of diversity and inclusion and to comply with requests for such statistics from donors, the Registrar of Charities and other parties with a legitimate interest. This information will only be used anonymously for statistical purposes.

You have the right to request a copy of the personal information we hold about you, to ask for it to be corrected or to ask that we delete/destroy the information when it is no longer relevant for the purpose of its use.

BSM's full Privacy Policy can be viewed on www.musicschool.bm or by request to BSM's Privacy Officer is Annette Cook, annettecook@musicschool.bm. Please see our full policy <https://www.musicschool.bm/about/privacy-policy>

I consent to the use of the personal information I have provided for the purposes outlined above.

Signature: _____ **Date:** _____

Full Name: _____

Position: _____