

Legitimate Interest Assessments for OTG

This is a supplement to the register of personal data processing where the basis of legitimate interest is used.

See



<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/legitimate-interests/>

| | |
|--------------------------------|---|
| 13 th May 2018 | Initial version |
| 31 st May 2020 | Added LIA for old members data |
| 5 th September 2020 | Update auditions section to reflect the audition signup process and to correct alignment with the data processing register about retention of information about unsuccessful auditionees. Add information about NHS Track and Trace |

Auditions

The information collected whilst collecting audition signups (where needed), on auditionee forms and noted during auditions is processed on the basis of legitimate interest. The processing comprises collecting data from the individual directly (name, address, phone number, email address, experience, parts interested, and availability) including via online platforms such as Eventbrite and Google Forms, and noting observations about the suitability during and after auditions. Information related to non-successful applicants will be destroyed after the audition process at the end of the production (unless they have separately supplied it for ongoing marketing purposes, with consent).

Purpose test

We are pursuing the selection of casts for plays, which is a legitimate and essential part of our business fulfilling our charitable remit. The auditioning process would not be considered unethical as it performed according to a fixed procedure which ensures fairness.

Necessity test

The information collected from the auditionee and noted during the process are necessary to enable auditions to be scheduled, and casting decisions made (including recasting during the production process). Without the information, it would not be able to meet our policies of fair and open auditions.

Balancing test

Individuals participate in auditions voluntarily, and because they might stand to gain benefits as a member of cast. Participants would reasonably expect their details to be

used in this way as a normal part of any audition process. The privacy impact is minimised by ensuring that processes are in place to restrict distribution of data collected during auditions.

Productions

Names, production roles and contact details will be shared with senior production team members. Other details (including costume measurements and availability in schedules) will be shared with other production team members as needed. Names and production roles will be shared publicly online and in programmes.

Purpose test

Producing plays is a legitimate and essential part of our business fulfilling our charitable remit.

Necessity test

These details are necessary to fulfil our ability to schedule rehearsals and generally conduct the business of a production team. They are also needed to fulfil our welfare obligations. The privacy impact is minimised by ensuring that processes are in place to restrict distribution of data collected during the production process.

Balancing test

Individuals participate in productions voluntarily, and gain benefits as a member of cast/crew. Participants would reasonably expect their data to be used this way as a standard part of production processes. The privacy impact is minimised by ensuring that processes are in place to restrict distribution of data collected during productions.

Expense processing

Contact details, details about purchases and bank details are processed for the purpose of processing expense claims.

Purpose test

Expense processing is an essential part of production and committee activities.

Necessity test

The data collected is necessary for the effective processing of expense claims.

Balancing test

The privacy of the individual is maintained by not distributing the claim beyond those who need to know about/approve it; bank details are stored separately from expense claims on a secure banking system and only processed by the Treasurer and other nominated signatories. Claimants are given the option to choose whether to receive online banking payments (and thus provide this data).

Trustee management

Trustee declarations, including dates of birth, are stored by the Treasurer for current trustees in order to report to the Charities Commission, and in order to authenticate our charitable status to organisations with a compelling interest (for example financial institutions). Basic contact details are processed in the course of OTG business.

Our processing on a legitimate interests basis only applies to the second purpose.

Purpose test

Reporting to the Charities Commission is necessary for OTG to function as a charity. Using the data to authenticate our charitable status to others enables us to procure goods and services.

Necessity test

The data held is required to authenticate services against the Charities Commission.

Balancing test

Information about trustees will be disclosed under the legitimate interests basis in limited circumstances, and advance notice of any proposed sharing will be given.

Photography

OTG takes production photographs of adult actors in performance and rehearsal under a legitimate interest basis. (Additionally, photographs of under 18s and backstage crew may be taken under a consent basis.)

Purpose test

Photography of shows is an important way of informing members of the public about upcoming performances, which helps to fulfil a core charitable objective.

Necessity test

Photographs of productions necessarily involve taking photos of actors.

Balancing test

The privacy of actors is not undermined whilst being photographed in public performances or dress rehearsals which are equivalent, since the production is intended for public viewing. Photography in closed rehearsal rooms will be clearly notified to enable objections to take place.

Old members

Contact information, biographical information, and information about prior memberships, will be held in relation to old members. Postal addresses will be removed after 18 months (after which OTG is not likely to need to contact them by post). Other details are kept so that contact may be made very occasionally (for example to invite the old member to an anniversary dinner), or in connection with a production or membership matter that requires

follow-up after the fact. Information is also kept so that statistics about past memberships may be kept accurate.

Purpose test

The purposes are of running OTG effectively as a member organisation, including following up on matters that arise relating to a production, and keeping in touch with past members

Necessity test

Keeping basic contact information on file is needed both for production follow-up matters, and for communicating with old members about occasional events relevant to them.

Keeping membership records is required to be able to analyze past OTG membership patterns.

Balancing test

There is a low risk of harm to the data subject from this processing in the vast majority of cases. The information will not be shared with those outside OTG management roles, and includes only basic biographical and historical data relating to memberships which is unlikely to be harmful to store.

If a special circumstance arose where it would be problematic to hold information about a particular individual, they would be able to raise an objection, and OTG could then consider anonymising records. The individual would also be able to object to contact for routine matters by opting out of receiving emails or phone calls.

NHS Track and Trace

In addition to the uses described above, information such as audition sign-up information, and information we hold about production participants and members, may be used to construct a list of basic contact details (name and telephone number) to be passed onto NHS Track and Trace.

Purpose test

The purpose of this data sharing is to comply with the relevant government guidance surrounding the management of the COVID-19 pandemic.

Necessity test

It is necessary to share basic contact details with NHS Track and Trace in order for that system to work as designed.

Balancing test

The data sharing will happen only as necessary for NHS Track and Trace to operate effectively, on request from them. This activity can be widely expected to take place as it is a nationwide scheme publicised by the government. Only basic information about attendees present at a specific event will be shared, and OTG will respect requests for this data not to be shared.